

September 25, 2019



To the recipients of the [TDCJ Deep State Report—Case of the Collared Fox](#), 2nd Edition

DS Report Bryan Collier, TDCJ Exec. Dir.
2nd Edition Oscar Mendoza, TDCJ
sent 8-27-19 Hon. Dale Wainwright, TBCJ Chair
Alan Polunsky, Former TBCJ Chair
Hon. Governor Greg Abbott
Hon. Dan Patrick
Hon. Ken Paxton
Hon. Sen. John Whitmire
Hon. Sen. Robert Nichols
Hon. Speaker Dennis Bonnen
Hon. Rep. James White
Hon. Sen. Joan Huffman
Eric Gambrell, TBCJ
Larry Don Miles, TBCJ
Derrellynn Perryman, TBCJ
E. F. Mano DeAyala, TBCJ
Thomas P. Wingate, TBCJ
R. Terrell McCombs, TBCJ
Thomas G. Fordyce, TBCJ
Patrick L. O'Daniel, TBCJ

Chief Justice Nathan L. Hecht
Mike Wilson, *Dallas Morning News*
John Bridges, *Austin Statesman*
Lead Journalist, *Houston Chronicle*
Tom Johannngmeier, Editor
Fort Worth Star Telegram
Adam Young, *Lubbock Avalanche-Journal*
Joseph Brown, *Huntsville Item*
Lead Journalist, *Texas Monthly*
Chris Edwards, *Tyler County Booster*
James Dickey, Texas GOP Chair

DS Report Jerry Madden, former TX HCC Chair
2nd Edition Wayne Scott, Ret. TDCJ Exec. Dir.
sent 9-3-19 Carol Vance, former Chair of TBCJ
Monique Batson, *Beaumont Enterprise*
Gus Reyes, Director CLC, BGCT
Bobby Smith, Chaplaincy BGCT
Adam W. Greenway, SWBTS President
Todd D. Still, Truett Seminary Dean
Andrea Ramirez, Center for Faith, D.C.

Angel Rush, Analyst, Center for Faith, D.C.
Will Durham, District Attorney, Walker Co.
Lee Hon, District Attorney, Polk County
Lucas Babin, District Attorney, Tyler County
Cindy Asmussen, SBTC Rel. Liberty Advisor

New Send Package on Sept. 25, 2019
Senior U.S. District Judge Nancy F. Atlas
Senior U.S. District Judge James R. Nowlin
Senior U.S. District Judge Sam Sparks
U.S. District Judge Keith P. Ellison
U.S. District Judge Nancy F. Atlas
U.S. District Judge Vanessa Gilmore
U.S. District Judge Andrew S. Hanen
U.S. District Judge Alfred H. Bennett
U.S. District Judge Lee Yeakel
U.S. District Judge Robert Pitman
Professor Alan M. Dershowitz, Harvard Law
David Sheffield, Dist. Attorney, Hardin Co.

To all ... and the world:

Just in—TDCJ did **no interviews** for the new Deputy Director of Religious Services position, and *that* took an **appeal** to the Texas AG and one **year** to get. How valuable is religion? *Nada*.

I must expose this, too: TBCJ Chairman Wainwright has not said a word. ***Is that Right or Just?*** And TBCJ Member Larry Don Miles should have recused himself from TBCJ or withdrawn from volunteering in TDCJ, for his catered service compromises his TBCJ supervision greatly, and Wainwright knows that more than most, having been a distinguished judge.

Judges—what judge would *not* recuse him/herself from *judging/supervision* if he/she were a catered-to volunteer deeply involved in supervising his own church’s activity in *several* prisons that his court supervised? What medical commission would allow a commissioner to sit in supervision of a commissioner’s own practice? No wonder Mr. Miles refuses to respond to these *documented* violations of everything Texas holds dear! See the *Deep State Report* for more on Mr. Miles.

Oyez, Oyez, Oyez—I gavel this court into session and hold the TDCJ executive officers, its Office of General Counsel, and all the TBCJ in “**contempt of court**” for their lazy effort—perhaps *conspired* plans—to cover up documented violations of policy, to cover up the clearing of violators, and to cover up their utter failure to correct the Rehabilitation and Programs Division’s (RPD) shredding of constitutional protections, devaluing religion, and in-your-face spitting on normal business practices. The RPD’s 25-year history of abusing chaplaincy just hit another low point in the latest fiasco, just *released*—the RPD *again* hired the lowest to oversee religion in TDCJ, with this hiring more stinky because the runt was hired to **cover up** the feces-filled Polunsky Twilight Zone.

Everyone needs to know how Dunbar and the TBCJ supported the hiring of a white career laundry man over a black combat veteran *retired* U.S. Army Command Chaplain. How TBCJ supported Dunbar’s *creation* of an Assistant Director of Chaplain just for his black friend who failed to make Regional Chaplain.¹ I say the TBCJ *supported* simply because they were informed of these and other travesties in clear documents, and the TBCJ has done *nothing, nada, zilch*.

¹ See the Goodman Unit hiring fiasco, of which a hard copy of all 180 pages was sent to the TBCJ Chairman >> Dale Wainwright and others—not a squeak, www.PreciousHeart.net/OIG/GoodmanUnit2017.pdf.



There is much more infamy to this Open Records release than the mere *conniving* Dunbar exercised when he led RPD Director Rene Hinojosa to hire a high school graduate to supervise an entire profession in which a master's degree is the **national standard**.

Addendum 16, *attached*, adds to the decades-long saga outlined in the *Deep State Report* about RPD's abuse of chaplaincy. Many will be hurt by this exposure, especially the man hired. Dunbar has *again* taken advantage of ignorance to hide nefarious behavior—his own and others. RPD never has liked to consult stakeholders or document or be accountable, a long RPD M.O.

Now with the 2nd Edition of the *Deep State Report*—look see—the **TBCJ will not either**.

RPD seriously devalued religion here to cover up violators. Texas and the U.S. value freedom of religion almost as much as most citizens value their religion. But—really?—the TDCJ, the TBCJ, and its RPD find a high school graduate with his TDCJ chaplaincy basic training at the Polunsky Twilight Zone *merit* enough to supervise one of the largest bodies of professional chaplains in the largest state prison system! Yeah, see TBCJ abdication of duty and contempt of court for corny cover up, *clearing* of violators, and *cleaning* of contraband! Who does that? RPD, et al.

Oyez, Oyez JUDGES! Will you weigh in on these? Judge Keith Ellison, see the rest.

Backstory is clear. State chaplains are justified *solely* to facilitate the prisoners' religious needs, which includes facilitating religious volunteers and pastoral care in crises. However, the RPD has for 25 years increasingly shredded the *profession* of chaplaincy, including its attempted assassination in 2011.² While shredding, the RPD has *increased* its catering to **volunteer needs**, especially rich white Protestant Christians in a Baptist hegemony. One result of the RPD's shredding is the staggering 20% *decrease* in volunteer hours from 20 years ago *while* the RPD bloated its administration about a third larger than 20 years ago—chiefly because of Dunbar's delirious antics.

Most volunteers are the best citizens, and—documented—most are successful white retirees. The broad sweep here is fleshed out in the *Deep State Report* where RPD “directors” have played the rascal, as with David Valentine's nutty program in my Faith-Based Housing Letter sent in 2011.³

Dunbar and his ilk like to cover up, except where they believe an item makes them look good.

Since the beginning of the “manager” series placed over chaplaincy under Carl Jefferies in the mid-1990s—the bloating's beginning—each director has contributed to the profession's demise, mostly by deliberate indifference. RPD Directors in succession—Jefferies, Debbie Roberts, and Madeline Ortiz—have shamelessly **promoted** “managers” over chaplaincy who had no formal religious education, experience, or drive to help the *profession* of chaplaincy. The new Deputy Director of Religious Services is not new, for it is simply a Manager IV newly budgeted—**bloat, bloat, your boat!** Dunbar merely wanted to fill his old spot *under* him to continue cover up.

See **Addendum 16** now added to the [TDCJ Deep State Report—Case of the Collared Fox](#), 2nd Ed., and *attached* for your leisure. Via email, I received the Open Records release on 8-27-19—after a **year**—ironically the same day as the first mailing of the *Deep State Report*, 2nd Ed.



All—I plead with you all to re-consider the following two items for Texas' honor:

² *How We Saved Texas Prison Chaplaincy 2011: Immeasurable Value of Religion, Volunteers, and Their Chaplains* (2015; 412p.), www.PreciousHeart.net/Saved. In 2011, RPD had no written plan to facilitate volunteers without chaplains, leaving to the understaffed units, with an unwritten plan to hire volunteer coordinators later. Plus, the RPD has hid chaplain statistics.

³ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf, Dec. 2011, a real whistle-blowing affair. >>> Compare, really compare Alexander Volokh's "Do Faith-Based Prisons Work?" 63:1 *Alabama Law Review* (2011), 43-95: www.PreciousHeart.net/Volokh-Article.pdf ... both never consulted in TDCJ, much less among the chaplains, most of which have master's degree or better—or most *used* to have until Dunbar intervened.



1. Chaplaincy Division. TDCJ's RPD Marvin Dunbar appears to have led RPD Director Rene Hinojosa to **LIE** on PERS 284. After appealing *again* to the Texas AG's Open Records Enforcement Division—after an entire year—TDCJ's Counsel William Overton released the Deputy Dir. of Religious Services **Interview Documents**, revealing there was *no interview*. **THAT is how much RPD truly values religion.** Several addressed in this letter played a *critical* role in Dunbar's dumbing down of the chaplaincy profession, including Dunbar's racist hiring and *more* since he came to RPD. It would be easier to teach a quadriplegic how to ride a bicycle than to teach Dunbar about religious liberty or even simple-minded fairness. He did what he's good at—cover up and bloating. He *hired* here to cover up Polunsky, protect violators, and hide his lazy crookedness. Help correct this hiring fiasco and relieve RPD of its demeaning of religion with a **Chaplaincy Division**.

2. Overton Codicil. Legislators—I formerly ask you to add the **William Overton Codicil** to the Open Records law (details attached in Addendum 16). I believe OGC and Overton violated the law in **THREE** **flagrant cases**, among many others.

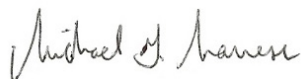
One—the **Interview Documents** summed in Addendum 16 took me a **YEAR** of expensive flim-flam from Overton to receive. No one should have to go through that. See the docs online.

Two—likewise, for almost a **YEAR** I have been seeking information on the TDCJ Seminary graduates. See the attached follow-up letter to the Texas AG's office. After *another* appeal to the Texas AG, only *then* did Overton himself appeal to the Texas AG. I have *nothing* against my alma mater SWBTS teaching prisoners. But the sloppy nearly-anything-goes TDCJ prisoner **indentured Baptist** “Field Minister” program is so unconstitutional—and **ten-fold when it is Top Secret!** Come on now!

Three—took me a **YEAR** to get OIG's “Terrorist Suspect” report on myself! OIG led me to believe my “interview” was about the 700-page *Book of Secrets* I wrote. But the interview was about **ME!** This needs broadcasted worldwide. OIG's Lt. Glenn Welter asked, “You're **not going to write my boss** anymore letters, are you?” **YES—a TDCJ law officer was sent to STOP letters of exposure**, and that was an official written conclusion: **no more books—innocent of terrorism!** Chairman Bell was afraid of *books*. See the *Deep State Report ... another book ...* and more to come. *Carpe diem*.

In sum, the **Overton Codicil** would facilitate citizen supervision of the very things the OR law was *designed to expose, including revealing repeating ruinous rascals*: **(1)** RPD Dunbar *again* hiring the runt of the litter with the **least work possible**—*that's Dunbar's diary*, **(2)** OGC **violating** OR law, **(3)** TBCJ's chairman **weaponizing OIG** to censure, and **(4)** OIG allowing itself to be **manipulated** by Mr. Clean, all documented in the *TDCJ Deep State Report—Case of the Collared Fox*, 2nd Edition.

From the man no one **wants** to believe was nefariously set up by Mr. Clean, Michael Upshaw,



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[TDCJ Deep State Report—Case of the Collared Fox >>](#)



Stop the abuse of TDCJ Chaplaincy! ... If not from this, what? ... If not now, when? ... If not you, who?

September 25, 2019

Senior U.S. District Judge Nancy F. Atlas
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U.S. District Judge Lee Yeakel
U.S. District Judge Robert Pitman
Professor Alan M. Dershowitz, Harvard Law
David Sheffield, Dist. Attorney, Hardin Co.

Dear Distinguished Judges, Professor Dershowitz, and soon-to-retire DA Sheffield:

As I expand the spread of my plea to help stop TDCJ Chaplaincy abuse, I hope you will help.

Enclosed is a package of great importance to Texans. Most Texas citizens have some relation to its prisons, whether to employees, prisoners, volunteers, their families, and certainly the cost of it all—and to the TDCJ’s noble Mission of public safety, safely incarcerating, and those returning to the free world.

This is most personal. I was done wrong, and chaplaincy has been hit hard. And then we see **EVIL** in the Polusny Twilight Zone cover up for reasons TDCJ *and* the TBCJ refuse to discover. And after this and many more exposures of evil cover up—look see—we have it again in RPD. And not a single disciplinary for any of the many wardens and majors, none, and Marvin Dunbar will be *cleaned* too.

Judge Keith Ellison, I got your name from the recent news. Is it true that TDJC’s Bryan Collier testified that no one—*no one*—was disciplined over the air conditioning fiasco? My oh my! After 1,000 plus pages and seven years, I have fought for my innocence amid shenanigans impossible to catalog briefly. I have received no response, or apology, to say nothing of redemption of my honor. Nor have I had any luck in getting any takers for a lawsuit. Perhaps you and colleagues can offer a suggestion.

Judge Ellison, my reading of several news articles and a few lawsuits against TDCJ leads to an unexpected insight. If you will glance at the [*TDCJ Deep State Report—Case of the Collared Fox*](#), provided here in hard copy for you and your colleagues, you will see it is but the short version of a long and detailed saga, *speedily* put together. The online version has over 100 minor corrections, and you can see the Errata Page inserted in the back (and linked below).



Judge Ellison—you are a Harvard Law School graduate. That *means a LOT* to other lawyers. What do *you think* of TDCJ hiring a high school graduate to be over religion in TDCJ, with six years of TDCJ experience and zero continuing education for 20 years prior to his coming to TDCJ?

Judge Ellison—I was set up, and the major narrative is in the first 100 documented pages of the [*TDCJ Book of Secrets—Case of the Enchanting Chaplain*](#) (2014), a massive documented 700 pages mostly about the Polusny Unit Twilight Zone, still violating policy in January 2019. After that monster was sent at great labor and expense to TDCJ and OIG, the thenTBCJ Chairman Oliver Bell weaponized the OIG to investigate me as a “terrorist threat”—see the *Deep State Report*.



Point one—there has not be a single disciplinary for the many violations exposed in the *Book of Secrets* and again in the *Deep State Report*, to say nothing of the intervening letters that fostered those.

Point two—and a revelation to me after reading the A/C fiasco and more—is that Exec. Dir. Bryan Collier just might be too kind of a man to run TDCJ, too trusting. If you can just scan through the *Deep State Report*, the *Book of Secrets*, and about five of the critical supporting documents, you will see that I leaned toward Collier co-conspiring with the slug Mr. Clean Michael Upshaw, et al, who *cleaned* contraband and *cleared* violating wardens for many years. That said, Collier just might be too trusting a soul to run TDCJ. Too many *violate* at will, knowing they can, and they manipulate around Collier.

Judges, DA Sheffield, and Professor Dershowitz—this is a new level of exposure. The entire profession of chaplaincy is in a **death spiral**, essentially—veritably—becoming a TDCJ Protestant Missionary enterprise with a clear Baptist hegemony. Because such is so unconstitutional, that will lead to the killing of professional chaplaincy in TDCJ. Without radical help from outside, *again*, **chaplaincy will DIE**. I don’t want to see it die, and I would love to see my honor recovered.

I was set up with falsified disciplinaries and forced to retire, a long-documented story, and part of it is because I kept on exposing things just like this. I say that, please, because RPD has been so hostile to the

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profession of chaplaincy in many ways. **Judges—what is up your alleys** is that RPD has given untoward favor to Protestantism and crossed the constitutional line with impunity. Not just the seminary fiasco outlined in the *Deep State Report*, but in several areas. The *order* for Faith-based Housing has terrible implications constitutionally and bad consequences for the genuineness of faith in the prisoners.⁴

The chaplaincy profession justification exists solely to meet the religious needs of prisoners, including facilitating volunteers and providing pastoral care. There is no justification for chaplaincy or TDCJ to meet the needs of volunteers. And chaplaincy will die if RPD is allowed to continue this hiring practices.

Given the horde of violations cataloged in the *Book of Secrets* and in the *Deep State Report*—hello—here is **THE REASON for TDCJ's terrible attrition rate**. Not solely because of pay, no sir, no ma'am—the loss of officers is primarily due to Deep State antics. For if you distinguished folks see anything here, see that if to so profusely to chaplaincy—and Mr. Clean was Region 1 Security Chief—then you *know* Mr. Clean and Dunbar have wayward children doing the same: hiring runts over vigor, disciplining for nonsense, clearing the guilty, and cleaning contraband.

Judges, you must know that other employees **see** and **hate** that, and can do nothing except **quit**.

For God's sake—help save chaplaincy. Help save TDCJ. Make TDCJ great again.

Scan the *Deep State Report's* several addendums that outline the chaplaincy's complete cost recovery and contributions to every mission-critical function, though RPD had hidden all that from the TBCJ for decades. RPD has *never* used the data to help chaplains. Look closely.

TDCJ's OGC, OIG, and RPD have played the assassins of chaplaincy. All the *Deep State Report* is true, yet—**Judges and Gov. Abbott**—if only half is true, then you know the TBCJ and Bryan Collier have no real control and there are many other Mr. Cleans in TDCJ. These rascals slay honor—perhaps concertedly—just as OGC playing defense attorneys for the unconstitutional **Top Secret Seminary** program that **indentures prisoners for Christian missions**, with OIG *allowing* itself to be **manipulated** by Mr. Clean and **weaponized** by TBCJ Chairman Bell, and with RPD leading the way abusing for 25 years with *repeatedly* **hiring the lowest** qualified applicants many times. And more.

If above is vetted—wow!—that will allow someone to vet the other TDCJ documents that show clearly how I was set up by falsified disciplinaries to end my career—why?—*for writings like this!* Why? For defending TDCJ's policies and noble mission and the true value of religion.

Sincerely,



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P.S. Judges, Sheffield, and Dershowitz—see the Errata Page in the back of **your hard copy** of the *Deep State Report*. Timing was critical. See here www.PreciousHeart.net/OIG/Errata-Page.pdf >>



Judges—please see the [100,000 Mothers' Parole Option](#), also attached, about 10 years old now, that will save millions of \$dollars\$, has no real fault yet, and has no legislator with courage enough to really work this. One point of injustice is clear: the parole board's **100%** avoidance of using **decisively** the 45,000,000+ annual hours of **STAFF** experience on a parole board's decision of eligible prisoners is a wicked-terrible **waste of resources**. That is made worse when by their own statistics **each** BPP member does not spend more than **10 minutes** on each decision.⁵



⁴ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf, Dec. 2011, a whistle-blowing affair, for >> which I paid heavily. Compare, really compare Alexander Volokh's "Do Faith-Based Prisons Work?" 63:1 *Alabama Law Review* (2011), 43-95: www.PreciousHeart.net/Volokh-Article.pdf ... both never consulted in TDCJ.



⁵ Figure 25,000 COs x 40 hrs/wk x 45 wks/yr = equals a low-ball of 45,000,000 hrs/year and **450,000,000 hrs in 10 years!** What is the quantity of terrible injustice **WHEN** that goldmine of face-to-face experience is **TOTALLY** ignored in decisions?

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