

To TDCJ Ombudsman,

I wish to register the strongest complaint against the assault committed by staff at the Clements Unit on inmate Kevin Johnson (#1859887).

I attach his own affidavit, along with a corroborating statement as to what transpired. We have also received 4 other corroborating statements from witnesses, and we have even received a sample of the gas-contaminated sheet from Mr. Johnson's cell.

Not only was Mr. Johnson gassed, but much of his property, including legal materials and commissary items, was taken from him and/or destroyed, and his requests to be decontaminated after the gas attack were denied.

I am aware of the exposés that Mr. Johnson has written about similar past attacks on other inmates, which in at least two cases resulted in the deaths of those attacked.

The conduct of prison-staff is, to say the least, unworthy of a civilized society. The vicious treatment of Mr. Johnson is part of a clear pattern. There is evidently a culture among prison staff that encourages such sadistic behavior. You cannot fail to be aware of this. It has nothing to do with "corrections."

Being put in prison is itself a punishment. It is not a license for prison-staff to administer further punishment of their own. What they have done -- both to Mr. Johnson and to the earlier victims that he wrote about -- constitutes a violation of basic human rights. It cannot be justified by invoking petty infractions, and it can certainly not be justified by the embarrassment caused by exposure of similar earlier violations.

I would like to commend the one guard, Britta Townsend, who had the integrity to acknowledge what she had witnessed (in the attached corroborating statement). I hope you will assure that she is protected from any possible measures that might be taken against her by her colleagues or her administrative superiors.

As for other necessary steps: Kevin Johnson's cell should be decontaminated; his legal materials and other papers should be returned to him; his commissary items should be replaced; and he should receive any necessary medical treatment.

All this addresses only the most immediate needs. The larger question is how to stop guards from treating prisoners the way they do. Obviously, those who committed this attack should at the very least be disciplined. But a thoroughgoing re-education program would also be needed. This will have to be a topic of continuing public concern.

Sincerely,
Victor Wallis, PhD,
Professor, Liberal Arts,
Berklee College of Music, Boston

STATEMENT OF INCIDENT

By Kevin "Rashid" Johnson

On today, December 21, 2016 I was set up for both assault and to have almost all of my personal property taken upon threats to do so by several staff at this Clements Unit. I was assaulted while handcuffed inside my cell from behind. The facts of the incident follow:

At around 11 am I was confronted by Captain Patricia Flowers and Lieutenant Crystal Turner and told to allow myself to be handcuffed to be removed from the cell. Several weeks prior to this I had a run in with Flowers when she was making rounds in the pod with others including the Major Leeroy Cano. Another prisoner asked me if she was the new segregation captain, I told him yes and she was taking the place of the previous captain D. Dean who was apparently under investigation for an incident involving another officer. I told him her full name. At the time she was standing talking to a prisoner in the cell across from me named Allen Knight. When I said this she turned to me and said, "You need to shut the fuck up!" I replied that her "potty mouth isn't professional." She replied, "You're the one who likes to put your mouth in things you have no business; you call it 'exposing' us huh. Well keep running your mouth in here or anywhere else and I'll take all your shit," I asked for what reason she would take all my property. She answered, "I don't have to have a reason." I addressed Cano about her threat as he walked by and he only smiled at me and kept going.

When I was confronted on today, I was taken by an officer Andrew Leonard to a holding cell per her and Turner's instructions. While I was in the cell at separate times she and Turner came past me and I asked what was going on. Both stated they were taking all my property because I don't know how to "mind [my] business." I asked how they were going to justify this when most of my property is legal. Flowers said it was "improperly stored," and called back to Turner on her radio (Turner was in my cell), and told her to leave whatever legal property had not thus far been packed up.

I told her and Leonard (who also came by), that my property was separated on my bunk under instructions of law library staff who were supposed to come and perform an inventory and measurement on all my legal and other property per policy under what's called a "subsequent legal storage" review. This is done every 6 months for prisoners with pending court cases, where he must separate all of his property so they can determine what specific materials relate to what pending cases, measure the property that applies to each case and make a record of it, and measure all other property to ensure what's kept in the cell that's not legal is no more than 1 foot by 1 foot cubed. Also per the prisoner orientation manual the only time that property must be stored away is when the prisoner voluntarily leaves his living area, otherwise he is free to have out of the stored area to use while inside the cell, to clean the cell areas, etc. So the entire claim that my property was "improperly stored" was bogus and a pretext to falsely justify its taking under Flowers' prior threats. Both Flowers and a Sergeant Arleen Waak, and Turner also threatened me with physical assault while I was in the holding cell.

I was then later taken back to the cell by Leonard and upon entering the cell observed my property was largely missing and what was left were only loose papers that were thrown around the cell. I told Leonard I needed to see Turner and/or Flowers because I needed my taken property, which I saw was most of my legal materials (including all my books and stationery), and others materials. Leonard called Waak to the cell and both refused to summon Turner or Flowers whom Waak said to tell me they didn't care about my issues. Waak also called me "nigger" and threatened me with assault by staff. She had a guard Jennifer Young bring a

portable audio-video camera to my cell and record me at which point I stated my issues and that I needed my property to among other things, meet court deadlines. Instead of addressing my issues Waak ordered Leonard to spray me with gas as I stood in the cell still fully restrained from behind in handcuffs. I was never threatening nor did I refuse any orders, I only tried to get them to have the ranking staff who had my property taken address the situation.

I was then left in the gas contaminated cell with gas-covered linen and bedding and clothes. I asked on camera to be decontaminated, and was refused. The same was the response to my request to have the cell decontaminated. Everything is still gas-contaminated as I write this, near midnight on Dec. 11, 2016.

A nurse came to my cell after I was gassed and I asked for fresh air, to have my eyes flushed and to be and have ther cell decontaminated. She ignored me, the nurse was Tammy Williams, a defendant in several lawsuits she knows I was involved in assisting in being brought against her for her role in killing several prisoners including one Joseph Arcade Comeaux.

At 1:08 pm I also informed nurse Delores Carrizales, as she made pill rounds in my pod of my medical needs, she refused me any aid although as she walked past my cel the gas coming from my cell was so strong she was coughing and gagging from it herself.

Waak allowed a substantial amount of my personal property to be thrown away as trash, including 2 drinking cups

Another officer Rodolfo Trevino filled out a confiscation from for some of my taken property and admitted to me that alot of documents were taken and that he didn't know what was legal and what wasn't in the taken property. He said Turner told him and several other rookie officers to just take everything because I "have too much shit," but later told him to just take what wasn't legal that hadn't already been bagged (alot of the legal property had already been bagged up at that point). She told him to just say it was all "improperly stored."

Later that evening I spoke with lieutenant Stephen Thomas about the incident with another officer present named Britta Townsend, and Thomas admitted that my property should not have been taken as imprperly stored unless I had voluntarily left the cell such as for recreation and at that time not put it into its storage space. He also agreed that based on the awaited legal property review it still shouldn't have been taken then even. Britta signed a statement confirming that I was left and remained in a gas-contaminated cell with contaminated bedding, and that Thomas made these admissions to me in her presence.

I also found that my typewriter had been broken (pieces of the frame are broken off so that it may be confiscated at a later time as altered or damaged).

Numerous other prisoners witnessed all of the foregoing, several asked for witness statements on the use of force and Turner and other guards refused to provide them any.

I swear to the truth of the foregoing facts under penalty of perjury.


Kevin "Rashid" Johnson

"Open Letter In Response To The Abuse and Illegal Confiscation of Kevin 'Rashid' Johnson's Media Mail, Legal Mail, and Personal Property."

Declaration

By Jason Renard Walker

For the past several months there ~~has~~ ^{have} been many attempts by prison officials to disrupt the efforts of me and Kevin 'Rashid' Johnson, exposing them for killing and denying prisoners food, medical care and basic necessities. Normally, acts like these carry on without guards and medical staff being punished. This is due to the fact that prison officials have become accustomed to the prisoners turning a blind eye to what they see or are unaware of how to effectively bring heat to the right authorities. In response, a prisoner dies, paperwork is fabricated to conceal what happened, and business goes on as usual.

Since the day Rashid showed up to the Clements Unit maximum security prison, officials haven't been so successful in getting away with abusing prisoners. His knack for getting abusers reported to media circuits has brought a lot of heat to this prison and curtailed their business as usual persona.

On December 21 2016 I watched as Lieutenant Turner, Officer Leonard and other guards went to Rashid's cell. Without any explanation he was stripped to his boxers and shoes, handcuffed, and escorted off the cell block. Several minutes later Turner (a white female) and Captain Flowers (a white female) conducted an unusual cell search - targeting his legal and media mail.

He was put back in his cell and the door closed. Rashid hollered at me to let me know they took ~~some~~ some of his personal property, legal mail, and all of his media mail. Their reason for the confiscation was bogus. Since they claimed that his property was improperly stored they took it.

Evidence shows that this was retaliation for his anti-prison abuse work, which he has taught me and others. There's a good chance that they are using this opportunity to read his legal and media mail,

With the taking of his personal property ^{as} a filler, This is what makes everything so flagrant: On page 14 of the offender orientation handbook, the rule for Improperly stored items is only effective when the prisoner is not in his/her ~~cell~~ housing area. Other wise he is allowed to have items anywhere as long as they are being used.

Even more so, Rashid is allowed to have excess legal work under the subsequent legal storage rule. He was due for the law library to do their six month check to insure he's complying with the rules. He was told in November that the check would be ~~done~~ ^{done} in two weeks and to have all of his property out in the ~~open~~ ^{open}. As of today they still haven't been by, which is why his personal property was out of the lockers.

Rashid tried to explain this to Turner and sergeant ~~Ar~~ Arlene Waack, but they refused to verify his claim with the law library. Since he was still handcuffed from behind and rightfully complaining, they seemed more intent on spraying him with OC pepper spray that was ordered during his complaining. A video camera operated by Jennifer Young C.O. III was present to capture the audio. Officer Leonard was then ordered to spray gas through the open food slot despite the use of force rules stating that a medical staff member be present before any gassing. The handcuffs were removed right after.

L.V.N. Tammy Williams was available and in the rally port (out view of Rashid's cell) laughing and giggling with Turner and the pod officer "scott". Once I protested ~~at~~ about no nurse being present, Williams came out of the rally port, went in the area of ~~the~~ Rashid's cell briefly, then went back into the rally port - mere airs; which was well after he'd been gassed.

Even though he's documented as having high blood pressure, He was left in the cell without being given a chance to have his body and living area decontaminated, as the Use of force manual states. The gas had us all choking - even officers far away.

Many ~~many~~ of us requested witness statements, but neither the ranking officials nor passing officers provided one. In fact, Turner came to my cell to taunt me that since she wasn't a direct witness, she can investigate everything and "don't read trash". This explains why she and the others hung out in the Sally port - to avoid paper work and play the Judge.

Ironically, but not by surprise, whenever things go foul, Turner is the supervisor on duty. Before Rashid made it to Texas, a prisoner name Arcade Joseph Comeaux filed complaints on prison guards and medical staff. ~~Turner made~~ ^{This made} him a clear target, which resulted in him being denied meals, medical care, and having all of his legal property and personal property ~~taken~~ ^{taken} on frivolous grounds. During this time, Turner was the supervisor on duty along with @ Sergeant Lance Mondragon, another dirty ~~guard~~ ^{guard}.

Low level guards were allowed to get away with harassing comeaux, which ~~was~~ ^{more} than likely was approved by her. Being sprayed in his cell with a high power water hose was part of this treatment.

~~Exposing staff~~

Exposing staff ~~and~~ corruption was the center of these attacks and they carried on until he died from heart failure, which was due to him being punished by not being provided medical care. A big reason his death wasn't successfully brushed under the rug, like many others, is because Rashid investigated, spoke with witnessing prisoners and contacted Comeaux's wife.

With the help of an Oregon lawyer who worked with Rashid, a civil suit was filed and is still pending. Civil suits for Christopher Wooverton and Alton Rodgers was also filed with his help. Articles on the behalf of all three of these prisoners who died due to ~~staff~~ ^{staffs} acts

Were posted in various media publications.

It's no wonder why Turner would target his legal and media mail. She, ~~like~~ unlike many, realize that prisoners that won't shut up despite the consequences are dangerous to the unjust way this prison operate. Comeaux wouldn't keep his mouth closed so they simply withheld medical care. Rashid won't stop exposing them for making this a practice and ~~now~~ ^{now} he too is undergoing the same treatment by Turner who's all too familiar with his involvement in the Comeaux law suit. (Every one knows)

Turner has a history of framing prisoners who speak out (including myself) with the help of ^{officer} Kayla Guerrero (who's a defendant in the Rodgers suit). She's not the average supervisor and knows how to use other supervisors and guards as puppets to live out her sick and twisted fantasy of torturing those that pose a threat to ending corruption at the Clements unit. All the while she sits behind the scenes and watch as ~~her~~ ^{her} co-workers take the blame for scenarios she ~~now~~ creates.

Jason Walker

Jason Renard Walker # 1532092

Clements unit

9601 Spur 591

Amarillo, TX 79107

I swear that the foregoing is true and correct under
penalty of perjury

SUBJECT: State briefly the problem on which you desire assistance.

Officer B. Townsend

December 21, 2016

On today's date (Dec. 21, 2016) you came on shift working H-pod in Clements Unit's ECB. Upon coming onto the pod and making rounds you did stop at my assigned cell and state that you were informed that I had been gassed by staff on the prior shift (you came on at 5:00 pm). You then observed a large amount of bright orange gas on the cell wall and remarked that they'd sprayed alot of gas in my cell. The cell wall was never decontaminated and I was left with gas covered sheets to sleep on also. You personally witnessed all this. I also spoke with Lt S. Thomas at my cell while he made rounds with you present and we talked about the incident where I was gassed, and the reason being my trying to have the issue of my property's being taken for being improperly stored addressed. And he admitted that it shouldn't have been taken for that reason if I was in the cell when it was not stored, but that it could only be deemed improperly stored if I had left the cell such as for outside recreation and not put it away in the storage areas. Will you please confirm that everything I've written here is true and you did witness it as stated by me? Thank you. (Fin)

Name: Kevin Johnson

No: 1859887

Unit: Clements

Living Quarters: HSH-232

Work Assignment: N/A

DISPOSITION: (Inmate will not write in this space)

I Townsend Agree all is true in this statement
B. Townsend 12/21/16

TEXAS DEPARTMENT OF CRIMINAL JUSTICE — INSTITUTIONAL DIVISION

INMATE REQUEST TO OFFICIAL

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

- | | |
|---|---|
| 1. <input type="checkbox"/> Unit Assignment, Transfer (Chairman of Classification, Administration Building) | 5. <input type="checkbox"/> Visiting List (Asst. Director of classification, Administration Building) |
| 2. <input type="checkbox"/> Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee) | 6. <input type="checkbox"/> Parole requirements and related information (Unit Parole Counselor) |
| 3. <input type="checkbox"/> Request for Promotion in Class or to Trusty Class (Unit Warden- if approved, will be forwarded to the Director of Classification) | 7. <input type="checkbox"/> Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainees-Unit Administration) |
| 4. <input type="checkbox"/> Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757) | 8. <input type="checkbox"/> Personal Interview with a representative of an outside agency (Treatment Division, Administration Building) |

TO: Officer Britta Townsend DATE: 12/21/16
(Name and title of official)

ADDRESS: Clements Unit