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~~APWA~~ APWA Editors

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Please make sure this goes viral. Please contact me if necessary.

number of words

42 A few sentences about myself. My name is Tim. I'm from Cincinnati/Covington area. I was arrested Nov. 17, 2010 I am 42, 43 June 8. I was arrested on a Computer charge (Internet Porn) 5:10-cr-00319-14. Look it up if your so inclined.

11 My Psychologist Dr. Gabrielle DeJesus; "Your a very dramatic person" FCI-Taladega, Medium. Other Psychologists through the years, "often states small stressors in a dramatic fashion for shock value," they rickie and dime many once specified disabilities to minimal version called, Unspecified personality D/O. A school Psychologist specialist amongst many such tests in March 1992, conducted WJPEB-R (Whatever this is?) "revealed [my] most severe deficits to fall within written language, that was his greatest strength seen on the WRAT-R. What all this means (at least to me) [I am a powerful writer]

39 Based off other quotes in school psychologist report way back when accounts for ~~mis~~ misunderstanding between staff and myself but nevertheless is the forefront basis in future litigation of the mental, physical, emotional and extreme stress suffered during years incarcerated.

33 or 57 additional In this one (of many stories - Personally witnessed prison instances of prison life for the world to see through the eyes of a criminal by default, of law of opinion and not facts). * [NOTE: see "Gall, 1287 S.Ct. at 594 n.2."] (Please add this to not of my 5000 word limit) also see ["Deconstructing the Myth of Careful study: A Primer on the ~~study~~ Flawed Progression of the Child Pornography Guidelines; by Tony Stabenow -- Assistant Federal Public Defender Copyright Jan. 1, 2009, see page(s) 26-30. but not limited to the entire piece.]*

82 In this testimony given hereinbelow as is my future I will write to ~~The American Prison Writing Archive~~ ~~Prison Journalism Project~~ for bringing to light prison conditions in light of COVID-19 as well as other issues will serve the public intrest, because it is always in the public intrest for prison officials to obey the law, especially the constitution. Phelps-Roper v. Nixon, 545 F.3d 685, 690 (8th Cir 2008); Duran v. Anaya, 642 F. Supp. 510, 527 (D.N.M. 1986) ("Respect for the law, particularly by officials responsible for the and

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administration of the state's correctional system, is in itself a matter of the highest public interest."); *Llewelyn v. Oakland County Prosecutor's Office*, 402 F. Supp. 1379, 2393 (E.D. Mich. 1975) (stating "the Constitution is the ultimate expression of the public interest."); see also, e.g., *Ganza v. Aguirre*, 619 F.2d 449, 453 (5th Cir. 1980) ("Unlike systematically discriminatory laws, isolated events that adversely affect individuals are not presumed to be in violation of the equal protection clause." (citation omitted)). Although "Class of One" Equal Protection claims are evaluated under the rational basis test. *Borzych v. Frowk*, 340 F. Supp. 2d 955, 970 (W.D. Wis. 2004), Reconsideration denied on other grounds, 2004 WL 2491597 (W.D. Wis., Oct. 28, 2004). The plaintiff in such a case will be required to show, not only that he was treated badly, but also that persons similarly situated were not treated that way. *Alicea v. Howell*, 387 F. Supp. 2d 227, 236 (W.D. N.Y. 2005); Constitutional Rights for prisoners as shown on Lexis Nexis "Prison Walls do not bar equal protections of the Constitution..."

But this is precisely what is transpiring in light of Covid-19 Pandemic sweeping the entire globe. Prisoners are still entitled to, albeit lesser liberties while incarcerated sure, but nevertheless we still have the right to remain alive and well. But this not the case. Prisoners across the nation, unless you're a specific group, i.e., sex offenders, violent offenders, ^(are being refused to have confinement) A sex offender used to be defined as a rapist. Someone to forcefully molest, touch another person against their wills. Etc. Now it is more, at least in The F.B.O.P. an individual to possess, distribute, to socialize within the WorldWideWeb. This was my crime as well as others who, (are not violent) were guilty of such crimes deemed law based on opinion as opposed to Law based on fact as written by Tony Stabenow mentioned supra. I, like many sex offenders ^{are} based on opinion, are not violent, or dangerous. We do not pray on children.... [I've heard that only ~~the only~~ the FBOP considers specific crimes as violent, not the judicial system -- but, this is only rumor].

11 The FBOP is actively releasing persons not "violent by its/their

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21 definition" Some class of persons have a right to live while another class of persons are forced to wait for death.

28 Home Confinement is just that. Home confinement means I shall take care of myself: (as the FBOP is illequipt to handle normal everyday operations in light of Covid-19 Pandemic)

3 On 3.26.20, Attorney General William Barr issued a memorandum directing the FBOP to use the tool of Home Confinement as a mechanism for reducing the federal prison population. This memorandum presented several factors: 1) PATTERN, a risk assessment tool for people in FBOP prisons who have above a minimum score not receiving priority treatment. (Notable dates and times which caused this writer's low security points to raise to a high level Medium score due to staff retaliation, harassment and conspiracy thereof), and 2) The prisoner's crime of conviction and the assessment of the danger posed by the prisoner to the community. Some offenses, such as sex offense render an inmate ineligible for home confinement. Other more serious offenses weigh more heavily against consideration for home confinement. (As shown in PLN May 2020 page 3).

40 April 03, 2020 AG Barr issued a second memorandum, specifically directing the BOP to "immediately maximize 'appropriate' transfers to home confinement of all 'appropriate' inmates... [at] BOP facilities where Covid-19 is 'materially affecting operations.'" (As shown in PLN May 2020 page 3).

57 In United States v. Jaffee, No. 19-cr-88 (RDM) (D.D.C. Mar. 26, 2020) Judge Moss released defendant... ("Incarcerating the defendant while the current COVID-19 crisis continues to expand poses a greater risk community safety than posed by Defendant's release to home confinement.

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51 ; United States v. Mclean, NO. 19-cr-380 (D.D.C. Mar. 28, 2020). Judge Moss declared... ("the facts and evidence that the court previously weighed in concluding ~~that the Court previously weighed~~ ~~in concluding~~ that the defendant posed a danger to the community have not changed - with one exception. That one exception. COVID-19 - however, not only rebuts the statutory presumptions of dangerousness, see U.S.C. § 3142(e), but tilts the balance in favor of release."); United States v. Harris No. 19-cr-8356 (RDM) (D.D.C. Mar. 26, 2020). Judge Moss released defendant while awaiting trial after ~~examining~~ weighing the risk to the public of releasing defendant [charged with distribution of child pornography] directly against the risk of to community safety if defendant remained incarcerated in light of the COVID-19 Pandemic." See also United States v. Underwood, NO 8:18-cr-201-TDC (D. Md. Mar. 31, 2020) ("In the courts view... FCI Cumberland has no positive tested inmates for the Coronavirus to date, there is significant potential for it to enter the prison in the near future. (PLN 5.2020)

22 Despite FBOP Claims that FCI-Elkton Facebook Live Feed of Plea for help that went viral being ~~is~~ false, the inmate to make this video is right in his expletive cursing that "This is serious, and that people shouldn't have to die like this." Despite the crime I was charged with as well as many people charged with what's defined "a sex offender" is a draconian punishment. FBOP's Operations Memorandum No: 151-90 (5510) Subject: Control of Inmates quoted ACA Standards C2-1053 and C2-4172 which are referenced in an older, or current copy of the Correctional services manual as authorized by Assistant Director Patrick R. Rowe of FBOP "... Inmates are ~~to~~ also to be protected from 'Personal Abuse, Corporal punishment, Personal Injury, Disease, Property Damage and Harassment"

41 We are all human beings with the percentage being an American Citizen. We also have ~~the~~ Constitutional Rights and should be protected from such atrocities as being cornered like caged animals while this global pandemic destroys all we hold dear in this

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42 world. Our families, our existence; we prisoners should all be able to make ourselves safe, because, the simple truth of the matter despite what you read or hear in such media sources, the FBOP is not equipt in taking care of us: "In adopting the A.P.H.A environmental standards, the court points out that a prison facility is a closed ecosystem." Have you ever watched the movie 'Bio-Dome?' Where Pauly Shore and his friend through 1) Human Nature; Staying comfortable in lifestyles, and 2) Human Error; Mistakes made in this process caused all sorts of chaos in the 'closed ecosystem' of the Bio-Dome represented. The end of the movie showed all well. But, this is not the movies and the Human Nature and Human Error shown in Greenville, FCI Medium Security in months of Coronavirus during the Global Pandemic is prime example of ~~chaotic~~ "Chaos" proportions.

70 FCI - Greenville is not ^{Infected} as of 5.16.20 my this writers date of writing this statement to such places to post but as shown by United States v. Underwood... ("there is significant potential for it to enter the prison in the near future...") If case law is not your ~~former~~ understanding then take into consideration your possible thoughts of this disease reaching out to you or those you care about. Yes, we have remained lucky thus far but as stated by Nurse, Ms. K. Knoll-Maxey R.N. of Greenville Medical Staff on unrecalled date stated to my cellmate Nathan ("It's not here yet, but it will be and when it does it will be bad.") or to this effect. This was stated in (SHU) Special Housing A-Range in April or May upon requesting an update in the virus at our parent institution. Upon asking Nurse K. Knoll-Maxey for information of apparent symptoms of Covid-19 Nurse K. Knoll-Maxey states "if I give it to you I have to give it to everybody." This is stated after next paragraph below.

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On April 08, 2020 Captain M. Patterson of Greenville at (SHU) cell prior to ~~me~~ this writer's was heard speaking to unidentified inmate. Inmate said to Captain M. Patterson "What symptoms should I watch for in case virus hits us?" (or to this effect). Captain M. Patterson states "I don't know. Don't you guys get any information back here?" [This writer and several prisoners on range announced 'we do not get any - nor does anyone tell us a [expletive] thing.] Captain then states to unidentified inmate, "ask medical, they would know." Captain was heard by this writer to then leave this conversation by walking away. This writer then spoke to Captain M. Patterson. This writer then asked captain about Anti-Bacterial Soap afforded to inmates because this writer with no prior knowledge of soaps and corona-virus Captains reply was "the soap we give you is sufficient enough because by just washing with any soap the virus will just fall off." (Note, April 09, 2020 This writer filed "Relief in Nature of Mandamus 28 U.S.C. 31361 With Ex-Parte" See what later became, Gentry V. Carrajal, (Director FBOP) Case No. 20-CV-00360-JPG. Court is seemingly very supportive of Petitioner in argument, Government shows dislike in Document 10 in Courts use of CDC website information. Government filed for Motion to Dismiss for Failure to State a claim and response to Court order. "This writer, Petitioner is sticking with Extraordinary writ of Mandamus, will Amend Complaint and is seeking any public guidance...."

NOT FOR ABOVE - The American Prison Writing Archive.

This writer begs for ~~Prison Journalism Project~~ et cetera to grant him more than one \$5000 word et cetera allotment. I stated in Paragraph 2 what School Psych wrote "most severe deficits to fall within written language." This is but a small piece of this report. Another part shows that I would need help in forming what I do due to memory in [his] most serious deficit falling within that area tapping his short term visual memory and speed of mental operation. Going off what I think this means and ~~my~~ experience in writing I believe its to say that I get sidelined in the point I am trying to make because I have what's defined as memory corruption so if I talk about it or read from the thousands of pages of daily journals of Prison memories and weak topic trying to describe I sometimes lose track. Please allow for next and continuation of this statement