

From: "Reveal, Tracy" <tracy.reveal@odrc.state.oh.us>

To: "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>, "Hupka, Karrie"
<Karrie.Hupka@odrc.state.oh.us>

Subject: RE: Sean Swain transfer

Date: Thu, 14 Apr 2022 13:39:29 +0000

Importance: Normal

Thanks for the info.

TR

From: Mustard, Jeffery <Jeffery.Mustard@odrc.state.oh.us>

Sent: Thursday, April 14, 2022 9:35 AM

To: Hupka, Karrie <Karrie.Hupka@odrc.state.oh.us>

Cc: Reveal, Tracy <tracy.reveal@odrc.state.oh.us>

Subject: FW: Sean Swain transfer

Fyi, in case you get a call from the prison.

Jeff Mustard, BOCR Chief
Bureau of Classification/OSC
4545 Fisher Rd, Suite D
Columbus, OH 43228

From: Shepherd, Earlena <Earlena.Shepherd@odrc.state.oh.us>

Sent: Wednesday, April 13, 2022 10:22 AM

To: Lauren Larocque <l.larocque.1994@gmail.com>

Subject: RE: Sean Swain transfer

Ms. Larocque,

I do not process transfers for the Ohio State Penitentiary. Transfer requests begin at the prison. He should speak to his unit staff regarding a transfer.

Ms. Shepherd

From: Lauren Larocque <l.larocque.1994@gmail.com>

Sent: Wednesday, April 13, 2022 10:17 AM

To: Shepherd, Earlena <Earlena.Shepherd@odrc.state.oh.us>

Subject: Sean Swain transfer

Hey Earlena,

Since Sean Swain (A243205) is staying in Ohio, and his catchment zone is North West Ohio, considering that is the closest prison to me, his wife, can we transfer him to Toledo...

Warm Regards,

L

1301

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

Please note that an e-mail message, or a portion thereof, may be releasable as a public record in accordance with Chapter 149 of the Ohio Revised Code.

~~1301~~
1302

From: "Williams, Jenni" <jenni.williams@odrc.state.oh.us>

To: "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>

Subject: RE: Swain 243-205

Date: Tue, 3 May 2022 12:19:22 +0000

Importance: Normal

Will do, thanks.

Jenni Williams, Program Administrator 3
Chief Inspector's Office – Constituent Affairs Supervisor

From: Mustard, Jeffery <Jeffery.Mustard@odrc.state.oh.us>

Sent: Tuesday, May 3, 2022 8:13 AM

To: Williams, Jenni <jenni.williams@odrc.state.oh.us>

Subject: RE: Swain 243-205

Just say this for now.

Incarcerated individuals currently classified as a Level 4 or ERH may not request an incarcerated individual-initiated transfer. Per policy.

Jeff Mustard, BOCR Chief
Bureau of Classification/OSC
4545 Fisher Rd, Suite D
Columbus, OH 43228

From: Williams, Jenni <jenni.williams@odrc.state.oh.us>

Sent: Tuesday, May 3, 2022 6:16 AM

To: Mustard, Jeffery <Jeffery.Mustard@odrc.state.oh.us>

Subject: Swain 243-205

I wanted you to see that Swain's wife contacted us requesting him to be transferred. I will respond letting her know that inmates cannot choose what institution they are transferred to they can only choose a region. I can also mention he has to be ticket free, so he does not qualify for a hardship. Before I respond, are you good with this reply?

Hello, I am writing to inquire how to go about changing Sean Swain A423205's catchment zone. Being his wife I am located in Toledo and it's a lot to drive two hours everytime I want to see my husband. I am looking to get him transferred from OSP to TDC.

I can be reached at L.larocque.1994@gmail.com or 419-796-2827.

Warm regards
L Swain

From: Rosch, Kyle (VADOC) <Kyle.Rosch@vadoc.virginia.gov>
Sent: Friday, June 24, 2022 10:42 AM
To: Reveal, Tracy <tracy.reveal@odrc.state.oh.us>; Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>; Adrian Thomas <Adrian.Thomas@securustechologies.com>
Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Tracy-

Could a home address be obtained for Sean Swain so his content could be sent to a loved one on a jump drive?

Thank you!

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Friday, June 24, 2022 9:41 AM
To: Adrian Thomas <Adrian.Thomas@securustechologies.com>
Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>; Rosch, Kyle (VADOC) <Kyle.Rosch@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Looping Kyle in on this. He may know or can get this information for us through his contacts.

Thanks
Melissa

From: Adrian Thomas <Adrian.Thomas@securustechologies.com>
Sent: Friday, June 24, 2022 9:40 AM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Hi Melissa,

The credit has been added. I just need the address that the warehouse can forward the inmates content to his residence.

Regards,

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 5:42 PM

1304

To: Adrian Thomas <Adrian.Thomas@securustechologies.com>
Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Adrian,

Please place a \$500 credit on the inmate's account. In addition, ensure the inmate is given an opportunity to send a lock player with his owned content on a JPay tablet home. The inmate will not return to VADOC.

Thank you in advance.

Melissa

From: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 3:30 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Ok. Can you handle it with Adrian?

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-7921 (office)

Rose.Durbin@vadoc.virginia.gov

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 3:24 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

1305

I think the \$500 credit is generous. I'm not sure if Ohio has a loaner tablet or not, but it's enough to cover the cost of a tablet at \$129 and buy stamps, music etc. His current content can be sent home for him to access once he's released.

Thanks
Melissa

From: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 1:57 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

What do you think about Adrian's suggestion? This inmate isn't coming back to VA. He's an OH resident that went back.

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
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Richmond, Virginia 23261-6963

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Rose.Durbin@vadoc.virginia.gov

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 1:33 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Jpay tablets are not interchangeable from one state to another. Each state has their own contract that includes their specific requirements related to firmware, app package, and the content they can purchase/possess.

What I've done in the past is give the inmate a credit to purchase new content while in Virginia DOC.

JPay can send a tablet with his content that he purchased while in Virginia home and he may access

1306

when he's released.

From: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 12:12 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Fw: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Please review this email exchange and let's chat.

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

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6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-7921 (office)

Rose.Durbin@vadoc.virginia.gov

From: Adrian Thomas <Adrian.Thomas@securustechnologies.com>
Sent: Monday, May 23, 2022 4:01 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Hi Rose,

It's not transferrable because all states are different and the content is based on the license agreement within that state. The system also doesn't allow accounts to merge so if I have an account in New Jersey and I get moved to Virginia when I go to the kiosks it will see me as a new inmate.

Regards,

From: Durbin, Rose <rose.durbin@vadoc.virginia.gov>
Sent: Monday, May 23, 2022 3:56 PM
To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>

1307

Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Can you remind me of what isn't transferrable? I'm trying to determine if a credit is necessary.

On Mon, May 23, 2022 at 2:32 PM Adrian Thomas <Adrian.Thomas@securustechnologies.com> wrote:

Hi Rose,

I could add \$500.00 credit to his account as a curtesy. As well as get his USB drive sent to his forwarding address with all his VA content that's transferrable.

Regards,

From: Durbin, Rose <rose.durbin@vadoc.virginia.gov>

Sent: Monday, May 23, 2022 2:29 PM

To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>

Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Adrian,

Would that be all owned content? If not, is that what the credit would cover?

On Mon, May 23, 2022 at 12:02 PM Adrian Thomas <Adrian.Thomas@securustechnologies.com> wrote:

Hi Rose,

His content can't be transferred because its two different states and our system you are not able to merge accounts. If I get a forwarding address I will get his content sent to that address via a USB drive. Please let know and I will get this done ASAP.

Regards,

From: Durbin, Rose <rose.durbin@vadoc.virginia.gov>

Sent: Monday, May 23, 2022 11:53 AM

To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>

Cc: Abato, Diane M. <DAbato@oag.state.va.us>

Subject: Fwd: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

1308

Hi Adrian,

Is there a way to get the content he had on his VA tablet to his OH tablet? Can you check and see if a flash drive was provided? I've copied Ms. Abato with our AG's Office on this so she is aware.

----- Forwarded message -----

From: **Robinson, David** <david.robinson@vadoc.virginia.gov>

Date: Mon, May 23, 2022 at 11:18 AM

Subject: Fwd: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

To: Rose Durbin <Rose.Durbin@vadoc.virginia.gov>

Please address. You may need to go to the AGs office.

----- Forwarded message -----

From: **Sean Swain** <seanswaindefense@outlook.com>

Date: Fri, May 20, 2022 at 3:58 PM

Subject: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

To: professionalservices@jpay.com <professionalservices@jpay.com>, Earlena.Shepherd@odrc.state.oh.us <Earlena.Shepherd@odrc.state.oh.us>, jeffrey.mustard@odrc.state.oh.us <jeffrey.mustard@odrc.state.oh.us>, annette.chambers-smith@odrc.state.oh.us <annette.chambers-smith@odrc.state.oh.us>, david.robinson@vadoc.virginia.gov <david.robinson@vadoc.virginia.gov>

Dear Sirs and Madams:

This email is being sent to both JPay and to prison officials in Ohio and Virginia in order to resolve the issue of purchased JPay content for Sean Swain A243-205.

In April 2019, Sean was illegally renditioned from Ohio to Virginia. Sean was given no notice, no warning, no explanation. No administrative process was employed. No hearing was held pursuant to Ohio Revised Code Section 5120.50. No reason was provided to Sean or to Virginia prison officials. It would appear that this was simply an illegal, invidious, and selective act carried out against a prisoner never so much as accused of a single act of violence in 3 decades of incarceration.

After this illegal rendition, Sean purchased content from JPay as Virginia prisoner 2015638. He purchased the content in good faith. Further, he received and sent emails stored in archive, and received photos digitally stored in his account. Some of these photos are irreplaceable and depict persons who are now deceased. He purchased approximately \$2000-worth of music and games. This was his property, purchased in good faith.

In October 2021, without warning or explanation, Sean was renditioned back to the custody of Ohio where he resumed access to his already existing JPay account in Ohio. However, the content he purchased in Virginia, along with his email archives and photos were not transferred with him.

Sean's unit manager at OSP in Ohio, Donna Crawford, contacted JPay to request that JPay transfer Sean's JPay content from the Virginia account to his Ohio account. This is Sean's purchased property.

JPay has indicated that this cannot be done.

As point of fact, there are high school kids without any computer engineering training that could complete this information transfer in about 15 minutes with a laptop and phone modum. It can easily be done. So, what

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JPay means to say is that JPay WON'T do it. JPay opts to withhold the purchased content and irreplaceable property from Sean Swain rather than click a mouse and resolve this issue.

The question now arises as to whether the ODRC, VADOC, or JPay is financially responsible for reimbursing Sean for what is a considerable loss. This becomes a rather sticky question, given that the ODRC, VADOC, and JPay are involved in what seems to be a quadrilateral contract involving Sean.

Sean was in Ohio custody in Ohio, and was in Ohio custody in Virginia, all stemming from the same ostensible conviction and sentence. His incarceration in Virginia was a continuation of his Ohio incarceration. He was at no time informed by the ODRC nor by VADOC nor by JPay that he could expect that content he purchased and received in good faith in one or the other state would be arbitrarily and capriciously withheld from him.

Sean could not have purchased the materials without the approval of the ODRC and VADOC. He did so according to terms of use set forth by JPay, which are terms of use permitted by the ODRC and VADOC. What it comes down to is, it is not Sean's fault the ODRC broke the law and engaged in invidious conduct when illegally renditioning him. It is not his fault that VADOC was complicit in this illegality. HE certainly should not be left with a loss of thousands of dollars when he is the only one in this arrangement who did absolutely nothing wrong.

If JPay will not transfer content from his 2015638 account in Virginia to his A243-205 account in Ohio, then the ODRC, VADOC, and JPay need to work out which of them will reimburse Sean for his losses or need to compromise and determine what percentage of loss that each entity is responsible for reimbursing. NOT providing access to the content and NOT reimbursing for loss is NOT an acceptable option. That is most assuredly NOT how this situation ends.

If a resolution is not reached within a reasonable time by ODRC, VADOC and JPay, communicated to Sean's support at this email, further inquiries into this matter will be pursued by Sean's attorneys and legal support working with those attorneys.

This email serves as an electronic archive to be shared with counsel and to be published online. Thank you for your time and kind consideration.

Sincerely,

Lauren Swain
Executive Director
International Sean Swain Defense Committee
seanswaindefense@outlook.com

--

A. David Robinson
Chief of Corrections Operations
Virginia Department of Corrections

*P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963*

(804) 887-8078 (office)

--

Rose Durbin

Corrections Operations Manager
Constituent Affairs Liaison/Legislative Team
Virginia Department of Corrections
P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963
(804) 887-7921 (office)
Rose.Durbin@vadoc.virginia.gov

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Rose Durbin
Corrections Operations Manager
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1312

From: "Reveal, Tracy" <tracy.reveal@odrc.state.oh.us>

To: "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>

Subject: FW: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Date: Wed, 29 Jun 2022 13:52:20 +0000

Importance: Normal

Jeff,

I wanted to make you aware of IM Sean Swain's recent efforts to get approx. \$2,000.00 (per his report) of downloaded content from his old JPlayer in VA.

VA has decided he can have the content when he's released. But now - they are asking us for a "home address" so the content can be sent to his loved one. I'm guessing this will end up being his wife, who will get the information to him.

Is it permissible for me to go ahead and obtain that address for the VA DOC?

From: Rosch, Kyle (VADOC) <Kyle.Rosch@vadoc.virginia.gov>

Sent: Friday, June 24, 2022 10:42 AM

To: Reveal, Tracy <tracy.reveal@odrc.state.oh.us>; Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>;

Adrian Thomas <Adrian.Thomas@securustechologies.com>

Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>

Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Tracy-

Could a home address be obtained for Sean Swain so his content could be sent to a loved one on a jump drive?

Thank you!

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Sent: Friday, June 24, 2022 9:41 AM

To: Adrian Thomas <Adrian.Thomas@securustechologies.com>

Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>; Rosch, Kyle (VADOC) <Kyle.Rosch@vadoc.virginia.gov>

Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Looping Kyle in on this. He may know or can get this information for us through his contacts.

Thanks

Melissa

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Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Hi Melissa,

The credit has been added. I just need the address that the warehouse can forward the inmates content to his residence.

Regards,

1313

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Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

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Adrian,

Please place a \$500 credit on the inmate's account. In addition, ensure the inmate is given an opportunity to send a lock player with his owned content on a JPay tablet home. The inmate will not return to VADOC.

Thank you in advance.

Melissa

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Sent: Thursday, June 23, 2022 3:30 PM
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Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Ok. Can you handle it with Adrian?

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-7921 (office)

Rose.Durbin@vadoc.virginia.gov

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 3:24 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

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Melissa

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Sent: Thursday, June 23, 2022 1:57 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

What do you think about Adrian's suggestion? This inmate isn't coming back to VA. He's an OH resident that went back.

Rose Durbin

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To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
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Sent: Thursday, June 23, 2022 12:12 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Fw: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Please review this email exchange and let's chat.

Rose Durbin

1315

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

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Rose.Durbin@vadoc.virginia.gov

From: Adrian Thomas <Adrian.Thomas@securustechnologies.com>
Sent: Monday, May 23, 2022 4:01 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

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To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>
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Can you remind me of what isn't transferrable? I'm trying to determine if a credit is necessary.

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Regards,

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Sent: Monday, May 23, 2022 2:29 PM
To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

1316

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Adrian,

Would that be all owned content? If not, is that what the credit would cover?

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Hi Rose,

His content can't be transferred because its two different states and our system you are not able to merge accounts. If I get a forwarding address I will get his content sent to that address via a USB drive. Please let know and I will get this done ASAP.

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Sent: Monday, May 23, 2022 11:53 AM

To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>

Cc: Abato, Diane M. <DAbato@oag.state.va.us>

Subject: Fwd: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Adrian,

Is there a way to get the content he had on his VA tablet to his OH tablet? Can you check and see if a flash drive was provided? I've copied Ms. Abato with our AG's Office on this so she is aware.

----- Forwarded message -----

From: **Robinson, David** <david.robinson@vadoc.virginia.gov>

Date: Mon, May 23, 2022 at 11:18 AM

Subject: Fwd: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

To: Rose Durbin <Rose.Durbin@vadoc.virginia.gov>

Please address. You may need to go to the AGs office.

----- Forwarded message -----

From: **Sean Swain** <seanswaindefense@outlook.com>

Date: Fri, May 20, 2022 at 3:58 PM

Subject: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

To: professionalservices@jpay.com <professionalservices@jpay.com>, Earlena.Shepherd@odrc.state.oh.us <Earlena.Shepherd@odrc.state.oh.us>, jeffrey.mustard@odrc.state.oh.us <jeffrey.mustard@odrc.state.oh.us>, annette.chambers-smith@odrc.state.oh.us <annette.chambers-smith@odrc.state.oh.us>, david.robinson@vadoc.virginia.gov <david.robinson@vadoc.virginia.gov>

Dear Sirs and Madams:

This email is being sent to both JPay and to prison officials in Ohio and Virginia in order to resolve the issue of purchased JPay content for Sean Swain A243-205.

In April 2019, Sean was illegally renditioned from Ohio to Virginia. Sean was given no notice, no warning, no explanation. No

1317

administrative process was employed. No hearing was held pursuant to Ohio Revised Code Section 5120.50. No reason was provided to Sean or to Virginia prison officials. It would appear that this was simply an illegal, invidious, and selective act carried out against a prisoner never so much as accused of a single act of violence in 3 decades of incarceration.

After this illegal rendition, Sean purchased content from JPay as Virginia prisoner 2015638. He purchased the content in good faith. Further, he received and sent emails stored in archive, and received photos digitally stored in his account. Some of these photos are irreplaceable and depict persons who are now deceased. He purchased approximately \$2000-worth of music and games. This was his property, purchased in good faith.

In October 2021, without warning or explanation, Sean was renditioned back to the custody of Ohio where he resumed access to his already existing JPay account in Ohio. However, the content he purchased in Virginia, along with his email archives and photos were not transferred with him.

Sean's unit manager at OSP in Ohio, Donna Crawford, contacted JPay to request that JPay transfer Sean's JPay content from the Virginia account to his Ohio account. This is Sean's purchased property.

JPay has indicated that this cannot be done.

As point of fact, there are high school kids without any computer engineering training that could complete this information transfer in about 15 minutes with a laptop and phone modum. It can easily be done. So, what JPay means to say is that JPay WON'T do it. JPay opts to withhold the purchased content and irreplaceable property from Sean Swain rather than click a mouse and resolve this issue.

The question now arises as to whether the ODRC, VADOC, or JPay is financially responsible for reimbursing Sean for what is a considerable loss. This becomes a rather sticky question, given that the ODRC, VADOC, and JPay are involved in what seems to be a quadrilateral contract involving Sean.

Sean was in Ohio custody in Ohio, and was in Ohio custody in Virginia, all stemming from the same ostensible conviction and sentence. His incarceration in Virginia was a continuation of his Ohio incarceration. He was at no time informed by the ODRC nor by VADOC nor by JPay that he could expect that content he purchased and received in good faith in one or the other state would be arbitrarily and capriciously withheld from him.

Sean could not have purchased the materials without the approval of the ODRC and VADOC. He did so according to terms of use set forth by JPay, which are terms of use permitted by the ODRC and VADOC.

What it comes down to is, it is not Sean's fault the ODRC broke the law and engaged in invidious conduct when illegally renditioning him. It is not his fault that VADOC was complicit in this illegality. HE certainly should not be left with a loss of thousands of dollars when he is the only one in this arrangement who did absolutely nothing wrong.

If JPay will not transfer content from his 2015638 account in Virginia to his A243-205 account in Ohio, then the ODRC, VADOC, and JPay need to work out which of them will reimburse Sean for his losses or need to compromise and determine what percentage of loss that each entity is responsible for reimbursing.

NOT providing access to the content and NOT reimbursing for loss is NOT an acceptable option. That is most assuredly NOT how this situation ends.

If a resolution is not reached within a reasonable time by ODRC, VADOC and JPay, communicated to Sean's support at this email, further inquiries into this matter will be pursued by Sean's attorneys and legal support working with those attorneys.

This email serves as an electronic archive to be shared with counsel and to be published online.

Thank you for your time and kind consideration.

Sincerely,

Lauren Swain
Executive Director
International Sean Swain Defense Committee
seanswaindefense@outlook.com

--
A. David Robinson
Chief of Corrections Operations
Virginia Department of Corrections

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-8078 (office)

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1318

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-7921 (office)

Rose.Durbin@vadoc.virginia.gov

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Rose Durbin

Corrections Operations Manager

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Virginia Department of Corrections

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Rose Durbin

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1319

Richmond, Virginia 23261-6963

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Rose.Durbin@vadoc.virginia.gov

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Please note that an e-mail message, or a portion thereof, may be releasable as a public record in accordance with Chapter 149 of the Ohio Revised Code.

From: "Reveal, Tracy" <tracy.reveal@odrc.state.oh.us>

To: "Wylie, Gina" <Gina.Wylie@odrc.state.oh.us>

Cc: "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>

Subject: FW: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Date: Wed, 29 Jun 2022 19:34:08 +0000

Importance: Normal

Inline-Images: image001.png

Hi Gina.

We have received correspondence from Inmate Swain's last state of placement – asking us to provide an address where his downloaded JPay information can be sent. (The VA system does not connect with DRC's JPay system).

Can you please have someone ask IM Swain (#A243-205), to provide us with the name of WHO he wants to receive his information, and the MAILING ADDRESS? The VA DOC plans to then send him what he has requested.

Thank you!

Tracy

Tracy L. Reveal, Ph.D.

Behavioral Intervention/Use of Force – Administrative Officer
Interstate Compact Administrator

Ohio | Department of
Rehabilitation & Correction

From: Rosch, Kyle (VADOC) <Kyle.Rosch@vadoc.virginia.gov>

Sent: Friday, June 24, 2022 10:42 AM

To: Reveal, Tracy <tracy.reveal@odrc.state.oh.us>; Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>;
Adrian Thomas <Adrian.Thomas@securustechnologies.com>

Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>

Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Tracy-

Could a home address be obtained for Sean Swain so his content could be sent to a loved one on a jump drive?

Thank you!

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>

Sent: Friday, June 24, 2022 9:41 AM

To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>

Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>; Rosch, Kyle (VADOC) <Kyle.Rosch@vadoc.virginia.gov>

Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Looping Kyle in on this. He may know or can get this information for us through his contacts.

Thanks

Melissa

1321

From: Adrian Thomas <Adrian.Thomas@securustechnologies.com>
Sent: Friday, June 24, 2022 9:40 AM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Hi Melissa,

The credit has been added. I just need the address that the warehouse can forward the inmates content to his residence.

Regards,

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 5:42 PM
To: Adrian Thomas <Adrian.Thomas@securustechnologies.com>
Cc: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Adrian,

Please place a \$500 credit on the inmate's account. In addition, ensure the inmate is given an opportunity to send a lock player with his owned content on a JPay tablet home. The inmate will not return to VADOC.

Thank you in advance.

Melissa

From: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 3:30 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Ok. Can you handle it with Adrian?

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-7921 (office)

1322

Rose.Durbin@vadoc.virginia.gov

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 3:24 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

I think the \$500 credit is generous. I'm not sure if Ohio has a loaner tablet or not, but it's enough to cover the cost of a tablet at \$129 and buy stamps, music etc. His current content can be sent home for him to access once he's released.

Thanks
Melissa

From: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 1:57 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

What do you think about Adrian's suggestion? This inmate isn't coming back to VA. He's an OH resident that went back.

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-7921 (office)

Rose.Durbin@vadoc.virginia.gov

From: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 1:33 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Jpay tablets are not interchangeable from one state to another. Each state has their own contract that includes their specific requirements related to firmware, app package, and the content they can purchase/possess.

What I've done in the past is give the inmate a credit to purchase new content while in Virginia DOC.

JPay can send a tablet with his content that he purchased while in Virginia home and he may access when he's released.

1323

From: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Sent: Thursday, June 23, 2022 12:12 PM
To: Welch, Melissa A. (VADOC) <Melissa.Welch@vadoc.virginia.gov>
Subject: Fw: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Please review this email exchange and let's chat.

Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-7921 (office)

Rose.Durbin@vadoc.virginia.gov

From: Adrian Thomas <Adrian.Thomas@securustechologies.com>
Sent: Monday, May 23, 2022 4:01 PM
To: Durbin, Rose L. (VADOC) <Rose.Durbin@vadoc.virginia.gov>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Hi Rose,

It's not transferrable because all states are different and the content is based on the license agreement within that state. The system also doesn't allow accounts to merge so if I have an account in New Jersey and I get moved to Virginia when I go to the kiosks it will see me as a new inmate.

Regards,

From: Durbin, Rose <rose.durbin@vadoc.virginia.gov>
Sent: Monday, May 23, 2022 3:56 PM
To: Adrian Thomas <Adrian.Thomas@securustechologies.com>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

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Can you remind me of what isn't transferrable? I'm trying to determine if a credit is necessary.

On Mon, May 23, 2022 at 2:32 PM Adrian Thomas <Adrian.Thomas@securustechologies.com> wrote:

1324

Hi Rose,

I could add \$500.00 credit to his account as a courtesy. As well as get his USB drive sent to his forwarding address with all his VA content that's transferrable.

Regards,

From: Durbin, Rose <rose.durbin@vadoc.virginia.gov>
Sent: Monday, May 23, 2022 2:29 PM
To: Adrian Thomas <Adrian.Thomas@securustechologies.com>
Subject: Re: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Adrian,

Would that be all owned content? If not, is that what the credit would cover?

On Mon, May 23, 2022 at 12:02 PM Adrian Thomas <Adrian.Thomas@securustechologies.com> wrote:

Hi Rose,

His content can't be transferred because its two different states and our system you are not able to merge accounts. If I get a forwarding address I will get his content sent to that address via a USB drive. Please let know and I will get this done ASAP.

Regards,

From: Durbin, Rose <rose.durbin@vadoc.virginia.gov>
Sent: Monday, May 23, 2022 11:53 AM
To: Adrian Thomas <Adrian.Thomas@securustechologies.com>
Cc: Abato, Diane M. <DAbato@oag.state.va.us>
Subject: Fwd: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

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Hi Adrian,

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----- Forwarded message -----

From: **Robinson, David** <david.robinson@vadoc.virginia.gov>
Date: Mon, May 23, 2022 at 11:18 AM
Subject: Fwd: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition
To: Rose Durbin <Rose.Durbin@vadoc.virginia.gov>

Please address. You may need to go to the AGs office.

----- Forwarded message -----

From: **Sean Swain** <seanswaindefense@outlook.com>

1325

Date: Fri, May 20, 2022 at 3:58 PM

Subject: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

To: professionalservices@jpay.com <professionalservices@jpay.com>, Earlena.Shepherd@odrc.state.oh.us <Earlena.Shepherd@odrc.state.oh.us>, jeffrey.mustard@odrc.state.oh.us <jeffrey.mustard@odrc.state.oh.us>, annette.chambers-smith@odrc.state.oh.us <annette.chambers-smith@odrc.state.oh.us>, david.robinson@vadoc.virginia.gov <david.robinson@vadoc.virginia.gov>

Dear Sirs and Madams:

This email is being sent to both JPay and to prison officials in Ohio and Virginia in order to resolve the issue of purchased JPay content for Sean Swain A243-205.

In April 2019, Sean was illegally renditioned from Ohio to Virginia. Sean was given no notice, no warning, no explanation. No administrative process was employed. No hearing was held pursuant to Ohio Revised Code Section 5120.50. No reason was provided to Sean or to Virginia prison officials. It would appear that this was simply an illegal, invidious, and selective act carried out against a prisoner never so much as accused of a single act of violence in 3 decades of incarceration.

After this illegal rendition, Sean purchased content from JPay as Virginia prisoner 2015638. He purchased the content in good faith. Further, he received and sent emails stored in archive, and received photos digitally stored in his account. Some of these photos are irreplaceable and depict persons who are now deceased. He purchased approximately \$2000-worth of music and games. This was his property, purchased in good faith.

In October 2021, without warning or explanation, Sean was renditioned back to the custody of Ohio where he resumed access to his already existing JPay account in Ohio. However, the content he purchased in Virginia, along with his email archives and photos were not transferred with him.

Sean's unit manager at OSP in Ohio, Donna Crawford, contacted JPay to request that JPay transfer Sean's JPay content from the Virginia account to his Ohio account. This is Sean's purchased property.

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As point of fact, there are high school kids without any computer engineering training that could complete this information transfer in about 15 minutes with a laptop and phone modum. It can easily be done. So, what JPay means to say is that JPay WON'T do it. JPay opts to withhold the purchased content and irreplaceable property from Sean Swain rather than click a mouse and resolve this issue.

The question now arises as to whether the ODRC, VADOC, or JPay is financially responsible for reimbursing Sean for what is a considerable loss. This becomes a rather sticky question, given that the ODRC, VADOC, and JPay are involved in what seems to be a quadrilateral contract involving Sean.

Sean was in Ohio custody in Ohio, and was in Ohio custody in Virginia, all stemming from the same ostensible conviction and sentence. His incarceration in Virginia was a continuation of his Ohio incarceration. He was at no time informed by the ODRC nor by VADOC nor by JPay that he could expect that content he purchased and received in good faith in one or the other state would be arbitrarily and capriciously withheld from him.

Sean could not have purchased the materials without the approval of the ODRC and VADOC. He did so according to terms of use set forth by JPay, which are terms of use permitted by the ODRC and VADOC.

What it comes down to is, it is not Sean's fault the ODRC broke the law and engaged in invidious conduct when illegally renditioning him. It is not his fault that VADOC was complicit in this illegality. HE certainly should not be left with a loss of thousands of dollars when he is the only one in this arrangement who did absolutely nothing wrong.

If JPay will not transfer content from his 2015638 account in Virginia to his A243-205 account in Ohio, then the ODRC, VADOC, and JPay need to work out which of them will reimburse Sean for his losses or need to compromise and determine what percentage of loss that each entity is responsible for reimbursing.

NOT providing access to the content and NOT reimbursing for loss is NOT an acceptable option. That is most assuredly NOT how this situation ends.

If a resolution is not reached within a reasonable time by ODRC, VADOC and JPay, communicated to Sean's support at this email, further inquiries into this matter will be pursued by Sean's attorneys and legal support working with those attorneys.

This email serves as an electronic archive to be shared with counsel and to be published online.

Thank you for your time and kind consideration.

Sincerely,

Lauren Swain
Executive Director
International Sean Swain Defense Committee
seanswaindefense@outlook.com

--

A. David Robinson
Chief of Corrections Operations
Virginia Department of Corrections

1326

P.O. Box 26963
6900 Atmore Drive
Richmond, Virginia 23261-6963

(804) 887-8078 (office)

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Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

Virginia Department of Corrections

P.O. Box 26963
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Rose.Durbin@vadoc.virginia.gov

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Rose Durbin

Corrections Operations Manager

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Rose Durbin

Corrections Operations Manager

Constituent Affairs Liaison/Legislative Team

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Rose.Durbin@vadoc.virginia.gov

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1328

From: Reveal, Tracy
To: Wylie, Gina
Cc: Dillon, Diane
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition
Date: Thursday, June 30, 2022 10:19:00 AM
Attachments: [image001.png](#)

Gina - Thank you for talking with Mr. Swain. I appreciate you letting him know we are trying to accommodate his request.

I am going to miss working with you, even though it seems to always be by email, as you've been a tremendous help to me. I wish you the BEST in whatever your future holds and am glad to hear you'll still be with OSP/DRC!

Diane – Welcome to the wild and wonderful world of INTERSTATE COMPACT . As the state's administrator for "ICC" – I have a designated point of contact at each facility. So now I'll update my contact list since you are now that person for OSP! I try to not be a constant bother, but every now and then – things like this (w/Swain) come up where I need assistance on-site. I'm sure Gina has shared, that each ICC inmate has to have biannual progress reports. Our agency provides updated ISRs to the IM's sending state, when a progress report is due. I'll let you know whenever an OSP IM is due for an updated ISR, then you can forward that request to the appropriate case manager. If you ever have an issue/question re: Interstate Compact offenders, and/or OSP is making a request to send an inmate out of state for ICC placement – just send me an email or call (614) 294-9318.

Have a great weekend ladies!

Tracy

Tracy L. Reveal, Ph.D.

Behavioral Intervention/Use of Force – Administrative Officer
Interstate Compact Administrator

Ohio | Department of
Rehabilitation & Correction

From: Wylie, Gina <Gina.Wylie@odrc.state.oh.us>
Sent: Thursday, June 30, 2022 9:22 AM
To: Reveal, Tracy <tracy.reveal@odrc.state.oh.us>
Cc: Dillon, Diane <Diane.Dillon@odrc.state.oh.us>
Subject: RE: JPay Content Acquired by Sean Swain in VADOC Subsequent to Illegal Rendition

Lol. It looks like he hasn't had a ticket since February. I went to his cell to ask him where he wanted his JPay information sent. He said he will make some calls and get back to me. He said he didn't believe that it couldn't be transferred to his current OSP account. He said he will probably have someone call about it. He was "good with" the \$500 credit.

Once he sends me the address, I will forward it to you asap.

1329

From: "Norris, Delmer" <DJ.Norris@odrc.state.oh.us>

To: "Wilson, Roger" <Roger.Wilson@odrc.state.oh.us>

Subject: Re: Sean Swain

Date: Thu, 25 Aug 2022 16:31:48 -0000

Importance: Normal

I have no clue...

Sent from my iPhone

On Aug 25, 2022, at 8:47 AM, Wilson, Roger <Roger.Wilson@odrc.state.oh.us> wrote:

Hey DJ, do you know if Sawin is an alien inmate. DOTS shows he is born in Indonesia. Can you confirm this? Hanks.

Please note that an e-mail message, or a portion thereof, may be releasable as a public record in accordance with Chapter 149 of the Ohio Revised Code.

From: "Wittrup, Brian" <Brian.Wittrup@odrc.state.oh.us>

To: "Gray, Stephen" <stephen.gray@odrc.state.oh.us>, "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>

Subject: FW: IACHR and Sean Swain

Date: Wed, 2 Nov 2022 21:43:59 +0000

Importance: Normal

FYI, Sean Swain supporter. I am deleting and not following a single link this dude sends, so do not do so. I just wanted to FYI

From: Dameon Launert <dameon.launert@gmail.com>

Sent: Wednesday, November 2, 2022 4:59 PM

To: Chambers-Smith, Annette <Annette.Chambers-Smith@odrc.state.oh.us>; david.robinson@vadoc.virginia.gov

Subject: IACHR and Sean Swain

Are you fart goblins illegally withholding mail for Sean Swain?

<http://detroitabc.org/2021/01/28/virginia-has-silenced-anarchist-prisoner-sean-swain/>

<https://youtu.be/ogZBQwDuyW0>

WWFGD: What Would Fart Goblin Do?

Santa must have put you on the naughty list.

Dameon Launert
5956 Cecil Way
Eldersburg, MD 21784

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1331

From: "Thomas, Mark" <mark.thomas@odrc.state.oh.us>

To: "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>, "Hauswirth, Kyle" <kyle.hauswirth@odrc.state.oh.us>, "Hill, Angela" <angela.hill@odrc.state.oh.us>

Cc: "Thomas, Mark" <mark.thomas@odrc.state.oh.us>

Subject: Remaining level 4 at OSP

Date: Thu, 9 Feb 2023 13:59:51 +0000

Importance: Normal

Attachments: Remain_at_OSP.docx

FYI – attachment above.

When I became the operations deputy, my former UMC maintained a list of the 4's that he stated couldn't go anywhere per the BOC.

This is an updated version of that list of level 4's that remain at OSP and their specific notes for your review.

The list also includes 11 guys that are currently either in Sinclair College or a Recovery Services Program.

Please note that an e-mail message, or a portion thereof, may be releasable as a public record in accordance with Chapter 149 of the Ohio Revised Code.

1332

1

R.C. 5120.21(F)

2

3

A243-205

SWAIN, SEAN

A4(27) W Interstate compact return (Sinclair College)

ep SOCF

R.C. 5120.21(F)

From: "Hauswirth, Kyle" <kyle.hauswirth@odrc.state.oh.us>
To: "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>
Subject: FW:
Date: Wed, 12 Apr 2023 14:27:57 +0000
Importance: Normal

From: Gordon, Reena <Reena.Gordon@odrc.state.oh.us>
Sent: Wednesday, April 12, 2023 9:52 AM
To: Hauswirth, Kyle <kyle.hauswirth@odrc.state.oh.us>
Subject: RE:

Hello,

Any thoughts on this?

From: Gordon, Reena
Sent: Tuesday, April 11, 2023 2:19 PM
To: Hauswirth, Kyle <Kyle.Hauswirth@odrc.state.oh.us>
Subject:

Hello,

We may be able to get down to a pod of level 4's. Swain A243205 [REDACTED] & [REDACTED] will not be able to be housed in the same pod. One will need to ride out.

REENA GORDON
OSP UMC
REENA.GORDON@ODRC.STATE.OH.US
234-719-5088

Please note that an e-mail message, or a portion thereof, may be releasable as a public record in accordance with Chapter 149 of the Ohio Revised Code.

From: "Moore, Margaret" <Margaret.Moore@odrc.state.oh.us>

To: "Mustard, Jeffery" <Jeffery.Mustard@odrc.state.oh.us>

Subject: Automatic reply: Sean Swain

Date: Wed, 25 Oct 2023 20:04:21 +0000

Importance: Normal

I am currently out of the office.

If you need immediate assistance please call 614-752-1765 for legal services.

Please note that an e-mail message, or a portion thereof, may be releasable as a public record in accordance with Chapter 149 of the Ohio Revised Code.

From: "Norris, Delmer" <DJ.Norris@drc.ohio.gov>

To: "Gillum, Matthew" <matthew.gillum@drc.ohio.gov>, "Friend, Todd (Todd.Friend@odrc.state.oh.us)" <Todd.Friend@odrc.state.oh.us>, "Shanklin, Shaun" <shaun.shanklin@drc.ohio.gov>

Subject: FW: Open Letter to ODRC Director Annette Chambers-Smith, Part 1 – by Sean Swain

Date: Tue, 04 Feb 2025 15:04:30 -0000

Importance: Normal

Inline-Images: ~WRD0002.jpg

DJ Norris
ODRC STG & K9 Coordinator
614 329-1283

From: Lambert, Chris <Chris.Lambert@drc.ohio.gov>

Sent: Tuesday, February 4, 2025 7:48 AM

To: Williams, Jenni <jenni.williams@drc.ohio.gov>; Kucinic, Vinko <Vinko.Kucinic@drc.ohio.gov>; Norris, Delmer <DJ.Norris@drc.ohio.gov>; Jarvi, Gene <Gene.Jarvi@drc.ohio.gov>

Subject: FW: Open Letter to ODRC Director Annette Chambers-Smith, Part 1 – by Sean Swain

FYI

From: Wittrup, Brian <Brian.Wittrup@drc.ohio.gov>

Sent: Sunday, February 2, 2025 2:00 PM

To: Adkins, Melissa <Melissa.Adkins@drc.ohio.gov>; Banks, Ed <Ed.Banks@drc.ohio.gov>; Sanders, Kelly <Kelly.Sanders@drc.ohio.gov>; Gray, Stephen <stephen.gray@drc.ohio.gov>; Lambert, Chris <Chris.Lambert@drc.ohio.gov>

Subject: FW: Open Letter to ODRC Director Annette Chambers-Smith, Part 1 – by Sean Swain

Swain has called for his supporters to send this email to the Director. Not sure how many will come in, this is the only one so far. Just FYI. As always the contents of his letter are colorful.

From: CDHS <cdhs@protonmail.ch>

Sent: Saturday, February 1, 2025 3:43 PM

To: Chambers-Smith, Annette <Annette.Chambers-Smith@drc.ohio.gov>

Subject: Fw: Open Letter to ODRC Director Annette Chambers-Smith, Part 1 – by Sean Swain

Hi, You should really consider listening to Sean's contributions on <https://thefinalstrawradio.noblogs.org/sean-swain/>

Thank you.

Yours,

Aaron Petty

US VoIP (442) 222-8266

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----- Forwarded Message -----

From: Mongoose Distro <comment-reply@wordpress.com>

Date: On Saturday, February 1st, 2025 at 2:07 PM

Subject: Open Letter to ODRC Director Annette Chambers-Smith, Part 1 – by Sean Swain

To: cdhs@protonmail.ch <cdhs@protonmail.ch>

Dear Director Chambers-Smith, Hi. I'm writing because I have a sense that we may have gotten off on the wrong foot. One of your administration's first actions, coming into office, was to illegally rendition me in a black van to Virginia, based upon p...

[Read on blog](#) or [Reader](#)



[Mongoose Distro](#)

[Read on blog](#) or [Reader](#)

Open Letter to ODRC Director Annette Chambers-Smith, Part 1 – by Sean Swain



By **[mongoosedistro](#)** on February 1, 2025

Dear Director Chambers-Smith,

Hi. I'm writing because I have a sense that we may have gotten off on the wrong foot. One of your administration's first actions, coming into office, was to illegally rendition me in a black van to Virginia, based upon provable lies of your predecessors. When I returned from rendition, I was irregularly sent to the super-duper-max and, in a second botched rendition to Maryland, staff chopped my finger off and I have remained here at the super-duper-max, several months after I should have had a parole hearing that didn't occur.

I could be wrong, but between the renditions and the dismemberment and the super-duper-max placement without a parole hearing, I've gotten the distinct impression that you don't like me very much. Just a hunch. But my hope is that I can change that as you get to know me and come to appreciate my sparkling personality.

Yeah. Sparkling personality.

Usually, I introduced myself as an Anarchist. I lead with that because I can't think of anything more honorable, more significant, more meaningful than to be someone who embraces what has been called, "The Beautiful Idea"-- Anarchism. But, perhaps, here, it would be better that I didn't lead with that. I generally find that an I'm interacting with prison administrators, the mention of "Anarchism" scrambles their brains. Once I mention that word, they can no longer

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see me clearly... and all they imagine is chaos, mayhem, bedlam, and madness-- the sky falling, the world ending, house pets engaging in interspecies fornication.

I don't want to scramble your brain, so perhaps we should just forget I ever brought up that word? Instead, I'll share with you who I am and what I've done, and then we'll return to that other topic later.

I graduated high school, received an Honorable Discharge from the Army, and had a writing scholarship for college. In self defense, I killed a guy who broke into my home-- a guy who happened to be the nephew of an official who was both the county clerk of courts and the chair of the Democratic Party... in a county where both the judge a prosecutor were Democrats.

The polygraph I passed was inadmissible and I was found guilty of murder, years before Ohio adopted the Castle Doctrine. So, I told the truth and what I did was provably a noncrime. Not that it mattered. It still doesn't.

While in prison, I joined the American Civil Liberties Union, International Campaign for Tibet, and CURE-Ohio. I served on CURE's prisoner advisory board for 3 years. I was a founding member of Catholic Justice Fellowship and wrote most of their published work. We successfully lobbied the Ohio Catholic Bishops to support parole reform legislation.

I have logged thousands of hours of community service, mostly painting classroom posters and teaching aides for Ohio public schools. Former Richland Prosecutor James Mayer gave me a commendation for recording the music for puppet shows prepared for child victims of crime.

In 2002, I was personally recognized by Rosa Parks for my peace work in prison, nominated for placement on the Wall of Tolerance.

I've taken every rehabilitative program made available to me; I received my degree from Ashland University; I completed and tutored two vocational courses; I received my paralegal certification from Blackstone Institute.

Three of my books are in publication. I'll send you copies, if you're interested. For more than ten years, I've contributed weekly commentaries to a globally syndicated radio show.

A collection of my songs was recorded by a number of indy bands and posted as "Burning Down" at bandcamp.com. A collection of about 30 of my paintings went on display in September in Stockholm, Sweden.

All of this was accomplished as a consequence of loving and generous people in my life who were able to make all of this possible despite the ODRC's interference and obstruction... and despite my own incompetencies.

I know this sounds pretty pretentious, but my "personal papers and effects" are collected at the University of Michigan for an archive that celebrates historically influential American Anarchists. Yes, there's that word again. My apologies. I hope it doesn't scramble your brain.

Over the course of 34 years of captivity, I have never so much as been accused of a single fist fight or any other violence; never got involved in drugs or alcohol; never joined any gangs. I am, all things considered, very possibly the best behaved prisoner in Ohio penal history. None of this is probably going to enhance my street cred, I imagine, but all of it is true, just the same.

The ODRC's response to this has been to blacksite me, torture me, isolate me at supermax, purge my friends and family from my visitation list, rendition me out of state, and dismember me. I currently write you from the prison designed to house the 1% of the most dangerous Ohio prisoners, and I'm on the gang list as a gang of one, facing continuances from the parole board in 5-year increments... and, as a consequence of losing my right pinkie, I'm unable to throw a spiral, and so my chances of becoming an NFL quarterback are zero.

I would hope, if you read this, that you would, at least on the face of this, consider what I have accomplished from prison and how the ODRC has responded to me, and that, as a human being, you might feel some level of consternation, a bit of discomfort, perhaps even bewilderment.

Bewilderment is something I have become accustomed to feeling, particularly in those encounters where I bleed a lot.

You might wonder, if all of this is true, WHY is it true?

And that takes us back to that word. The troubling word. The one that scrambles ODRC administrators' brains.

It all comes down to that word, "Anarchist."

I often ponder what might have been, if, when I was young and idealistic, I had the sense to not use that word. I could have called myself a "libertarian socialist," or perhaps an "anti-state communalist," or even a "horizontalist," and I likely could have continued painting, playing guitar, writing, and entertaining myself with my own ideas about how the world could be without hierarchy, and I probably would have avoided all of the starvation and sleep deprivation and brain concussions. I would probably be home right now.

But, I used the word. I never had much sense, I guess. I called myself an Anarchist. So, if I can interject here for a moment, not to break up this train of thought, but a piece of advice, a word to the wise: Don't ever do that. Don't use that word, particularly when addressing people in power. You have to be very careful about telling the truth to people in power. They really can't handle it. But I didn't know. I thought "Anarchist" was just a regular word. I didn't know it had magical powers, that its utterance could make the sky fall... and the world end... and house

pets engage in abominable genital friction. I didn't know it was a word so hated and so loathed as to drive otherwise ordinary and well intending employees of a state agency to such levels of revilement and derision that they would see me as a nonperson, as an object to be disassembled and destroyed, an enemy to be crushed and conquered.

Well, lesson learned, I guess.

I would like to tell you what the word "Anarchist" means to me-- if my use of this darkly magical shibboleth won't scramble your brain. I hope it hasn't.

The etymology of the word is a good place to start. "An-" means against, and "-archy" refers to hierarchical structure, so "An-archy" is a rejection of hierarchical structure in human society.

That was as far as I got, by the way, in my explanation to Lt. Oberle here at the prison. He's one of DJ Norris' flying monkeys. He put me on the gang list. I got as far as the etymology of the word and I was a gang of one, teaching myself secret handshakes.

In a broad sense, an "An-archist" is someone who imagines our world being a better place if it were structured differently, if the few did not rule the many (and do it badly), if there wasn't wealth at the expense of also having poverty, if the system we serve wasn't defined by imposition and compulsion and exploitation and subjugation, benefitting the few and harming the most.

Probably, you don't believe me. Probably, in your heart of hearts, you're thinking, 'I know all of this is a lie; Anarchists want chaos and madness and bedlam and mayhem, not peace and justice... They just want to burn the world down.' I get it. That's a pretty common, bigoted trope.

That slander originates with Vladimir Lenin when he kicked Mikhail Bakunin out of the Communist International because Bakunin was critical of Lenin's monopoly on state power-- and rightfully so, I would say. But Lenin smeared Bakunin, claiming all anti-statists were "Anarchists," set on sabotage and malicious mischief.

Soviet propaganda is really powerful, it seems.

Here we are, 36 years after the collapse of the Soviet Union, and you are still influenced by Lenin's lies against his enemies, told right after the Russian Revolution. The word he used to slander Bakunin still scrambles your brain. Bakunin and others wore the word as a badge of honor, embracing it not unlike Black rappers embracing the "n" word to take its power away. If only Bakunin knew then how much brain trauma I would suffer for that word in Ohio custody, I like to think he would reconsider, perhaps going with something more agreeable, like "Bunny Rabbits" or "Unicorns."

At any rate, I should think about closing this and picking up again later. In my ext letter, I would like to resume this discussion, sharing what Anarchism means to me-- that it represents

freedom as opposed to bondage; sanity as opposed to delusion; the aspiration to principles of autonomy, voluntary association, cooperation, and mutual aid as opposed to alienation and compliance and obedience under threat of force. It is a liberating and healing energy that permeates our lives and relationships, raising us up to be our best selves.

Well, most of us, anyway. Don't judge Anarchism by my failures. I'm something of an underachiever.

And, perhaps once this dialogue concludes, you'll realize you hate me less and you'll order your flying monkeys to stop the state terror campaign they've been waging for decades, and I can be treated with the dignity that all humans deserve.

Just an idea.

A quick note before I sign off-- I always close my letters wishing the recipient the best thing I can wish for them: Freedom. I shouldn't make an exception here, despite the irony that I wish you freedom while you are the official withholding mine from me.

At any rate... The truth is dangerous, Director Chambers-Smith.

Stay dangerous.

Freedom, Sean.

*** Anyone can share this with Director Chambers Smith by email at annette.chambers-smith@odrc.state.oh.us, or by mail: Director Annette Chambers Smith Ohio Department of Rehabilitation and Correction 4545 Fisher Road, Suite D Columbus, Ohio 43228

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You can also reply to this email to leave a comment.

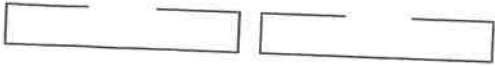
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