

## The Days of Tempest Present

There is an old seafarer proverb that says, "Red skies in the morning, sailors take warning; Red skies at night, sailors delight." In prison our morning skies are nearly always red; our nighttime skies nearly never. Inappropriate behaviors amongst the prison officer staff, as well as the inmate population, seem to manifest in cycles; yes, they most definitely appear to be cyclic manifestations. Days at a time will go by without incident and, then, all of a sudden, incidents occur one atop another. Each cycle seems to run its course in two to eight weeks before a period of calm besets the dorm. We might compare this to a storm at sea: It gathers strength and then blows away. It rages, but it is usually short lived. Interestingly and thankfully, these raging cycles are reminiscent of the thirteen and seventeen year locust cycles, in that they are time offset one from the other; the inmates and guards seldom rage at the same time. My dorm entered into its most recent officer raging cycle on July 4, 2019. As the nation was celebrating its independence, and the populous their freedom, the inmates of Eastham State Farm's Five Dorm were enduring the verbal abuse and oppressive ragings of one officer Fields. These ragings began at 6:00 a.m., as officer Fields came on duty, and continued at full tilt for the next hour and a half. Officer Field's primary objective appears to have been to wake everyone in the dorm so that he could assert his authority over them. His rantings mostly concerned compliance to obscure and/or forgotten rules that no other officer pays mind to. He did make it clear to everyone in the dorm that he would 'write-up' (i.e. cause to be disciplined) any inmate for even the slightest perceived infraction of the rules. While in the presence of five inmate witnesses, officer Fields concluded his rampage by referring to the inmate population as 'motherf@#\$ers'. That evening I submitted a Step 1 Grievance Form describing the incident, and it was received by the grievance department the following day, July 5, 2019. Six weeks later, August 14, 2019, I received a notice from grievance investigator D. Phillips indicating that additional time would be required to investigate my concerns. Then, on August 21, 2019, I received the following answer to my greivance:

An investigation into your claim has been conducted. COV Fields states he told the offenders to take down their clothes lines, I didn't yell for over an hour, gave clear instructions and never used profanity. No further action warranted by this office.

This answer was signed by K. Hutto, Asst. Warden.

Immediately noticeable is the fact that five inmate witnesses held no sway in this investigation. They were never sought out for questioning, and were never considered. The officer charged with inappropriate behavior denied the charges brought against him, so as far as unit management is concerned the charges against their officer are false, and the inmate witnesses either delusional or pathological liars. It has been said that the greatest trick the devil ever pulled was to convince the world he didn't exist. Well, similarly, it could be said that the greatest trick the department of criminal justice ever pulled was convincing the world that a prisoner can tell no truth. This idea is, however, the greatest of deceptions. I have personally filed several grievances, and can say from experience that they are all answered using similar language.

My story concludes on August 30, 2019 when Eastham finds itself the subject of a surprise inspection of some sort. At approximately 9:00 a.m. one Captain Farrell enters Five Dorm shouting quite loudly, "Everyone get your bunks in order!...Get in compliance...Inmate Handbook..." And on and on he babbles. It is interesting that, at every incident, that involves officers shouting and threatening inmates with disciplinary action, the officers lean on and quote the authority of the inmate handbook. There is a problem however: They all ignore the parts of this text that do not serve their own particular purpose. This very same Inmate Orientation Handbook, for example, states that all inmates are to be provided with two sets of uniforms, and they are to be clean, well fitting, and in good repair. Eastham issues only one set of uniforms, with circumstantial exceptions (medical or extreme obesity), and the only time they are clean, well fitting, and in good repair is when the inmates themselves, against the rules, commission their manufacture. The going price is \$3.00 per set. We are subject to frequent and unannounced 'necessities shakedowns', and if an inmate is found in possession of more than one set, they are confiscated.

September 24, 2019.

Five dorm was just subjected to one of the aforementioned necessities shakedowns; my second set of uniforms, a set that I had to commission because the unit refuses to issue two sets, was confiscated. I have lost my only good set of uniforms and am out the cost of commissioning them, and now I am being threatened with disciplinary action for having, in their words, an extra set of uniforms. The reality, however, is that I did not have any extra clothing. I only had what the Inmate Orientation Handbook states that I am supposed to have. Essentially, then, I am being threatened with disciplinary action for willingly complying with the rules set before me, rules

that this unit unabashedly refuses to follow. Are the inmates now to be punished for obeying the rules as well as disobeying them? Are they to be punished for insisting that their warders follow their own rules?

Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for the law; it invites every man to become a law unto himself; it invites anarchy.

- Louis Brandeis, *Olmstead v. United States*, 277 U.S. 438 (1928).

Granted, there are no laws broken here, only rules, and the government is not the government of the land, only the governing authority of this prison unit, but the principle is the same, it is universal. Indeed, should the warders not be held to a standard higher even than that of their charges? Those in authority at the unit complain that there is an insufficient supply of uniforms to provide each inmate with two sets. Are the inmates, then, those under authority to be held responsible, and punished, for the incompetence of those in authority? Is this what justice is all about?