

# Whistleblowers in a Soundproof Bastille

- essay -

October 6<sup>th</sup>, 2019

By: Ennis R. Patterson

## Put Out the Fire

It seems most people incarcerated in Ohio state penitentiaries just wanna do their time quietly and go home. They care not about as if oblivious to the many overt wrongs being committed by the prison establishment, and the blatant violations of constitutional rights. Yet, ironically, inmates constantly speak of rumors concerning wrongs or highly questionable doings of prison personnel and agencies affiliated with such... just loose rhetorical gossip. Albeit the gossip is often true, inmates rarely make moves to attempt to expose wrongs unless it be the ones writing grievances/informal complaints — documents that mind you, will be reviewed by persons employed by the state. They are state employees whom may have a stake in making sure particular grandaries of state prisons not be known to the general public.

We all know once the public is made aware of vile or flagitious doings of establishments, especially if the tax payers have made it possible for those establishments to exist, it becomes difficult for those 'places of business' to continue in their unethical deeds.

When a 'company' (prison) is exposed for unethical doings there are people in executive positions whom now must scramble to project the image of being concerned. Their true worry is the money these explicit debacles may cause them to lose. These executives must reluctantly cease in their indolence. They must quickly quell this disturbance lest they, along with their cronies, may lose influence which equates to losing money and legacy. Their concerns is not of the happenings of the company (prison), but rather quashing the bad look which may lead to a ruined political future and less money to line their pockets with; and possibly criminal litigation.

Case and point, Ohio Gov. Mike DeWine announced the appointment of three new members of the Ohio Parole Board in 2019 after the Board was exposed by former state senator and ex-board member, Shirley Smith, for their extremely bad ethics<sup>1</sup>; Smith called for an investigation.

Make no mistake about it, the appointment of these three members is a subterfuge... an object ruse. The heat was on so DeWine, as he and those whom are in positions like him are adept in doing, doused the flames. His only interest is status quo operations; thus he's able to bolster jobs, keep his pockets lined monetarily and recede back to indolence.

I'm telling you, this is the truth.

### They Can't Scare Everybody

Luckily there are a few inmates such as myself whom take a stand. I've written the Plain Dealer and the Federal Courthouse numerous times to make them aware of the many foul happenings of the criminal justice system. I've filed a civil case against the prosecutors of Cuyahoga County, case no. 1:18-cv-738 (2018), and I currently have a civil case pending against the State of Ohio, case no. 1:19-cv-01524 (2019). See attachment A which is a copy of my Statement of Claim in regards to my lawsuit against the State of Ohio. The claim speaks of inhumane treatment and cruel/unusual punishment.

Note: attachments that coincide with Statement of Claim, and amendment of lawsuit are not included here except for attachments for Statement of Claim Extension of Item 9; see referenced case no. on-line for a complete preview.

Being in the position I'm in (i.e., innocent of the crime in which I've been convicted) it would be totally incorrect for me to not expose the state in whatever way I can. Anyone who is incarcerated for crimes they didn't commit have a right and

duty to speak-up assertively and with vim of their misfortune. It is they whom have been victimized. Innocent involved persons have the upperhand. There's no need to kowtow or placate when you're innocent; you should be mad, you should be outraged, you should do everything in your power to reveal corruption within the criminal justice system.

Use unconventional methods in pleadings (i.e., letters, petitions, motions), name names and convey exactly what particular noisome tactics were used against you. There's no need to be afraid of judicial oaths when you know you've been wrongfully convicted. And though I use the epithet 'oaf' here in these writings, vernacular as such ought not be used when addressing the court or other judicial entities. It is still possible to be stern without the use of vulgarities or profanity.

Getting back to the meaning of this essay, which is more about the goings-on of Belmont C.I. (where author is housed), than what led to my being here; as alluded to, I've made it my business to expose all questionable doings, whether misbehavior of administrators or the likes, or whether it be related to prison conditions. The following list itemize some things reported — or threatened to be reported — to the Plain Dealer:

+ Freezing cell at Lorain C.I. (Lorain R.C.)+

cell so cold ice was about three-quarters of an inch thick on the inside window-sill. After I reported to P.D. (about a week after) maintenance came and fixed ducts.

+ faulty roof at Belmont C.I.+

In 2018 there were sandbags holding down the roof of an inmate dorm due to a storm that had upended it two years earlier. A few months after I reported to plain dealer the whole roof was redone. Chowhall roof, which had been leaking for years was also redone.

+ No soap in restroom at Belmont C.I. +  
after reporting that soap was not in bathroom for weeks at a time to P.D., inmates started receiving state soap weekly, and now soap is rarely empty in bathroom. I was here at Belmont for a year and five months (from April 2017 to Sept. 2018) before state soap was distributed for the first time.

+ Warden confiscated all toenail clippers at Belmont C.I. +  
after toenail clippers were took, I sent a kite to warden threatening to convey to P.D. that this item was being pilfered without reason. All inmate were issued fingernail clippers about two weeks later.

Several other issues have been conveyed to the Plain Dealer and/or Federal Courts. The actions set in motion as a result of intelligent reporting is indicative of the type of power a innocent person in prison have and should display.

### ... but the People Don't Hear Me Though

With what have been able to be achieved thus far as it relates to causing action to be taken to right blatant wrongs of the state, it can be said I've done more for the dignity of Ohio than state-level politicians. Still, these achievements are meager. Moreover, my voice is limited due to the soundproof walls of the justice system. The masses remain unaware of inhumane conditions of prisons as politicians on a state-level are masters of containing the noise. As was averred in a previous segment of this essay, persons in particular offices of authority quickly cease in their perfunctory when status quo operations are at stake.... instantaneously they project the image of being concerned of actions of their colleagues.

Quieting the sounds of disdain and snarl arising from discontented fed-up inmates is first and foremost for state-level criminal justice authority wherever it occurs. Still, whistles can be blown at such high frequencies at times that even the most solid walls of cover-up may become fragile and crack under pressure allowing faint sounds of misery and desperation to escape.

This is what was witnessed in the latter months of 2018 when Cuyahoga County Jail of Cleveland, OH was exposed by U.S. Marshals for inhumane conditions.

Whistles should be blown in unorthodox ways to accomplish a breaking down of these soundproof walls. E.g., circumvent state-level grievance procedures by writing reporters and federal courthouses. Always convey grievances to family and friends and encourage them to contact reporters and federal establishments also. And never, under any circumstances, especially if you've been wrongfully imprisoned, be afraid to file a lawsuit against the state or bureaucratically indexed associates. Suing while doing time can make just as much sense as waiting 'til you're out.

By resulting to the measures described here in regards to exposing wrongs of those who are sworn to uphold truth and justice, sounds are created that will eventually shatter the walls that have been integral in protecting money interests of master deceptionist pretending to be civil.

### Is Fodder for Chow?

Before closing, there's one more subject I'd like to put to readers. You may find this appalling or even unbelievable but there are at least three Ohio prisons serving, or that used to serve, inmates food marked "not for human consumption", "bait food", or "for livestock use only". The three prisons are Lorain R.C., Corrections R.C., and Belmont C.I..

It seems unthinkable, but as of late 2017 a federal lawsuit against four Oregon prisons was still pending as former inmates accused those prisons of serving food labeled "not for human consumption"; see Lyons v. Peters, U.S.D.C. (D. Ore.), case no. 3:17-cv-00730.

Here at Belmont, I've sent two kites to Aramark's (food service) coordinator Mr. Pabin in an effort to ascertain whether the rumors, which are mundane

among prison kitchen workers, are true in regards to captions on boxes/bags of food indicating comestibles are not meant for humans. Mr. Pabin did not respond. Mind you, kites are usually answered within 3 days. Pabin's silence is a quasi of what's being attempted to be done to whistles in certain inmates hands. In these instances one must, proverbially, breathe fresh air into his/her lungs and blow at different frequencies; write reports of the feds which is what was resorted to by the author of this essay.

### The Bottom Line

We ought wreak havoc on soundproof walls by being unconventional in how and who we grieve to. We ought not let those whom wish to munt our voices set narratives as to how to grieve. What sense do it make to allow those whom are ushering grief in our lives to then gesticulate how to convey our discontent.

- this essay have been shortened by E. Patterson by about 400 words.
- this essay was conceived totally by E. Patterson.

### Reference

- 1 Schladen, Marty; May, 2019; Columbus Dispatch; "DeWine Makes Changes to Ohio Parole Board"

Write to Ennis R. Patterson #692029 at:  
Belmont C.I.  
P.O. Box 540  
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\* attachment A

\* Statement of Claim Attachment \*

The following items which Patterson believes amount to cruel and/or unusual punishment, all ultimately are issues that could be, and should be addressed by the State of Ohio. The state's failure to see to it that state incarceration facilities are operating in a humane, sensible manner is conducive to the foul conditions that wards of the state — inmates — are made to endure. Patterson's 8<sup>th</sup> amendment rights of U.S. Constitution has been violated.

• Item 1

Inmates are denied an ample amount of whole fruits<sup>2</sup>, vegetables, grains (oats, beans), and real lean meats. Sickness is rife here at Belmont, possibly exacerbated by the warden's decision to remove citrus fruit (oranges) from the menu. Though we often receive vegetables with meals, they are overcooked; the vegetables are served so salt that they are nutrient deficient. Almost every meal contains white rice, regular pasta, and/or white bread... opposed to wheat rice, wheat pasta, or real wheat bread. Lack of proper nutrients by way of whole foods (produce, ample fiber) have led to deterioration of my health.

• Item 2

Though I'm a residence of Cleveland, OH, I'm being housed in Belmont, OH, which is at least three ~~mile~~ hours away.

• Item 3

While housed at Lorain Reception Center (LRC), I was assigned to a freezing cold cell. Ice was about three quarters of an inch thick on the inside window-sill. See attachment #1 that was filed with U.S. District Court (1:18-cv-00758) which entails the signature of the witness of this freezing cell.

• Item 4

While at LRC I was falsely accused of bizarre behavior and disobeying corrections officers while in TPU (the hole); however, I was never in TPU. An entire report was totally contrived — see attachment #2. LRC sergeant found me not guilty.

I was also falsely accused of calling the mother of the so-called victim of my case even though I could not make phone calls at the time because my GTL account was not set-up. I signed a cease correspondence order, but later sent a kite to the investigator of LRC to renege on that signature since I hadn't made a call to begin with. The investigator responded to my kite saying that I would be sent a pass, but the pass never came. See attachment #3.

The incidents of the latter and former paragraphs both occurred four days apart. Strangely, both occurrences were at the approximate time that I was attempting to expose the prosecutors of my case for their transgressions. I had reported the prosecutors to the Cleveland Bar, and the Ohio Supreme Court Disciplinary Counsel.

#### • Item 5

Here at Belmont there are eight toilets and eight showers for every (about) 280 inmates. Mold and scum is a constant in the showers, and there's frequently lines for the toilets. Inmates received emails concerning the outbreak of hepatitis A in Ohio on July 17<sup>th</sup>, and August 30<sup>th</sup> of 2018. Those emails are still in my jpay account; the emails spoke of how hepatitis A is spread by way of fecal matter, even in small amounts. With 280 inmates sharing eight toilets the chances of me contracting HA is increased dramatically. If the state would end this practice of housing double the amount of what a particular institution was designed to hold, risk of contracting disease would be assuaged. 'Tough on crime' talk of state representatives is nothing more than loose rhetoric as violent crimes have been decreasing for at least a decade;



these inhumane conditions do not have to be.

• Item 6

During the winter months inmates are not provided with thermal wear by the state.

• Item 7

Here at Belmont two inmates are crammed into an area of about 7ft. by 6ft.. Bed moves are constant as confrontations of two sharing such a small space is endless.

• Item 8

My life was put in extreme danger by state corrections officer Albert Horavith (name may be misspelled) whom was arrested on or about July 10th, 2018, for conspiracy to distribute narcotics at Belmont C.I.. It is my belief that the state condone such activities as it is a frequent occurrence in Ohio state prisons, which is appalling considering the nation is in a drug addict crisis.

Also, since hooch (homemade liquor) is frequently discovered here at Belmont, my life and/or well-being is at risk. With so many inmates intoxicated regularly and their punishment so meager, its as if corrections officers/the state encourage this behavior. If the state was serious or even cared at these goings-on — that they (the state) has been aware of for many years — they would see to it that there is constant oversight aimed at addressing this issue.

• Item 9

On March 19th, 2017, while I was housed at Corrections Reception Center in Oriant, Ohio, a riot almost occurred as a result of inmates of one pod attacking, physically and verbally, inmates of the pod where I was housed which was the pod strictly for those convicted of sex crimes. The verbal abuse was

daily and state corrections officers did nothing to quell the abuse. One officer, either Branham or Fraulich, stood by and laughed as inmates hurled a barrage of oranges at me and those of my pod. See attachment #1 that was filed with U.S. District Court (1:18-cv-00738) which entails the signature of a witness to these events.

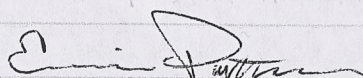
• Item 10

While housed at Cuyahoga County Jail I was seen by the dentist for a tooth ache. I was told the tooth that was causing the pain could be saved. When I was seen for the same problem while at LRC, I was told the tooth had to be pulled.

The state employs too many so-called medical professionals whom are either apathetic, unqualified, or otherwise not provided the proper tools and/or funds to duly care for inmates. The pulling of this tooth is causing discomfort and problems to other teeth.

• Item 11

Since the state don't care to regulate or provide oversight of the functionings of various aspects of prison institutions, contractors behave as they wish. The prison store at Belmont C.I. (commissary) constantly sell inmates outdated food and allergy/pain medicine. I've seen this with my own eyes. In fact, see the enclosed receipt (attachment #4) which documents the sell of 'Meat Sausage Pickled 1.7oz Big Hanna's', and the actual package with an expiration date of May 24<sup>th</sup>, 2019. This item was purchased on June 11<sup>th</sup>, 2019. They were being sold for .25 cents; original price .99 cents.

  
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## \* Statement of Claim Extension of Item 9 \*

The State of Ohio have adopted known junk science as it relates to sex crimes and recidivism rates of those convicted of such and applied that science when implementing laws. These laws are ultimately the reason why some with sex crime convictions, or their families, are, or may be, attacked verbally and physically.

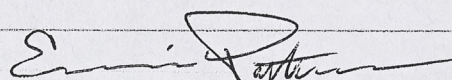
According to Professor Ira Ellman (Professor of law at the University of California), Solicitor General Ted Olson produced a brief that claimed sex offenders' recidivism rate was at about 80%. The brief cited a manual by the Department of Justice. The DOJ was quoting into from a Psychology Today article published in 1986. The Psychology Today article was written by a treatment provider whom also claimed that sex offenders could be cured by way of "aversive therapies" including electric shocks and/or pumping ammonia into offenders' noses.

Without fact checking, U.S. Supreme Court Justice Anthony Kennedy adopted Ted Olson's brief in a 2002 opinion — *McKune v. Lile*. Justices William Rehnquist, Antonin Scalia, and Clarence Thomas joined; Justice Sandra Day O'Connor concurred. The treatment provider has since repudiated the claim.

Though I (Patterson) have been convicted of a sex crime that I didn't commit, the fact that I am on record as being convicted gives me the right to speak out and expose inconsistencies and gaps in regards to this scandal which have led to the violation of my rights, and have put me and my family in extreme danger.

With the State of Ohio implementing sex offense and registration laws based on a known scandal, my 14<sup>th</sup> and 8<sup>th</sup> amendment rights of the U.S. constitution has been violated.

See attachment #6 which debunks sex crime misconceptions which has shaped laws in the State of Ohio.

 #692029

- According to the Sex Offenses and Sex Offender Registry Task Force (SOSOR), which was established by the Illinois Legislature, high-profile incidents that led to calls for tighter control of sex offenders were "in many ways atypical of most sexual offenses." SOSOR, which is composed of practitioners, law enforcement representatives, and advocates found that reports suggest a 5 percent recidivism rate for sex offenders (SO) after three years, and a 24 percent rate after 15 years. SOSOR notes that research consistently finds that SO are likely to be retested, reconvicted, or reincarcerated for non-sex offenses.
- In his 2011 book, 'Justice Perverted: Sex Offender Law, Psychology, and Public Policy,' forensic psychologist and SUNY-Buffalo Law School professor Charles Patrick Ewing wrote: "SO registration, verification, and community restriction laws arose out of an understandable visceral response to a small number of outrageous sex crimes, coupled with false beliefs that SO have a high rate of recidivism." Ewing points out that researchers and experts have been claiming for years that recidivism rates for SO are in fact "quite low, especially as compared to that for other offenses".
- Author, W. Somerset Maugham states: "Common sense appears to be only another name for the thoughtlessness of the unthinking. It is made of the ~~first~~ prejudices of childhood, the idiosyncrasies of individual character, and the opinion of the newspaper."
- A recent Department of Justice report (recent as of June, 2018) found that, filtering the data of new convictions and crimes against children, SO have a recidivism rate of around 1 1/2 percent.
- Melissa Hamilton, a professor of law at the University of Houston Law Center, and recognized expert on SO recidivism issues asserts in 2014: "The assumption that sex offenders are at high risk of recidivism has always been a false and continues to be false.... its a myth. It's become a part of our culture that their are predators waiting around the corners."
- According to the Bureau of Justice Statistics, about 90 percent of victims of sexual

abuse know their abuser. This puts an end to the myth that SO frequent schools, parks, and daycares trolling for victims.

- A 2007 report titled 'No Easy Answer for Sex Offenders' by Human Rights Watch tells of how SO registration and restriction laws fail to reduce recidivism and may actually increase it. HRW report: "the proliferation of people required to register even though their crimes were not serious makes it harder for law enforcement to determine which SO warrant careful monitoring. Unfettered online access to registry information facilitates — if not encourage — neighbors, employees, colleagues, and others to shun or ostracize former offenders..."

In truth, any halfway intelligent person should know that the term sexual predator should not apply to all SO.

- The California Sex Offender Management Board, which include law enforcement, prosecutors, and prison officials, said in a 2018 report that "registry has, in some ways, become counter-productive to improving public safety."
- The Council for State Governments, a nonpartisan group funded in part by the states, posits that "common myths about SO continue to influence law" despite the fact that "there is little empirical proof that SO registration and notification make communities safer."
- WAR (Woman Against the Registry), an organization dedicated to the abolition of SO registries cites a report that showed that family members of registered offenders are regularly subject to threats and harassment by neighbors, physical assault and property damage.
- U.S. Supreme Court Justice David Souter on consequences of SO registry: "Widespread dissemination of offenders names, photographs, addresses, and criminal history serve not only to inform the public but also to humiliate and ostracize the convicted." Registry "affect common reputation and sometimes carry harsh consequences, such as

exclusion from jobs or housing, harassment, and physical harm."

- In October of 2017 the Federal 6<sup>th</sup> Circuit Court of Appeals likened Michigan's sex offense registry to "internal exile" and considered it "immoral" for the punitive consequences that follow registration.

Every single one of the preceding points debunk anecdotal junk science that have shaped sex and registration laws.

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