

- 1 -

Understanding The Hypocrisy

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Guys, it's 10:51pm on a Sunday night. I'm in my cell, with strong coffee, when I ought to be in bed. But just before lockdown, I was given an appeal to a charge by an inmate who was in a fight. He was punished with 27 days of good time taken from him, loss of e-mail privileged for 6 months, loss of 6 visitation for 6 months, and sat in the SHU (Special Housing Unit) for 2 weeks. The DHO (Disciplinary Hearing Officer) found him guilty of fighting.

"So...what's the problem? If he was caught fighting, shouldn't he be punished?"

Glad you asked. Let me give you this scripture to begin:

Proverbs 18:17 "The first one to plead his cause seems right, until his neighbor comes and examines him."

Bear with me, because I'm wrestling through anger, while trying to remember God's word. Tonight, I read Ezekiel 10th chapter to my cellie, then read Revelations 8th chapter to myself. I try, as best I can, to honor reading God's word. But I also read the charge of the guy, Alberto. After reading

what the DHO said, I got upset. Alberto needed my help, to see if he can successfully appeal the punishment. So I decided to help.

Alberto and another guy, Jarred, were in a fight. Both were taken to the SHU and both were punished for fighting, which LOOSELY translated, is a charge. Sounds cut and dry, right?

Wrong! Thus the scripture I gave you. It's like one of those crime shows, where at first things look obvious. But if you look closely, and peel back ~~lawyers~~, you'll see the great hypocrisy the prison uses to never truly seek justice, only condemnation.

In short- I'm calling DHO, and the prison- liars. Alberto wasn't guilty of fighting- he was guilty of defending himself.

Here's the problem I have; USP Tucson (and most prisons) are rarely, if ever, concerned about the well-being of the inmate, which DOES include justice. They abandon fairness and compassion, and are quick to condemn any behavior that seems negative, without taking a closer look at it. I'll go further- they are quick to turn ignorant and blind when WE have a valid point, but will rather embrace ignorance.

Awhile back, one of the officers here, D. Huffstuttler, committed racist acts against the inmates. This

was NOT the first time it was noted. Numerous complaints were made to the prison- all of them ignored, even though officers admit that she could be guilty of it. Is USP Tucson embracing hate crimes? Do they support racism? By doing nothing, they are defending their own, yet when inmates appear to be wrong, they throw volumes of books at them.

Folks...that makes me mad. But what do you do? If I sit here and do nothing, it continues. But if I write, maybe I can make a difference. But I gotta try to find scriptures to support my argument.

And that's tricky. As upset as I am, I need to use this emotion to write, but also in a controlled manner. I want to call the DHO and the prison a sack of vipers... and maybe they are, but by taking the time to use God's word, I'll open the door to some wisdom. So, let's use some, to understand the hypocrisy here, and possibly help Alberto.

Isaiah 57:1 "The righteous perishes, and no man takes it to heart; merciful men are taken away, while no one considers that the righteous is taken away from evil."

Isaiah 42:22 "But this is a people robbed and plundered; all of them are snared in holes, and they are all hidden in prison houses; they are left for prey, and no one delivers; for plunder, and no one says 'Restore!'"

Guys, this isn't about a criminal; this is about a

person. Alberto was convicted and sentenced. That part is OVER. Now, give him a chance to do his time in a way where he can rehabilitate. What's going on in this case, the prison intends to punish him simply because they can. Yet they hide behind rules we're supposed to go by. Inmates are often left as prey to punishment, not because they're guilty, but simply because DHO doesn't care whether they are or not. They are too lazy, and too hard-hearted to consider that MAYBE there's two sides here. But instead of doing the righteous thing, they do the opposite, and simply found him guilty.

"But isn't Alberto guilty? You said he was defending himself. How do YOU know?"

Because I KNOW what happened.

Cliff notes here: Jarred had just got out the SHU, only like 2 days before this incident... for fighting. I've known Jarred for almost 3 years. And while he's a decent guy and intelligent- he has a horrible temper. He's likely been in at least 10 fights since I've been here. He just got out of the SHU for that exact thing.

Jarred wants his old cell back, and confronts Alberto about it. Alberto declines, Jarred losses his temper, and a fight ensues. The officer sees them fighting, and both goes to the SHU. Alberto CLEARLY states he was defending himself, and it is noted on his appeal. But DHO still insists that he was still fighting, and by policy must be disciplined.

See, here's the problem I've got. DHO was gutless in true judgment. Judgment isn't a black and white issue of "guilty" or "not guilty". There's variables that a righteous judgment MUST allow, else the judgment is unfair- which is common with DHO hearings. Innocent or not, you're still guilty to them.

They lack a true sense of investigation, which looks to see if the inmate is truly guilty or conditionally guilty. Sometimes you can be guilty at face value, but not guilty depending on the evidence- something DHO ignored.

I know Jarred; I've known him almost as long as he was here- and his temper is his trademark. Any inmate who knows Jarred will tell you this. So it clearly wasn't out of logic that Jarred lost his temper when trying to convince Alberto to give his cell back to Jarred. He'd only been out of the SHU TWO days for fighting...and at it again. What part of that did DHO miss?

But that means nothing to the prison. They're not here to render fair decisions- only condemnations. To me, that makes them just as bad as the worst of us. There are huge complaints of bad officers here, many admitted by other officers, yet the prison will do nothing, even if 100 inmates complain. But with evidence of self-defense, the prison ignores fair "judgment" and finds guilt.

So those who act righteously get no mercy, because the people in authority don't take it to heart. They stick them in holes (which is slang for the SHU) and no one comes to help them. How is this fair?

Proverbs 28:16 "A ruler who lacks understanding is a great oppressor..."

Proverbs 28:5 "Evil men do not understand justice..."

Proverbs 29:4 "The King establishes the land by justice, but he who receives bribes overthrows it."

Proverbs 29:2 "When the righteous are in authority, the people rejoice, but when a wicked man rules, the people groan."

Listen, I'm not saying we're angels; we're inmates. But we're still people, and we still deserve a fair judgment. If the ruling was fair, we could bear it, but the DHO ruling was absolutely foolish in that it lacked justice, compassion, logic and mercy. I read the report, and tried to figure out how to best appeal it.

By BOP's own rule, they say, "Acts of physical AGGRESSION by one against another is considered a fight". Yet in the report Alberto clearly said "I was defending myself". Alberto was not the aggressor...Jarred was. And to defend is defined as "to guard against attack or injury". Doesn't he

have a right to do that?

"But fighting is still against the rules..."

Really? Ok.....

If a guy comes to you cell, with full intent to RAPE you, do you fight to defend yourself, or let him rape you, and NOT take the punishment. Are you saying, as BOP appears to be saying, that it is better to be RAPED than to defend yourself?

OR... someone comes to you to try to hurt you, or kill you. Is BOP suggesting that it is better to be hurt... or KILLED, than to defend yourself?

"But that's foolish!"

That's what they're suggesting. Every inmate has a right to defend his body from aggressive harm. To punish people for defending themselves is to endorse violence such as rape. And what happens if an inmate IS raped?

Nothing.

The prison will lock both victim and rapist in the SHU, then ship them off to another prison to wash their hands of it...

So much for "Zero Tolerance"...

Folks, it does happen...

I am arguing that Alberto did what any human being on the planet has a right to do... defend himself. Ought he to be punished for doing what the DHO, or any officer, in Alberto's shoes, would have done? Sometimes you can't run from a fight; you have to defend yourself.

Proverbs 17:15 "He who justifies the wicked, and he who condemns the just, both of them alike are an abomination to the Lord."

Proverbs 17:26 "Also, to punish the righteous is not good, nor to strike princes for their uprightness."

Proverbs 18:5 "It is not good to show partiality to the wicked, or to overthrow the righteous in judgment."

Alberto didn't deserve the punishment he got; he was defending himself against a hot-headed guy who is well-known for losing his temper, and getting into fights. The foolish punish by the "Letter of the Law"... which is what DHO did. The wise carefully looks at the situation, using the "Spirit of the Law", and renders a fair judgment. Even if you still have to punish based on principles of fighting, one could still show mercy and lighten the punishment.

Six months of no e-mail or visit? Are you kidding me?
Chop off a finger or two!!

sigh... Ok, it's 12:09am on a Monday morning as I need to wrap this up. Alberto needs a good case to appeal this situation. As much as I'd like to use scriptures on the BP Incident Report, I have no faith that they'll regard God's Word at all. But I can't sit here and let this severe lack of fair judgment go by without saying, or doing something.

Proverbs 21:3 "To do righteous and justice is more acceptable to the Lord than sacrifice."

Hosea 6:6 For I desire mercy, and not sacrifice..."

James 2:13 "For judgment is without mercy to the one who has shown no mercy; MERCY triumphs over judgment."

Irony: as the "criminals" we're supposed to hold standards the officers couldn't do themselves. Yet when they break the rules, there is no punishment. But when we break rules, or appear to have broken them, there is merciless judgment.

Sometimes I can't understand the hypocrisy... maybe it's better that I don't. I don't want to be like the officers here who are hypocrites when it comes to doing right...

oh well, it's late, 12:32am... Alberto needs my help.