

FDOC MENDACITY

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Soanes details the daily oppression he faces in Florida State Prison and his attempts to resist it.

Imagine being incarcerated on a prison plantation (Fla. State Prison) which warehouses over 1,250 prisoners,¹ all being seen by only one dentist. Imagine how long the waiting list to be seen is. Imagine yourself as that prisoner whose name has finally made it to the top of the dental waiting list. You get informed that you have a dental call-out (appointment), then you get offered an extra tray to refuse your dental call-out, all because overseers love the sinecure, but they hate to actually work. Imagine, in the land of the so-called free, you're being thrown in solitary confinement, based on a trumped-up Disciplinary Report ("DR") which plays into the Department of Cruelty's bureaucratic conspiracy in keeping you on Close Management ("CM") status indefinitely, all because you submitted a grievance regarding the situation.

On 3/1/22, while housed in M1319 cell at FSP, at approximately 7 a.m., an M-wing orderly approached the cell in which I was housed and informed me that I had a dental call-out. And that overseer, Jonathan J. Welcher, a well-known racist, said he would give me an extra tray if I refused my dental call-out – a common practice of prison overseers who come to work only to inflict hidden racist and sadist torture of prisoners. Considering how long it was going to take me to get back at the top of the dental call-out list, and the deteriorating condition of my teeth; plus, I am not that hungry or greedy that I would sell my soul for a tray, more than half of which I was going to have no choice but to flush down the toilet anyway. I told the orderly to inform Overseer Welcher that I would rather go see the dentist.

I got ready by putting all my personal property into my locker, leaving the overseers no excuse for denying me this dental call-out. I stood at the cell door window glass having a sign language conversation with prisoner Alex Beasley across the tier from me. An hour or so went by and no overseer did the required every-30-minutes security check, and no one came to take me to my dental call-out. So I yelled through the side of the cell door, "Hey officer, what's up with my dental call-out? I'm ready." From downstairs Overseer Welcher responded, "Shut the fuck up, fuck boy, before I come up there and...", thereby violating Ch. 33-208.002(8).² "No employee shall willfully or negligently treat an inmate in a cruel or inhumane

[∞] My name is Keith Soanes, I was born in the Caribbean. I am a former street reactionary and patriarch misogynist turned feminist and egalitarian revolutionary and activist. I am a political visual artist, poet and essayist, and upcoming author. My goal is to demonstrate to society and the world that all things DOC only means Department Of Cruelty, not Corrections, that no genuine rehabilitation or essential self-criticism is going behind these Amerikkklan Iron Curtains, just sadist, racist, and fascist torture and warehousing. I will keep saying this truth, and moving toward egalitarianism till death.

¹ Florida Department of Corrections, *Florida State Prison*, <https://fdc.myflorida.com/ci/205.html> (last visited Nov. 12, 2023).

² FLA. ADMIN. CODE ANN. r. 33-208.002 (2021).

manner, nor shall profane or abusive language be used in dealing with an inmate or person under the employee's supervision." My response was, "I know, you're a real tough guy, so I know not to piss you off. I'm gonna shut up, but you said I had a dental call-out. I just wanna know, what's up with my dental callout?"

At approximately 8:20 a.m., I was still standing at the cell door waiting to be taken to my dental call-out when Overseer Welcher approached the cell door and started talking. He wouldn't respond to my inquiry regarding my dental call-out, so I walked off the door and picked up a book while he walked away mouthing out inaudibly. By then, I knew that he had bucked (denied) me on my call-out, by contacting dental and falsely listing me as refusing to see the dentist. Thereby violating Florida Administrative Code Ch. 33-208.002(12) & (19) which clearly states respectively: "No employee shall falsify reports or records."³ and "No employee shall knowingly submit inaccurate or untruthful information for or on any Department of Corrections record, report, or document."⁴

At approximately 2:54 p.m., Overseer Ms. Jackson, who conducts dental call-out escorts, approached the cell, and pushed a dental refusal form under the door into the cell while asking me to sign it, which would indicate that I voluntarily refused to see the dentist. I emphatically informed Ms. Jackson that I'm not signing the form because I did not refuse my dental call-out, I got bucked by Overseer Welcher, and I'm still waiting to be seen. She walked off without saying a word, leaving me thinking that she understood the situation and would reschedule me, disregarding the code-blue-loyalty.

M-wing fixed video surveillance of grievance pick-up, will show and prove that on 3/2/22, mail room personnel Ms. Price picked up two grievances from under my cell door: a formal grievance to the warden's office regarding the 3/1/22 issue with Overseer J. Welcher trying to bribe me by offering me an extra tray to refuse my dental call-out, denying me my call-out and falsifying a claim that I refused, and calling me a "fuck boy." Knowing the warden's office history of throwing away prisoners' grievances, I also submitted an exact written copy of the warden's grievance of medical nature to central office as an emergency grievance, which I knew would return without action, but it would have a log # (22-6-07272). As anticipated, it was returned on 3/16/22 proving the grievances were in fact submitted regarding the issue on 3/2/22. The warden's office has yet to respond, throwing my grievance in the trash.

On 3/3/22, I used one of my twice a month phone calls to inform my family of the situation, just in case it escalates into deprivation of meals, property restriction, pepper spray, beating and/or my death.

On 3/4/22, at approximately 5:15 a.m., for submitting the grievance, I received retaliatory DR log #205-220-418, charging me with "spoken threat." Overseer J. J. Welcher falsified a report claiming that I threatened him by stating, "Fuck you cracker, I'm gonna fucking kill you," which I never said, and attempted to prove by calling M-wing fixed audio and video surveillance into evidence. Which would clearly show and prove that it was totally the other way around, revealing Overseer

³ *Id.*

⁴ *Id.*

Welcher as being in blatant and rampant violation of Chapter 33-208.002(8),⁵ *supra*, and Ch. 33-103.017(1) F.A.C: Reprisal: “Inmate shall be allowed access to the grievance process without hindrance. Staff found to be obstructing an inmate’s access to the grievance process shall be subject to disciplinary action ranging from oral reprimand up to dismissal in accordance with Rule 33-208.001-003, F.A.C., Good faith use of or good faith participation in the grievance process shall not result in reprisal against the inmate.”⁶ and Ch. 33-208.002(12)⁷ & (19)⁸ F.A.C., *supra*. Also, prisoner Alex Beasley in M1321 cell, who witnessed the entire incident, wrote a witness statement on my behalf.

On 3/4/22, with the help of another prisoner using the phone, my family was informed that I had been written a false and retaliatory DR by Overseer J. Welcher and that I was going to be placed in disciplinary confinement. Family said that they will be calling the institution right away.

On 3/5/22, between the hours of 1 p.m. and 3 p.m., due to family flooding the prison with phone calls, a lieutenant approached the cell and informed me that had received orders from superiors to inquire whether or not force was used on me. I informed him, “Not yet, but maybe.” I also informed him of the situation with Overseer Welcher. He gave me a witness statement to fill out, on which I listed the entire situation from beginning to end while he stood waiting, looking into the cell. He was present on 3/1/22, he knew what happened really well.

On 3/10/22 DR-hearing team members, Chairman Moss, H.L. and Morris, R.L., in code-blue-loyalty and bias, found me guilty without even reading or considering the sworn written statement of witness prisoner Beasley and I, even while verbally informing me that the audio and video were reviewed and (conveniently) were not clear enough to understand what was being said. Basically, despite two written witness statements and conveniently faulty audio and video, which I was, disenfranchised, not allowed, as evidence, to personally review, I was found guilty based solely on, twice privileged, Overseer Welcher’s false and retaliatory statement. The reliance on Overseer Welcher’s statements alone are in blatant disregard of Florida code procedural requirements.⁹ Still, in 2022, we witness with our own eyes that no amount of prisoners’ truth and audio/video (which I know for a fact, if allowed to be reviewed, contradicts Overseer Welcher) evidence holds any weight against the lies of an overseer. The exception clause of the 13th Amendment of the U.S. Constitution says it all where it clearly states: “Neither slavery nor involuntary servitude EXCEPT as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.”¹⁰ In other words, convicts/prisoners are the new slaves, and as slaves, all prisoners are the new 3/5’s humans, in 2022, with no rights that any overseer and system is bound to respect.

⁵ *Id.*

⁶ FLA. ADMIN. CODE ANN. r. 33-103.017 (2007).

⁷ FLA. ADMIN. CODE ANN. r. 33-208.002 (2021).

⁸ *Id.*

⁹ *See* Wolff v. McDonnell, 418 U.S. 539, 562 (1974); Hayes v. Thompson, 637 F.2d 483, 487 (7th Cir. 1980); FLA. ADMIN. CODE ANN. r. 33-601.800 (2022).

¹⁰ U.S. CONST. amend. XIII.

DR-team members' oral pronouncement that "audio was reviewed and was not clear enough to understand what was said," is in contradiction with DR-team's written findings, which state, "Inmate requested video camera/audio evidence. The evidence did not support the inmate's claim or statement of the incident." Again, findings which are reached in code-blue-loyalty without prisoners' (myself included) personal review of the evidence. Guilty, no matter what evidence, or how exculpatory, the lie outweighs the truth. "To be was to be convicted, and to be convicted was to be punished," as once asserted by abolitionist Frederick Douglass in *The Narrative of the Life of Frederick Douglass*.¹¹

Currently, my DR appeal is pending, but due to central office's code-blue-loyalty, I may have to file a writ of mandamus, requesting that the court grant an order for FDOC to allow me personal review of audio and video evidence relating to DR log #205-220-418, which will clearly show and prove that Overseer Welcher made no such "order for me to cease any disorderly conduct" and at no time did I respond, "Fuck you cracker, I'm gonna fucking kill you." Especially considering the fact that this false and retaliatory DR is going to be used as an excuse to either send me back to CM-1 or have me continue on CM-2, and worse, house me on CM status indefinitely.

CM is not DC (Disciplinary Confinement) but it's being viewed and treated as such. CM is administrative segregation housing, governed by Ch. 33-601-800 F.A.C.,¹² wherein prisoners are permitted many of the same privileges and rights as the general population. Eighth Amendment rights guard against cruel and unusual punishment that can lead to risk of severe mental health deterioration caused by extended 24 hour lock-down and indefinite or permanent solitary confinement.

Despite relentless efforts by SPLC, FLS (*See Harvard v. Inch*)¹³, and other legal rights and abolitionist advocate organizations to abolish Florida's use of solitary confinement, Florida blatantly and rampantly continues not only solitary confinement, but indefinite and permanent solitary confinement. While being interviewed by On-Point journalist Megna Chokabotty on NPR, former Florida prisoner Ian Manuel, who was housed on CM for 18 years, mentioned another prisoner, Darrel Stritter, who is currently on his 25th year, yes, 25 straight years, on CM.¹⁴ I just saw him on M-wing in February.

Another prisoner, Willie Sanders, has been on CM for 14 years. On 6/29/21, at approximately 12:57 p.m., while housed in J1131 cell, he was denied his medical call-out by Sergeant C. Tyre, a known racist, who climaxes off using his job to abuse black prisoners. For kicking on the cell door in protest about being bucked on his medical call-out, prisoner Sanders was pepper sprayed and beaten while in handcuffs for trying to spit on Sergeant C. Tyre but ended up spitting on a white shirt.

¹¹ FREDRICK DOUGLASS, NARRATIVE OF THE LIFE OF FREDRICK DOUGLASS, AN AMERICAN SLAVE (1845).

¹² FLA. ADMIN. CODE Ch. 33-601-800 F.A.C (2022).

¹³ *Harvard v. Inch*, 411 F.Supp.3d 1220, 1239 (N.D. Fla. 2019).

¹⁴ Ian Manuel, *In Author Ian Manuel's 'My Time Will Come,' A Look At Life In Solitary Confinement*, WBUR (May 10, 2021), <https://www.wbur.org/onpoint/2021/05/10/life-in-solitary-confinement>.

Currently, I am housed in B-wing (confinement). Word is the prisoner in B1101 cell, known as Bobby, has been on CM for 14 years. Another prisoner across the hall from me in B1120, Mark, has been on CM for 10 years. There are many other prisoners of different indefinite stay times on CM, and you can tell how psychologically damaged or ruined they are by just listening to their levels of conversation. CM is clearly designed to further ruin prisoners rather than genuinely rehabilitate us. Every bed must remain occupied at all times, at all costs, especially considering the fact that it costs taxpayers more money to house prisoners on CM than in the general population. Every penny counts to the plutocrats. Thus, the push for more CM institutions continues.

As of present, I have yet to see dental, based solely on Overseer J. J. Welcher's false report, which was obviously approved of, endorsed, condoned, and encouraged by Ms. Jackson. Who would expect a black wombman [sic] and member of the oppressed class, who is totally aware of how racist and sadist Overseer Welcher and others function in regard to treatment of prisoners. Who would expect, of all people, black overseers, and staff to be an accomplice with white racist and sadist overseers? But from observance and experience, within FDOC, the reality is that no black overseer or staff will go against code-blue-loyalty in risk of losing green, which provides their food, clothing, and shelter. A black nurse, Ms. Singletary, known for collaborating with racist and sadist overseers by helping with the justifying and covering up of abuse and brutality of prisoners, while conducting sick-call at my cell door (J1333) on 3/12/21 blatantly and rampantly threatened me by stating (which was caught on audio, see grievance log #21-6-13241), "I see you write grievances, you must be new here."

Now, please imagine how many other systematically ostracized and disenfranchised, alienated, and isolated prisoners have endured the same abuse in this war against the poor. Being housed on CM indefinitely based solely on false reports, records, and documents of fascist, racist, and sadist overseers and staff, backed by a fascist, sadist, racist Department of Cruelty that grants them guaranteed unlimited impunity. And with my dental health deteriorating, there is no telling when I will see the dentist. It's just a shame what people will or won't do when they know that they, being twice privileged, will get away with it. Impunity ruins humans to the core, turning many into state thugs and mercenaries, following the carrot on the stick.