

Chronicles of May
(When The Government Bullies)

Frederick Mason #55487-056 USP Tucson PO Box 24550 Tucson, AZ 85734

What do you do when you are pused to the edge by bullies? This has been an issue we have seen all too often in schools, and recently on the internet. There's even a word for it: "cyber-bullying". But bullying happens everywhere, even in prison.

Let's jump right into this, and my hope while I am sharing this is that you understand that even though there are guys in prison that deserve to be h ere, not everyone is some "monster" as the prosecution says. People make mistakes, last I heard...

Yesterday, May 4th, Lavant was put in Special Housing, or the SHU, for supposedly emailing Mailroom Officer Molinar, telling her that she "was going to pay" for her continual violations of inmate mail. They emailed him, saying that his email would be considered as a "threat" and that they would put him in the SHU for "investigation".

Sounds cut and dry? Not exactly. Let's look closer in this so that you can see what is really going on.

First, I might admit that maybe Lavant didn't communicate to the Mailroom in the best way, but if you knew the current situation here at USP Tucson, you'd see something different. For YEARS, we have had issues with the mailroom violating our mail rights. Legal mail had been opened illegally; legal mail not sent out; certified mail not being mailed, magazines "disappearing" although the staff signed for it. Letters to the NAACP, ACLU and government officials never being sent, or never delivered to the inmates.

Hundreds of complaints have been made to the staff, but to no avail. Case laws, constitutional rights and policies, clearly violated, but the staff turns a deaf ear and a blind eye. Lavant was one of those inmates who tried over and over again to get the mailroom, and Molinar, to stop violating inmate mailing rights and due process to the courts. But they never listened.

Lavant has the right to expect the mailroom officer, Molinar, to simply do her job, which she refused to do. His mail was not an email of a declaration of a physical attack, rather one of litigation. He made it very clear that he would seek any litigation he could to the prison for violating the laws.

Perhaps the first thing the prison ought to do concerning this "threat" is to determine what Molinar did to provoke this type of behavior. And if Molinar did provoke Lavant to this action, what did the prison do to resolve the issue? From Lavan't email- nothing.

So we have to ask, what triggered this event? This clearly is not an isolated event or a singular one. Inmates have been complaining for years about this mailroom, to no avail. What do you do when you have been pushed too far by someone?

For example, if an officer here at USP Tucson beats an inmate every day for 6 days, and on the 7th, the inmate takes a swing at the officer in self-defense, is it then policy for the prison to write up the inmate and say he attacked an officer, neglecting all the factors to trigger the inmate behavior?

Or, if the prison puts an inmate in the SHU with another inmate, and that person gets raped repeatedly, and pleads to staff who does nothing, what then? If the inmate being raped then brutally beats the rapist, is it then policy for the prison to ignore all the preceeding acts and punish the raped inmate for assault?

I contend that Lavant has a right to expect Molinar to do her job and go by policy and process the mail as she was hired to do, and not use her authority to persecute inmates. Lavant has a right to question the mailroom when they are not doing their job.

This was clearly illustrated earlier this week, when Lavant tried to send certified legal mail to the Department of Justice. Knowing the history of this mailroom, he called his family to check the tracking number, to find out that on Monday, when he sent it out, the mailroom never mailed it... nor on Tuesday, or even Wednesday. He had to email the staff to tell them what was going on, that Thursday, before the mailroom finally decided to mail it.

There can be no question that Lavant's frustration was based SOLEY on Molinar, and the mailroom's repeated retaliations against him for expecting USP Tucson to simply follow the rules and policies, of which they are clearly refusing to do.

Even if, I say IF, Lavant DID have more aggressive intentions, why didn't USP Tucson look to resolve the problem, instead of favoring their own staff? It is clearly documented that there has been dozens of complaints, perhaps HUNDREDS about the mailroom. Just the day before he went to the SHU, Lavant had hand-delivered 8 letters of certified mail to Counselor Flores, to be mailed out about the mailroom... 24 hours later, he's in the SHU.

If the prison refuses to resolve the issues the inmates have, then aren't they just as guilty for facilitating these negative actions, only to retaliate against the inmate rather than look for an answer?

There is a section from a book, "Burning Lightly", a fantasy fiction book. There is a section where the hero of the story, a young boy, was bullied to extremes, and was forced to act, sparking his then unknown power, which ended up killing a few of the bullies, and hurting others. He didn't mean to do it, but because he was pushed beyond what he could bear, he lashed out. The section I am about to share with you is the aftermath, when the authorities had to figure out what to do with him, and if he was responsible for his actions, even though clearly pushed to defend himself:

"So, the boy WAS willing to hurt them!"

Theran snorted, his long friendship with his Senechal allowed him to handle the man differently than the Guard Captain.

"Oh, come on now Greeley! The boy had been beaten to a pulp, slammed into walls and they'd started flogging him! What do you expect? It would take a saint or a martyr to be forgiving under that sort of circumstance, and although I do require many things of my Heralds, I do NOT require them to be more than human! Of course he wanted to hurt them! So would you, so would I, and so would any other man! If these juvenile tyrants weren't already out of my jurisdiction, I would be doing significantly more than merely hurting them, and with a certain grim pleasure, I might add! I am sorely tempted to administer a little royal justice to the ones that didn't die!"

We have all have a threshold of what we can tolerate, and that includes injustice. What do you do when the prison staff continues to ignore your rights as a person? What do you do when they are fighting you tooth and nail to keep your legal works from leaving the facility, or keeping you from getting them? Is this what they are trained to do?

What then is the point of training for prison staff, if what they do is absolutely contrary to what they are trained to do? Or, is this- bullying- what they are actually trained to do? If so, then the prison has misled the country to think that they go by the rules of the constitution, and feel that they are above the law.

What was Lavant supposed to do? What would YOU do, when you have been pushed past what you can bear?