

May 1, 2018

Dear Editor,

As you shall see from the enclosed statement, I am no longer allowed to publish anything on your website. Although I have a permission form on file, I have been ordered to stop writing and publishing. This is a Federal Felony (§1986), and a tort (§1983), but I'm helpless. I'm enclosing the statement "for informational purposes only". I certainly wish that I could publish it, but a law's a law, even when it's a crime!

Do you have a lawyer who can address this? If you let DOCCS get away with this crime, no inmate will be safe, oh yeah, we're already not safe! Publishing is the most important right we have, oh, oops, I mean HAD, since we can't publish anymore.

I'm sorry to be the one to tell you that your project is "out of business" here in NY.

Robert Richter 94A4183  
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Sadly,

R3 Richter

Dear Editor:

May 1, 2018  
Robert Johan Richter

## How I Lost My Rights

I just came back from the Draft Trailer, here at Orleans Correctional Facility, where Lieutenant Rice told me in detail that neither I nor any other New York State prisoner will be allowed to publish anything, online or elsewhere. Of course, everything he said was completely illegal, but there's nothing I can do about that. An order, even an illegal one, is an order, and I have to obey it.

He told me that inmates aren't allowed to have access to the internet, and aren't allowed to post anything online. I explained that I wasn't "posting", but publishing books and articles, but he wasn't having it. He said that if I'm publishing, I'm copyrighting my work, and "... a copyright is a pseudo-business". There is a DOCCS directive which prohibits inmates from "running a business", but I have never seen it applied to writing before.

I have a Federally protected civil right to write and publish, but he doesn't care. "I follow State law, not Federal law," he told me, which is the very definition of a §1983 suit for depriving someone of a Federally protected right under color of law. What he's really worried about is that I might write about the crimes

committed by staff, as when two officers and a sergeant dragged a handcuffed inmate across the compound with his pants and underwear around his ankles, private parts exposed for all to see (on 2/6/18). This is a PREA violation, but the prison rape culture has the dozens of inmates who witnessed this crime scared to say anything.

It wouldn't matter anyway. If the officers thought that there was any chance whatsoever that their crime would be reported, investigated, or prosecuted, they wouldn't have done it so publicly. They KNOW that nothing will happen, and they deliberately flaunt their crimes to intimidate the rest of the prison population. "This could be YOU!", that's the message they're sending. Shut up or else!

I was also told that inmates aren't allowed to make any money from anything they do in prison, including writing or creating "artworks". Strangely, he didn't show me anything in writing, or cite any rule, directive, statute, or court decision. That's because there is no such rule. Writing and art are the only things prisoners can make money from, it's a Federal right. He used illogic to claim that I can't publish on free websites like Prisons Foundation, where I have ten comic books already, because "it's a business".

# "How I Lost My Rights" Robert Johan Richter

Mail to journalists is specifically exempt from the prison rule that business mail must be sent out unsealed, which is intended to allow DOCCS officials to check for illegal solicitations. Inmates are not allowed to solicit goods, money, or services from any non-relative. The word "solicit" originally meant "ask for for free", but now it's being interpreted as "try to sell" or "do anything at all". The LT insisted that I must be "soliciting" money if I'm publishing.

There is no law in New York. Prisoners have no rights. Any day now, I'm going to be beaten up, robbed of my property, sent to the box (probably sexually abused on the way), or even killed. Who can I report this to? Does he care that "artworks" are entitled to exactly the same Federal protections as written words? No. He follows State, not Federal, law, remember. Under State law (ie whatever he wants to do, and thinks he can get away with), he can completely isolate me (by having me held in an OMT strip cell, for example), and do whatever he wants to me.

What is APWA going to do about this? Will they meekly allow the State to put them out of "business" by banning online publishing of prisoners' writings? Will they fight for what's right? I'm not holding my breath.

RJRichter