

CORRUPTION, FRAUD, DISHONESTY, AND EXPLOITATION **IN IOWA PRISONS—WITH IMPUNITY**

By Jack Hays

Clarinda Correctional Facility, Clarinda, Iowa (2019)

In Spring of 2016, I was the elected Secretary of the National Association for the Advancement of Colored People (NAACP) at the Anamosa Prison Branch, Anamosa, Iowa. I had submitted letters and complaints to both state and federal officials about the following:

1. The Anamosa Prison Administration was using *prisoner* fundraiser money to supplement their budget—e.g., infrastructure improvements on a piecemeal level to bypass statutory required bidding.
2. The Administration was refusing to provide the NAACP fundraisers on an equal footing with the other prison organizations—some of which were clearing \$30,000.00 to \$40,000.00 per year¹—because they could not take money from the NAACP and they were concerned about *what* the NAACP would spend the money on (e.g., a lawyer).
3. The Administration was treating the NAACP with disparity in the state that was *the worst in the Nation* for incarceration of minorities.²
4. The Iowa Department of Corrections (IDOC), not just Anamosa, were refusing to follow Iowa Law and the IDOC Policies for the *treatment, habilitation, and rehabilitation* of the mentally disabled.³

I did not receive any assistance from anyone that I sent a letter to and, in some cases, the Anamosa and IDOC officials confiscated letters I had sent out. Moreover, I did not receive any assistance from either the state nor national offices of the NAACP—this is somewhat due to the censoring of the mail at Anamosa State Pen. What I did receive was a *retaliatory transfer* to a Maximum Security

¹ Attached “Exhibit A” is an itemized spending account which only covered about \$10,000.00 for the prisoner council. Who knows what they did with the rest of the money.

² See *State v. Plain*, 898 N.W.2d 801, 824-27 (Iowa 2017), wherein the court stated Iowa was that worst in the nation for the incarceration of black folks.

³ I was, at that time, living in the Mental Health Unit due to Post Traumatic Stress Disorder and Bipolar Disorder. Previously, the IDOC had shut the doors of the court ordered *Clinical Care Unit* at a time when they were touting that IDOC was 41% mentally ill (See Wall Street Journal, Sept. 26, 2013, front page, “Prisons Are the New Asylums”). Also, the IDOC has begun to change its written policies—though they violate the law—to be more in line with their actual practices of *denying* the populations mental health treatment.

prison which resulted in: (1) A cracked skull, (2) A broken nose, (3) Migraines and vision issues, (4) Post Traumatic stress issues, (5) 3 years and counting of pain, and (6) 30 days in the hospital.⁴ To date, more than 2 years later, I still have not been taken to a neurologist for terrible migraines and sunlight sensitivity—a neurologist was recommended by University of Iowa Ophthalmologists. It is my firsthand experience that the state of Iowa, Iowa Department of Corrections (IDOC), *regularly* denies treatment and medication that is prescribed by the University of Iowa Hospitals and other doctors and professionals that treat prisoners in their ward. Indeed, the Iowa Medical and Classification Center (IMCC) will completely remove a man or woman from their medications that their doctor in the free world might have taken *years* to find to treat their patient.

I filed a class action lawsuit recently and was made the class representative in *Gregory, et al. v. State, et al*⁵. In retaliation, the Anamosa State Pen. *again* sent me to the Iowa State Pen. at Fort Madison, IA. And I was *again* attacked from behind and received injuries for my nose, neck, and head. However, this time, I was *not* taken to the hospital at the University of Iowa—no matter how much I complained of nausea, headaches, dizziness, etc.

Although the Iowa State Pen. was previously ordered to open a facility for the mentally ill due to 8th Amendment violations of cruel and unusual punishment⁶, they closed that facility. Indeed, I requested that the court order be enforced, however, the Republican appointed Chief Judge of the U.S. District Court for the Southern District of Iowa stated that I was “not a party” to that lawsuit—though it is a class action—and denied that request, charging me a \$350.00 filing fee.

I filed a lawsuit due to the injuries that I have suffered due to the carelessness, vindictiveness, and negligence of the IDOC employees, as well as their retaliation. It has gone on for two years now. The state’s attorney shows no signs of settling out—despite losing his motion to dismiss and the overwhelming evidence that the

⁴ I had previously been sent out of this institution, the Iowa State Pen., at Fort Madison, Iowa, due to threats. The real reason, because they really didn’t care about the threats, was that I had previously been advocating due to: (1) Yellow undrinkable water, and (2) Issues relating to lack of access to legal materials.

⁵ The Iowa District Court In and For Polk County, #CVCV057085.

⁶ See *Goff v. Harper*, 59 F.Supp.2d 910, 913, 924 (S.D. Iowa 1999). In the original order, the judge admonished, “Iowa should be ashamed...” Iowa is *not* ashamed because they have no idea what is going on.

state's employees were negligent and vindictive.⁷ There is no accountability for the IDOC employees here in Iowa.

I also suffered some memory issues since that time. My memory has been a curse and a gift. Now I have forgotten a great many things that I would never forget before. There is no point in telling the staff in IDOC, they do nothing about it. In fact, I have also been scaled *down* in my migraine medication—which is simply generic over-the-counter Excedrin—to *once-a-day* no matter if how bad I get. I have witnessed men *die* due to the laziness, callousness and penny-pinching in the state of Iowa. I must admit that not *everyone* in the IDOC is that way, however, many times an IDOC employee is forced out or fired if they show *any* humanity, kindness, or decency to prisoners.

One of the worse things I have witnessed and suffered from in the IDOC is the *nepotism* and *comradery*. Siblings, Spouses, Cousins, and nothing but in-hiring is *rampant* in the IDOC. I have witnessed that they will hire a family member or friend from within—even if they are unqualified—to rake in the state windfall of dollars that they can make *nowhere else*. Worse still, if there is a problem with one family member, friend, etc. a prisoner then has a problem with them all, being denied services and/or treated with derision. A few years back, the Des Moines Register printed an OP-ED special titled, “Unchecked Power”, about the Iowa Department of Corrections. Since that article *nothing* has gotten better...if anything, it has only gotten worse with *impunity*.

JACK HAYS

December, 2019

⁷ I have helped litigate a small claims case for a guy about his broken television. In that case, the state workers clearly broke the man's T.V. The associate judge ruled against the state. This man *appealed* that decision...wasting thousands of dollars on a \$100 television—there are laws and procedures in place to settle out cases but this man takes things personal and wastes *thousands* of tax-payers' dollars, waging his *personal* war against prisoners.

The Administration has informed the Council that they are entering into the final stages of the overall Tip Review and information will be forthcoming once the review is completed.

The Council was also informed that there is no validity to the rumor that the Administration is considering closing the Hobby Craft area once Mr. Okoye retires.

The A.S.P. Council would like to Thank all the inmates who have participated in the numerous fundraisers that the Council has been allowed to sponsor for the betterment of Anamosa.

The monies that you have contributed, has allowed the Council to provide a service that is greatly beneficial to all.

It is the Council's desire in the future, to be more open as to where exactly your contributions are being allocated to.

The A.S.P. Council's fiscal calendar operates from July 1st thru June 30th. Here is the update from July 1st, 2014 thru June 30th, 2015.

1. INSTITUTIONAL COFFEE POTS -----	\$ 842.56
2. INSTITUTIONAL GAMES -----	\$ 581.08
3. MEMORIALS (funerals) -----	\$ 600.00
4. MISCELLANOUS -----	\$9,354.06
a. in-house radio	
b. visiting room	
c. christmas packages	
d. trophy	
5. DONATIONS (various charities) ----	\$ 500.00
6. MUSIC EQUIPMENT -----	\$1,875.30
7. T.V. PURCHASES -----	\$ 460.00
8. RADIOS -----	\$ 242.53
9. SPORTS EQUIPMENT -----	\$ 135.95
10. SUBSCRIPTIONS (newspapers, mag) ----	\$3,824.34
11. T.V. SUPPLIES (tv-10) -----	\$ 768.90
12. T.V. system -----	\$2,160.40
13. TYPEWRITERS (library, resource) ---	\$ 540.82
14. WEIGHT YARD -----	\$1,782.85

During that fiscal year, the Council made a profit in popcorn sales of \$4,455.68.

Every year annually, the Council spends on average of \$4,500 on OREO cookies and Little Debbie snack cakes to be distributed to the population at Christmas as a Thank You for your continued support. So please continue to support all the institutional organizations because without you, we cannot continue to provide the various services that we are allowed to offer.

Thank You.....

A.S.P. COUNCIL

("Exhibit A"
Jack Hays 2019)

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