

*A Letter to TDCJ Executive Director Brad Livingston,
and Inspector General Bruce Toney
whose honor and legacies unfold here with all and my own*

Book of Secrets **on the Longest Cover Up in** **TDCJ History**

Three Parts



The Case of Sherlock Holmes and the Enchanting Chaplain

**Computers, Cameras, Scanners, Color Laser Printers, Office Given to Life-Sentenced
Murderers Unsupervised in the Dark for Years Supplied by Off-Shore Account/s
and Other Infamies, Cover Ups, Protection for the Favored, and
Retaliation for Whistle Blowers (plural)**

Ruination of TDCJ Chaplaincy in the Works

When will OIG Defend Staff from Those Who Weaponize Disciplinarys?



—*—
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this following is how much I love Texas
—*—



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www.PreciousHeart.net



for many supporting documents see
www.PreciousHeart.net/chaplaincy



almost exactly two years after the
50-page Faith-Based Housing Letter
www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf
Tab 20 was originally sent on December 1, 2011, to
TDCJ Executive Director Brad Livingston
www.TDCJ.state.tx.us





For Honor, Courage, Commitment



*Dedicated to Texas and TDCJ employees, ex-employees,
volunteers, prisoners, and their precious families*



See Entire Work Here www.PreciousHeart.net/OIG/Treason.pdf >
previously coded "Love-Honor" to open 139 MBs
searchable PDF – Since No Response to date 8-1-2019
Now UNLOCKED – Let the Search Engines Roam & Index



2019 Sequel – *TDCJ Deep State Report—Case of the Collared Fox*
See online w active links: www.PreciousHeart.net/OIG/TDCJ-OIG-2019.pdf >



LOOK IN VAIN for a single disciplinary on anyone exposed here for documented violations:

TDCJ Disciplinarys 10 years, 86,000-plus – from this, Bryan owes 86,000 apologies >
www.PreciousHeart.net/OIG/TDCJ-Disciplinaries-2003-2013.xls



Since the above, I knew the violations continued. So I requested through Open Records all the Polunsky Chapel property purchases. Yep, proven again, even after all the above, the violations of security continued in *allowing* prisoners to steal from the chapel.

First Chapel Property Analysis in TDCJ History = 2015-2018 Polunsky Fiasco - no one knows what is going on there, now documented for 10 years! Cover up continued and why they hired Timothy Jones as Deputy of Director of Religious Services, who was trained in TDCJ chaplaincy there, trained to ignore violations.

www.PreciousHeart.net/OIG/Polunsky-Chapel-Supplies-SHORT.pdf >



First Hero

Who was the **First Hero** that repeatedly reported
and would not give up reporting the major
violations in the Polunsky Chapel
and was punished for it?

Where is he or she?

How dare *that* man or woman be covered up too!

There have been *several* with honor, courage, and commitment!

The best of OIG's hunt by their Sherlock Holmes and Dirty Harry
needs to go for them as well as all those promoted for comprising!



There is a tide in the affairs of men.
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries.
On such a full sea are we now afloat,
And we must take the current when it serves,
Or lose our ventures.



Brutus to Cassius
on Civil War with Octavian and Mark Antony.



Mark it down, please:
no Director, Warden, Major, or Manager, *no*,
'twas a *Chaplain* that brought this to you.

For all its imperfections, shortcomings, and short
of some material, most Chaplains would *never* let
happen the crazy stuff at Polunsky,
nor even my *three* predecessors.

May Justice and Equality Prevail.

Pre-Letter to Brad Livingston and Bruce Toney

January 1, 2014

Brad Livingston, Executive Director
TDCJ Executive Office
P.O. Box 99, Huntsville
936.295.6371 - 512.463.9988

Bruce Toney, Inspector General
Office of the Inspector General (OIG)
P.O. Box 13084, Capitol Station
Austin, TX 78711

Dear Brad and Bruce:

Outrageous amount of evidence – that’s what this is, with links to more. Why? Because the cover up has been outrageous. When the persons you *should* trust the *most* ... lie ... that’s treason.

I ask for a response from both of you. May this be the best New Year ... for justice and equality.

I stood up for what was right, exposed wrong, and was punished for that – that’s the truth.

Neat – ITD Director Mike Bell supports me; you’ll see in the **Epilogue**, only he does not know yet. Think not the cover up here is dependent upon his single outrageously informative email.

Contrived disciplinaries and one hell of a false accusation – here’s my answer! And I ask OIG to investigate both my case *and* how OIG itself was purposely manipulated and kept from investigating Polunsky’s Chapel *years ago*. If my smallest disciplinary of Substandard Duty had a speck of merit, 2,000-plus other disciplinaries are due several wardens, majors and captains at Polunsky, and a few dozen at the Lewis Prison too. The worst has been covered up for *six years*, now, with lies and treachery.

You cannot believe the 50-page Faith-Based Housing Letter sent to you two years ago was retaliated against. Can I prove that absolutely? Nearly, that tip of the iceberg leading here. **KEY to ALL** – that’s Polunsky. I was punished for repeatedly reporting **unsupervised prisoners** from June through October 2012, just as they had been *unsupervised* from 2007 to 2012. If you cannot see **SIX YEARS of Cover Up here**, you two will *not* see anything. If you finally see it, that will **Unravel ALL**. Then you will see not sensationalism, but truly see the longest cover up in TDCJ history ... and a load of treachery.

The “words” of a few taken for “truth” against my letters will be seen for what they are – **Lies!**

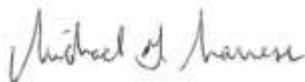
I suppose a couple of weeks is professional courtesy enough to wait, for at least your intentions via email, or your invite to come see you. I am not going to see Bryan Collier again. As in the past, I’d prefer Bruce’s Sherlock Holmes to attack this without encumbrance – timing can be all – a work that will be clouded more than it already has been if the principals get wind of the scope of this *before* Holmes gets to work. As with the 21-page letter sent on 10-29-12, oh, I just could not see OIG failing to jump. But I was wrong then, and – *take it to the bank* – Upshaw and Stephens *crafted* to avoid OIG; they knew the key words. If I cannot see you now, a simple email will be okay that an OIG investigation will start and that you will see me in *x*-weeks to follow up on this. I am committed.

Brad, I got no response from *you* regarding the previous letters. There’s no need now, this becoming the finale. Bryan Collier’s and Rick Thaler’s responses were not *responses* at all, but merely *fare-the-wells* that have now *increased* the scope of the cover up to epic scale.

Yet, if you choose to do nothing *immediately*, I’d like to know ASAP, if you please; attached is a postage-paid envelope to return this. I’ll proceed, as God leads. Bruce, *adieu*. . . .

Brad, the rest of this is a personal letter to you, as both of our legacies and honor are unfolding, at least before God, as this pitiful drama of epic cover up and treachery in TDCJ continues.

Most sincerely,



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At this time, except a few strict confidantes, no one has the code to open the online version, other than those to whom you two give these.

**I do not want to publish this;
that is how much of a Christian I am.**

Yet, my job and legacy mean more to me, by far, than anyone else’s job or legacy here mean to me – of that, you can be assured.

All of our children deserve much better.

This Book of Secrets should indicate my honor, courage, and commitment.



Post Script – Richard Alford KEY and OIG Suggestion

Brad and Bruce, let me give you one method to speed things up, which will not cost you anything and may, in fact, save TDCJ several tens of thousands of dollars in time investigating this. After you have looked at this, discreetly call Region 1 Director Richard Alford into your office, alone, and ask him how things are going. Then push this monster to him, and tell him that Maness has delivered a copy of this to OIG, too, and that OIG will begin shortly to investigate.

Livingston Proposal to Alford – Truth or Consequences:

“Richard? Is Maness telling the truth?” you might ask. He might shuffle and struggle something, having not read it, feigning foggy details of his January 2013 IOC. It has been a long time, after all.

“Well then, take this,” you might say, “and take the rest of the day off and tomorrow, work time, and look through it, and come back two days hence. If you tell *anyone* about this before we meet again, you will have obstructed an investigation, and, well, Richard, you know what that means. If Maness is telling the truth ... then ... if you fully cooperate with OIG and aid them to fully finish this report on things at Polunsky and the Lewis Prisons, I, as executive director, will grant you, and you alone, immunity and allow you to go back to a prison as a Warden I or II, so you can finish your time in honor. If ... *if* ... you are not already party to any felony or murder, as Maness hints. Of course, if Maness is lying, you do not have anything to worry about, and I, personally, will see to Maness and put an end to this.”

If Alford resigns, you have your answer, too, and his treason is complete, his loyalty certified to his fellow traitors *over* his loyalty to you and to TDCJ and, of course, to the truth. Either way, that looks like a plan to expedite an investigation into this outrageous exposure of injustice and inequality. Without the willing cooperation of a key conspirator, it would take OIG many more arduous hours just to vet this monster, presuming you all *want* a thorough study and a solid resolution to this mess. There several mysteries outline here that need resolution, that I will never solve, and that will be bears to tackle by OIG without the help of Alford or another key conspirator.



Alford Is Key. I suspect he just might take you up on this. Especially if he took the day off and spent some serious time on this, for – believe it – there are things here even he did *not* know among all things he certainly knew and has been covering up. He might say he did not know, as “senior” warden, etc., but be assured as this story unfolds here, I knew how to make myself clear in June and July 2012 before he got to Polunsky, and made myself clear throughout, to the time I was forced to retire in October 2012. And it remains clear that the key volunteers *longed* for Alford’s return, because Alford did know as far back as 2007 when he was Polunsky’s asst. warden.

Brad, I heard fear in Alford’s voice when I called the Polunsky Prison on Monday, November 5, to find out about some window blinds I was having painted in the prisoner craft shop. Chaplain Collier speedily passed me to Alford, which was a bit of a surprise. And Alford was *not* belligerent this time, but soft and tender even, slightly shaken, because TDCJ’s ITD Techs were at the computers in the 3-Gym chapel Prisoners’ Computer Control Center. Take this to the bank – he did *not* see ITD coming.

Alford’s Fear and Fishing. And Brad, you would just have to be an *in-prison* employee for decades to know when an administrator was *fishing*, and Alford had all his lines in the water. And, in TDCJ, no one, *no one* makes Senior Warden without being a good fisherman. Alford even asked me if I knew the passwords to some encrypted files the ITD Techs could not access, which I did not have, of course. I took no bait, did not say a thing about my 21-page letter, assured that you, Brad, had initiated an OIG investigation, or relayed the need for one. I was certain of that, then, because I had seen OIG investigate many things before, of far less import. And I was also certain that I would see you or Bryan Collier soon. So much for my expectations then.

Alford Key! Alford is a KEY that could allow OIG to find the source of the Nile. Whatever he can reveal of the key conspirators can open the flood gates of resolution to many mysteries, like the date the violations began to flood in years and Chaplain Collier’s enchantment of the wardens and directors.



Author's Preface to All Readers

This was not the book I wanted to write on chaplaincy, but one I *had* to write. Herein is the actual operation of the largest Chaplaincy Departments with the most programs per week of any in TDCJ history, even though no cross-sectional study has been conducted in the last 50 years. Yet, sadly, Polunsky was also the most policy-violating in Texas history. This is my story of advocacy that resulted in attempts to censor and then retaliation – treachery in Texas' TDCJ.

No more perfect than the next, still, my honor meant a lot to me. Still defending TDCJ's honor, I had worked extremely hard, but a few wardens turned on TDCJ's mission ... for years. The *bad* was made *good*, as the world was turned upside down. Several mysteries still remain.

I have only one life to live, and no other is willing. If I did not finish this, the truth would die with me, and the conspirators would continue their treachery. How could I live with that? To some, chaplaincy is not worth a lot, but I have seen the best of chaplaincy, especially the heartbroken after notifying 5,000-plus deaths and illnesses, and having talked to twice that many mothers and more. Many staff and others were terribly hurt because of dishonorable leaders.

Yet, this Book of Secrets would not be here without many honorable employees. God bless.

I prayed, fervently, but God would not let me go. God grant me the courage to finish this. To whom much is given, much is expected, and we do unto others what we would like done to us – and be that Brad Livingston, the Governor, highest king or the lowliest prisoner – if I were either, I'd want to *know* if traitors were skewing justice and forsaking equality for *years*.

I was forced to retire. I do not like saying that. But facts are facts. I was *punished* for defending security policy. I turned 57 when it began, had 20 years in TDCJ, and I had written more on prison chaplaincy than other in U.S. history.¹ Oh, I *knew* what was right, and the wardens did too. A few wardens and directors forced loyalty to themselves *over* loyalty to TDCJ's values, and they need the whip or replaced.

Among the hoard of evidence, among all of the violations of policy and ugly treason, and among all of the clear rock solid answers herein – **rock solid** – *several* inscrutable mysteries that remain. Of the several mysteries, the **most critical mystery** of all of them that needs solving is this: *how* did Chaplain David Collier **enchant** wardens and directors for six-plus years now, those wardens consciously allowing more security violations at the Polunsky Prison than any other prison in TDCJ history? Even in U.S. history? Then, right after I exposed that in a couple of shorter letters, Richard Alford and Michael Upshaw were promoted – treason rewarded. Only TDCJ's OIG Sherlock Holmes will be able to solve that. Help us, Sherlock!

For the best of Texas and TDCJ, and the honor of all, I now write one more letter to Executive Director Brad Livingston, praying he does his duty, a *letter* to make it personal! I've done my duty and the duty of several here. Know this, too, the documents in this represent only about 10% of the whole story and 10% of the documents from Open Records in the last year, some still awaiting the Texas AG's intervention to release. And, had the AG *not* helped, a critical portion of the cover up would have remained a TDCJ state secret; some have succeeded in hiding how wardens violated policy for years. Take my word for it – the following 700-page **letter** is *still* the short story in need of a *full* analysis and OIG's best effort. God have mercy.

Rev. Dr. Michael G. Maness, 20-year TDCJ Senior Clinical Chaplain
Activist for Chaplain Professional Equity, Defender of the Faith and Believer in God and Patriot to the USA
Dedicated to the proposition that ALL are created Equal and endowed by their Creator to certain inalienable rights. Believing and defending that TDCJ's Noble Mission and Policies Apply to ALL, and that the Executive Director's office ought to Protect ALL Equally and should correct the injustices!



¹ See www.PreciousHeart.net/chaplaincy.

↔ ————— ↔

White Teeth of the Storm Furies

#2523, Abraham's Double Blessing, 6-27-1897, pp411-412, Vol. 43

Abraham was old, and well stricken in age: and the
Lord had blessed Abraham in all things. Genesis 24:1

————— ↔ ————— ↔ —————

fter that great trial, it was written, “the Lord had blessed Abraham in all things.” That is the short history of his long life. God said he would bless him “in all things.” What! When he commanded him to slay his son? Yes— “in all things.” When we reach our journey’s end, will that be said of us?

If I were an old sailor, I should *not* like to have had a life on a sea of glass. If I seventy years of age, and my grandchildren had gathered around me to hear the story of my life, I would not like to sum it up by saying, “Boys, I do not know any storms. All were good winds, no troubles, no challenges. Whenever I got on board ship, all storms ceased, and I had nothing to do but just to watch until I reached the port.” I expect the boys would ask, “But, grandfather, were there never any big waves?” “No, never,” I would ashamedly say. When they asked, “Were you never cast away on a rock?” “No, never; it was all smooth with me from beginning to end.” There would be nothing to tell about a life like that. What *life* is there on a sea of glass? A man would not make much of a sailor that way.



How blessed are they who have done business in great waters, who have seen the white teeth of the storm furies, and sailed through the very throat of death, and yet come out safely. How blessed are they who have had much *reason* for fear, but who have had no *real* fear, God having lifted them above it by the supernatural energy of his grace! So, brethren, you may have a blessing come to you, not in the shape of a smooth rolled path all the way to heaven, but in the shape of a faith that endures to the end, so that you shall stand firm, and at the last shall enter into your rest, and say at the end of all, “God has blessed me in all things, blessed be his holy name!”

From Michael G. Maness, editor & compiler,
**Ocean Devotions – from the Hold of
Charles H. Spurgeon, Master of Mariner Metaphors**

(AuthorHouse: 2008; 440p.), 384, Dec. 14.

www.PreciousHeart.net/ocean

↔ ————— ↔

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Teaser or Taser: January 1, 2014 – after Maness and ITD Dir. Mike Bell *documented* the Polunsky Chapel having **EVERYTHING WRONG**, the most protected, covered up, policy-violating enchanting Chaplain in TDCJ history for **SIX YEARS** is sent to handle the delicate Death Row Executions *and* the wardens and directors responsible are promoted!

and ... one back-stabbed, maligned, policy-compliant, TDCJ-mission-defending, and loyal Chaplain has to pull together an outrageous amount of solid evidence to prove his *fifteen-year-old story* of cover up to show that persons we *should* trust the *most ... LIED* and manipulated to *keep* OIG away!

What do you call that? . . . Can you hear me now?



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Limited Index with a Focus upon BULL_ _ _ _ !

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About the Index

Yes, **BULL_ _ _ _** is the only term, fretting over its use much more than most, it is a clear TDCJ term that definitively declares that something is a *complete* load of *absolute* crap in forceful terms. It is one of the most important terms, and terms the wardens and directors indicted here know well – I do mean *well*, for they have been shoveling it for six years now. My more holy friends will just have to excuse me; the clock is ticking.

In all my books, I love a thorough index, but they take time to mark. For instance, in my book *Heart of the Living God*, its index is 28 pages of fine type with over 2,300 authors referenced from over 3,900 sources; it's a little shorter than this.² I do not mind doing hard work, and point out in the Epilogue just how hard several “directors” and “managers” have *worked* at doing *nothing*. That's another unique exposure here, too, in just how important *doing nothing* is to several highly-paid administrators. So I apologize for not being more thorough; I had to limit the size of this Book of Secrets, and be extremely selective, only including about 5% of the documents pertinent. Because several also *prolonged* things so much so far, hoping to overshadowed and cover up their tracks – as Upshaw did by having *all* the prisoners' data *erased* before any competent analysis – so I just had to get this printed and out.

I also would have preferred to have re-read it all several more times, too, as the juice is in the edit.



² Michael G. Maness, *Heart of the Living God – Love, Free Will, Foreknowledge, and Heaven – A Theology on the Treasure of Love* (AuthorHouse: Bloomington, IN: 706 pgs.), see www.PreciousHeart.net/foreknowledge.

SNAPSHOT – Polunsky Fiasco Condensed Version

SNAPSHOT contains highlights to Polunsky, and not the Lewis Prison incidents, because Polunsky is KEY to ALL! If you can see Polunsky's fiasco, you will see ALL.

Teaser or Taser: January 1, 2014 – after Maness and ITD Dir. Mike Bell *documented* the Polunsky Chapel having **EVERYTHING WRONG**, the most protected, covered up, policy-violating enchanting Chaplain in TDCJ history for **SIX YEARS** is sent to handle the delicate Death Row Executions *and* the wardens and directors responsible are promoted!

and ... one back-stabbed, maligned, policy-compliant, TDCJ-mission-defending, and loyal Chaplain has to pull together an outrageous amount of solid evidence to prove his fifteen-year-old story of cover up to show that persons we should trust the most ... LIED and manipulated to keep *OIG away!*

What do you call that? Can you hear me now?

- 2000-01 [Maness Leads 60+ Chaplains to First Pay Group Increase in 40+ years 2001](#) for ALL state chaplains, TDCJ, TYC, and MHMR, about 200 – about \$1 Million not previously budgeted
- 2001 TDCJ Chaplains Honor Rep. Rob Junnell, chair of House Approp. Com. with [Honorary State Chaplain](#)
- 2001 [Maness Exposes Unethical Hiring Practices](#) to Exec. Director Gary Johnson
- 2001 Maness puts compiles data from [Largest Prison Chaplaincy Audit in TDCJ history](#), 150+ chaplains, after six-month fight and multiple interventions by Texas AG
- 2001 [www.PreciousHeart.net/chaplaincy](#) website growth to largest on prison chaplaincy in U.S.
- 2002 [Manes Exposes More Unethical Hiring Practices](#) in 27-page letter, Johnson initiates OIG investigation
- 2003 RPD Director Carl Jefferies cuts Chaplaincy 30%, punitive, though TDCJ was only asked to cut 10%
- 2007 [Maness with Rep. Jim McReynolds](#) attempt to lift 50 Chaplain III status and add 50 new chaplains – wins additional 25 chaplains no previously budgeted – few \$100k not previously budgeted
- 2011 [Bill for 100,000 Mother's Parole Option](#) sought with Rep. James White
- 2011 **CHAPLAINS ZERO BUDGETED!** – Jan.-March Maness lead strategist and chronicler, many pockets of networks, his [2,000 Copies of Flyer with Chaplain Contributions Published](#) and passed out in Austin with the help with many, including Baptists, Catholics, Methodists – WIN FULL BUDGET BACK
- 2011 Chaplains ordered to fast-track Faith-Based Dorms based on zero intelligible data
- 2011 [December - Maness sends 50-Page Faith-Based Housing Letter](#) to Exec. Dir. Brad Livingston and a couple of religious freedom advocacy groups noting host of ethical, moral, equality, and cost issues
- 2011 [Alexander Volokh publishes "Do Faith-Based Prisons Work?"](#) 63:1 Alabama Law Review (2011), 43-95 – independently from Maness complementing giving legal side in a superb way
- 2011 [December – Maness Punished for Voicing Ethical Concerns Church-Splitter David Valentine's Program](#) to that obligated ex-prisoners to a church for job and housing *before* the ex-prisoner is settled
- 2012 Insubordination for Letter to Bryan Collier Voicing Complaints of Marvin Dunbar's humiliation of the 50-page Faith-Based Housing Letter
- 2012 Maness Recommendation for Dismissal for posting photos of prisoners putting together Christmas card packages even though I had signed permission and TDCJ lawyer-created Media Releases
- 2012 May – Maness to Polunsky Prison – Beverly Hills in Chaplaincy Resources
- 2012 June – Eyes Open – Most Policy-Violating Department in TDCJ History, begins compliance work
- 2012 July – [5-page IOC to Warden Muniz](#), consulted wardens and majors, attempted to see Bryan Collier and Rick Thaler in Huntsville – with proof of cover up of violations and no help to correct them
Including unsupervised prisoners with computers, scanners, printers in the dark
- 2012 August – October – Warden Alford belligerent, refuses help, continues cover up
- 2012 Oct. 9 – Tuesday – Alford steps up belligerence with Letter of Instruction
- I sent off for my retirement papers
- 2012 Oct. 16 – Tuesday – Maness Grieves Alford's Major Hutto – see Tab 5b –

Chapter IX
for detailed
history of
Maness'
Last Month
at Polunsky

TDCJ Definitions

- 2012 Oct. 19 – Friday – Alford make show trial of Hearing – see his pitiful response Tab 5b –
- took off early - received retirement papers by email ... notarize all and expressed them
- 2012 Oct. 24 – Wednesday – Retirement Acceptance Finalized for Oct. 31st – Halloween, of all times
- 2012 Oct. 26 – Friday – called in sick – really was sick in a couple of ways – worked on 21-page letter
- 2012 Oct. 29 – Monday – called in sick again, faxed 21-page letter to three: Livingston, Collier, Thaler
also sent hard copies – see Tab 1, Item 6 – WITH DVD of MS OneNote with many documents
- 2012 Oct. 30 – Tuesday – Polunsky Warden Muniz calls, wrote me up for not calling him personally
my disciplinary will be handled Friday by Warden Butcher – told him my retirement kicked in Wed.
- 2012 Nov. 2 – Friday – ITD Techs arrive and begin FOUR-WEEK “cleaning” of chapel computers
See Tab 6 for all ITD Email Exchanges – point: Techs caution Chaplain Collier will “fight all”
- 2012 Nov. 8 – Thursday – after consults with Upshaw and laundry list of issues, Glory to God,
ITD Mike Bell sends off email to his Tech on what Upshaw wants – “clean” all
... however, unbeknownst to Upshaw, Bell’s email reveals EVERYTHING IS WRONG
- 2012 Nov. 28 – Wednesday – final ITD email, all computers back after largest reconfiguration of state and
illegitimately procured computers in prisoners hands in TDCJ history – four weeks work
Chaplain Collier not present, will to follow-up with him later, they said
- 2012 Nov. 29 – [Chaplain Collier’s good Annual Evaluation](#) Richard Alford and Bill Pierce *both on the same day*
sign – no problems with Collier at all – Marvin Dunbar signs in December
30th is last official day at Polunsky according to Personnel
- 2012 Dec. – Chaplain Jose Vitela from Lewis Prison is whisked to Polunsky and kept in dark
- 2013 Jan. 17 – [Maness writes 13-page Letter](#) - extortion?, what’s going on?, etc.
- 2013 Jan. 15 – Alford writes IOC to Upshaw: *everything fixed* and Maness a Ding Dong - Tab 5, Item 3
- 2013 Feb. 7 – Stephens writes IOC to Thaler: *everything fixed*, again Maness a Ding Dong – Tab 5, Item 4
- 2013 Feb. 18 – [Maness writes 35-page Letter](#) – on Polunsky, including large section on Lewis Prison
hiring practices again spurious -
- 2013 March – Maness interviews at Lewis Prison with two others with Vance Drum, Bill Pierce, Frank Helm
not selected though had best resume by far ... cover up nearly complete
- 2013 June 3 – Got Texas Fire Marshal’s Report (Tab 8) and tried to see Richard Alford (Chap. IV, Photo 1)
no mea culpa from Alford, not a word –
- 2013 June 18 – Bryan Collier allow 30-Minute Plea, I fax him [4-page Outline](#) Tab 1, Item 3 – w/ Jan Thornton
and William Stephens - *Maness borders on “harassment” in [Super-structured Conference Call](#), like I*
carried a contagion – Hah! – no acknowledge whatsoever of anything wrong, all fixed –
- 2013 July 29 – Maness receives IOCs from Alford and Stephens, finally, and truth is out
they have covered up everything, made a mockery of my work – NO OIG is confirmed
- 2013 Sept. 3 – Maness 4-page Letter to Livingston with CD of interviews Tab 1, Item 2, this monster coming
- 2013 Sept. 11 – Emailed Alan Polunsky and Oliver Bell – Tab 1, Item 1 – if they do nothing, I prayed every
inspiring movie they, song they listen to, and book they read will remind them of this forever.

Throughout ... one just has to see that, if to me, then to many others. One of the most horrendous exposures in this is that several were promoted for allying themselves and *not* standing up, promoted for compromising, while some were held back or demoted or transferred for being honorable. That is outrageously against everything TDCJ and Texas stand for, and it will be OIG’s biggest challenge to find those who were punished for honorable conduct and repatriate them.



Preliminary Definitions

1. Definitions 101: “Media Room” – NO – hereafter “PRISONERS’ Computer Control Center”

For years it was called a “Media Room” at the Polunsky Prison, but the reality is that it was no “room” at all, but a fully functional Computer Control Center with a *regular* Supply Train of office supplies and computer and audio-visual parts that high-security prisoners *ran* computers and sound equipment and *maintained* and *reconfigured* with zero supervision in the dark, yeah, supplied by an Off-Shore Account/s! Nor do we know all they did, were capable of doing, or even how many Off-Shore Accounts were used – given now that Michael Upshaw had all *erased*.

“Media Room” what they called it, but that is not accurate, for the accurate and functional definition is Critically Important:

Prisoners’ Computer Control Center with Supply Train of Office Supplies and Computer Parts Supplied by Off-Shore Account/s³

Supply Train signed off by Warden Muniz for years, Alford before, choo, chooo⁴

Defend That!

Defend THAT anywhere in the world in the history of the world!

Hereafter called merely the **Prisoners’ Computer Control Center**

Shortened to Prisoners’ Computer Control Center for practical purposes. Now here this, part of the Polunsky fiasco includes that a week *after* I faxed my 21-page exposure on October 29, 2012, Manager III Marvin Dunbar sent a Damage-Control Message to all chaplains with rush-rush-hush-hush demanding survey asking WHO ELSE HAD “MEDIA ROOMS” – ain’t that sweet? I wrote a 5-page letter to Bryan Collier exposing competence issues on January 1, 2012 (Tab 16, Item 4) and got an “Insubordination Disciplinary” for that, and an entire year later I expose the longest cover up of security breaches in TDCJ history, with unsupervised prisoners in the dark center stage, and the very one – Marvin Dunbar – whose competence I questioned sends out a request to *find out* if other prison chaplaincy departments had the same thing. Why? Because he did not *know*. He did *not know* if any prison has a “Media Room.” But the worst part? – Dunbar *did not know* it was a Computer Control Center, and *still does not know* *while* Dunbar aided and abetted Upshaw and Alford in cover up! Staggering ignorance!

2. Definitions 102: Motive? . . . Was it Murder?

A “motive” is what inspired someone to do something. Elementary. What happened at Polunsky?

Was it Murder that inspired the five-plus years of cover up?

Off-Shore Account/s?

See fn. 3 below & Tab 12. How many accounts? We do not even how much money was spent on so-called *Personal Property* funneled to prisoners.

How Much? \$50,000?
How Long?

That would be a good report to have, don’t you think? What do “Chaplaincy Managers” manage, anyway?

Just Cover Up, of late and *nothing* about it!

See Epilogue

³ Off-Shore Account/s? – yes, being Off-the-Prison Accounts and totally mysterious, without any tracking, without any public quarterly statements, and though money came *through* Chaplain Collier and ex-CVCA still-functioning-as-CVCA Ed Reeves, the prisoners kept track of funds, the prisoners telling staff and volunteers what they need, budgeting the account money, filled by Collier and Reeves and only God knows who else – a truly mysterious account or accounts with credit card/s – that *only* a full study of all the suppliers will reveal all.

⁴ Was it Johnny Cash that sang, “I hear that train a coming...”? Just saying, everyone at Polunsky marveled as the train came and went, the mailroom instituting Polunsky-specific guidelines no “Chaplaincy Manager” knew about, too, to protect themselves. And the lead volunteer chaplains *bragged* and all the regular volunteer visitors *marveled* while the wardens received praises for their support of “God’s work.” God worked in spite of all, but God never has supported conscious violations of good security policies, and never will, not any more than God supports bold violations of the basic principles of justice and equality.

Or what other plan inspired wardens to turn away from security violations for years? There is no conceivable way this cover up could have gone on for five years WITHOUT the Wardens' Conscious Permission ... much less forever! That is why I was sent there, in part, in a hastily concocted scheme by Upshaw, Simmons, and Alford (et al), because they *knew* it could not go on forever. I was a good scapegoat, as will be seen. Even if it was not murder, it could have been a crazy as the continued ruination of TDCJ Chaplaincy, given my advocacy for the last 15 years. Whatever, some hoped to put more nails my career's coffin. Whatever the plan was that got me unfairly placed at Polunsky, it was clearly to help them protect Chaplain Collier's exit, and to favor Warden Helm at the Lewis Prison as articulated in chapter IX through XII below. The TDCJ's good OIG will have to discover the ultimate MOTIVE behind the five years of cover up of multiple serious security violations and Chaplain Collier's clear enchantment and uncanny disproportionate favor – for violations were numerous and Collier was protected and cover ups for five years are *easy* to see, and more. Why me? OIG will have to discern, too, but it was me that brought this messy monster to light and life.

3. Definitions 201: Conventions, TDCJ Terms, and “Directives”

LARGE FONT Convention is used for each major section to make PDF Navigation Easier when “Page Thumbnail Option” in Adobe Reader is “on” – makes scanning easier.

▲ = Red Triangle placed in the tables of contents, noting important violations among the 100s of others



= Keys placed throughout Treatise on Treason and Tabs Sourcebook, indicating critical items in longest cover up in TDCJ history and the most extreme items in the security violations



= Badge of TDCJ's Office of Inspector General, placed at strategic places where only OIG can discover that particular mysterious part of the cover up or security risk. OIG is the law enforcement wing of TDCJ, accountable the TBCJ, and the primary part of the checks and balances, which should have been called over six years ago when things started, at least when I began in July 2012, and certainly I sent the 21-page letter on Oct. 29, 2012. The fact that OIG has not been called, yet, given all the following, means the cover up is much larger and extends much farther.

TBCJ – Texas Board of Criminal Justice, a board appointed by the Governor to oversee TDCJ

Oliver Bell – the chairman of the TBCJ

Allan Polunsky – former TBCJ chair, prominent attorney

TDCJ – Texas Department of Criminal Justice

Executive Director, Brad Livingston, head of TDCJ

Deputy Executive Director – Bryan Collier, second

Div. Dir. – Division Director, over division, usually with deputy and several Managers

Reg. Dir. – Region Directors, six, each over a geographic region of prison

Senior Warden II – head of larger TDCJ prison

Senior Warden I – head of small-med TDCJ prison

Asst. Warden – second in TDCJ prison, one for small, two for larger prison

Major – chief of security and officers, one for small, two or more for larger prison

Capt. – Captain, usually two or more per major

Lt. – Lieutenant, a shift supervisor or special department, like Field Force

ACA – American Correctional Association, www.ACA.org, largest in the world, and from which TDCJ is nearly complete in getting all its prisons ACA certified at great expense.

ACCA – American Correctional Chaplains Association, www.CorrectionalChaplains.org, est. in 1885, the first affiliate with ACA, and for many years only Vance Drum and Michael Maness have been the only Certified Correctional Chaplains, and both Bill Pierce and Michael Rutledge are not.⁵ Pierce never seeking certification at all, and neither has any Regional Chaplain, because RPD never put a value on the first ACA affiliate, interestingly enough.

⁵ According to the list a couple of months old that ACCA Communications Director Gary Freidman had in December 2013. The Membership Secretary Stephen Johnson has been ill.

TDCJ Definitions

CID – Correctional Institutions Division – over all the prisons, through Regional Directors

RPD – Rehabilitation Program Division, over Chaplaincy and a few other departments

Chaplaincy – head of religious services and the Chaplains that supervise them, as well as the Chaplains in their role as pastoral care experts and givers of pastoral care, as with counsel in death, dying, and in facilitating religious practice in all faiths – religion being the greatest source of change in human history.

Volunteer Services – head of volunteer applications, training, screening, certification

ITD – Information Technology Division, responsible for computers and networks, and for screening all computer donations – the go-to persons for all things computer and internet related

CVCA – Certified Volunteer Chaplain’s Assistant

EEO – Equal Employment Opportunity Law

IOC – Inter-Office Communication, a form for writing between TDCJ officials.

TDCJ itself has a huge site: two lists with links to more www.TDCJ.state.tx.us/unit_directory
www.TDCJ.state.tx.us/divisions, very sophisticated with host of links

Not generally available, but not a state secrets either, the vast array sophisticated policies under a host of categories are available for a moderate price of copying through TDCJ’s Open Records. There include:

ED – Executive Directives, from Brad Livingston, usually general “orders” for the governance of the entire prison and divisions, carefully worded and often vetted by TDCJ’s legal division, called General Counsel. Almost as separate entities, the General Counsel, Finance, and Medical divisions operate on their own vast array of national standards, the *law* providing a matrix for each, and they inform the Executive Director or his agents as the divisions formulate policy *first* in compliance with national standards and then – supposedly – in compliance with “Best Practices” where TDCJ has freedom to refine and innovate.

AD – Administrative Directives, usually from Division Directors, under an Executive Directive, with detailed instructions on a division’s or department’s operations, like AD 07.30 “Procedures for Religious Programming.”

SOP – Standard Operating Policies, usually department policies under the above for even more detailed instructions on daily prison operations.

Law – and legal opinions from TDCJ vast legal apparatus that has to contend with laws of Texas and the US, fight legal challenges from the outside free-world contenders, from offenders from within, and other areas, not the least of which are EEO and a host of Civil Rights, Religious Rights, and Labor Relations.

Department Manuals: based often on the Directives and Policies are combined or referenced into manuals, like Chaplaincy Department Manual which are a selection of specially SOP’s or the like that often derive their existence from various EDs and ADs. For instance, Chaplaincy CDM 05.01 “Religious Devotional Items and Observed Holy Days” will reference AD 07.30 and entail a refinement from several laws and legal precedents and formal advice from TDCJ’s Legal Division),, from and for departments, including manuals for Security Operations, Food Service, Personnel, Maintenance, Logistics, Safety, Mailroom, Volunteer Services – and Chaplaincy, of course – and more.

Security and Dual Supervision: Within the each prison, Security Operations are the first order, for one cannot very well do anything else without security, and there are some extremely dangerous and very disturbed prisoners in TDCJ, along with many just trying to do their time and go home. Within security, a host of departments, like Chaplaincy, Food Service, and Maintenance are under “dual supervision” because they provide specialized services.

Latitude? – Not with Security. Thankfully, within the vast policies, there is latitude for initiative, even in many job descriptions, including the Chaplain’s. Sometimes a person errs, for we are human. But, those who willingly violate the clearest Security Policies are the greatest liability.

“**Prison**” instead of “Unit” and “**prisoner**” instead of “offender or prisoner” are used for connotation.



4. Chaplains' Polunsky Timelines

- David Collier 12-15-2006 to 11-30-2012
- 1. Michael Maness 05-15-2012 to 10-31-2012
- 2. Mary Berry 11-01-2009 to 01-01-2012
- 3. Richard Anderson 03-27-2008 to 10-07-2009
- 4. Loren Edwards 09-13-2004 to 12-01-2007

Four Staff Chaplains were **IGNORED** from 2008-12, and Open Records *still delayed* on finding on ALL staff chaplains.

ALL had **HARD** time with Collier on loose prisoners

ALL *except* the wardens

▲ Did all begin with Collier or Edwards?

5. versus Richard Alford Promotions

- 05-1993 – 01-2000 progressing to Major at Eastham
- Polunsky 11-2002 – 08-2008 – Asst. Warden – Polunsky – 5 yrs, 9 Ms < **START of Fiasco?**
- 09-2008 – Warden I – to 09-2010 – Senior Warden II – Stiles – 2 Yrs
- Polunsky 09-2012 – 03-2013 – Senior Warden II – Polunsky – 6 Ms
- 04-2013 – Reg. 1 Director – promoted during Longest Cover Up in TDCJ History

6. Chaplaincy Managers

Dir. of Chaplains Bill Pierce – 1 degree, non-accredited www.preciousheart.net/OIG/Pierce-2000-TDCJ-Application.pdf > his 2000 application was exposed; all the other applications were better, by far (I did not apply), and Vance Drum's was the best TDCJ had ever seen, 75-plus pages. Pierce was the lowest qualified Chief of Chaplains in the history of TDCJ and US prisons. Several grieved that, a few saw Gary Johnson. No accredited bachelor's degree, a requirement covered up then. Worse, other than the CPE mandatory for a raise, he had sought no training or education from 1974 to 2000. He was hired in *because* he was the *less* qualified and *least* networked, that unethical history outlined in 2002.⁶

Dep. Dir. of Chaplains Michael E. Rutledge – 3 degrees, www.PreciousHeart.net/OIG/Rutledge-2012-TDCJ-Application.pdf, an incomplete Application for Region 1 Chaplaincy – **Inexperienced** – But *hired* as Dep. Director of Chaplains, *repeating* the hiring of Bill Pierce (his application was incomplete, and I have gotten the run around for six months on receiving the rest of his Dep. Dir. apps. etc.)

7. Chaplain III – Region 1 Chaplain Position #045251

Job Description signed by Marvin Dunbar 09-08-2010, Closing Date 10-08-12

Vance L. Drum – 4 degrees and 27 yrs exp. TDCJ Chaplain – [/OIG/Drum-2012-TDCJ-Application.pdf](http://OIG/Drum-2012-TDCJ-Application.pdf) – 35 pages, shorter by almost half of his 2000 application for the Director of Chaplains job, and one of the best resumes in the history of prison chaplaincy in 2000 or 2012.

David Collier – 1 degree and 6 yrs exp. TDCJ Chaplain – [/OIG/Collier-2012-TDCJ-Application.pdf](http://OIG/Collier-2012-TDCJ-Application.pdf) – Chaplain David Collier's 2012 app. for Region 1 Chaplaincy, indicating his heart for people – he really liked people. See his three good Annual Evaluations in a row www.PreciousHeart.net/OIG/Collier-Evaluations.pdf

Other Applicants for 2012 Region 1 Chaplain were:

- John Salmon – 2 degrees, 25 yrs exp. TDCJ Chaplain
- Donald R. Lacy – 1 degree, 17 yrs exp. TDCJ Chaplain
- Daniel E. Rose – no degree, 14 yrs exp. TDCJ Chaplain
- Bertha R. Flores – 1 degree in HR, no exp.
- Akbar Shabazz – 1 degree, 40 yrs exp. TDCJ Chaplain
- Chris D. Athey – 1 degree, 19 yrs exp. TDCJ Chaplain
- Festus Nwachukwu – 3 degrees, 5yrs Hosp. Chaplain

Look closely at Rutledge's ZERO Experience IN Prison = jump from Parole Chaplain to Dep. Director? – Yeah!



⁶ See www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_2_Timeline_2001.pdf (pgs 54-65 esp. on timeline of unethical hiring practices throughout 2002.
See www.PreciousHeart.net/OIG/2002-09-22_Johnson-Letter-26pgs.pdf for exposure of unethical practices.

8. Treason vs. Loyalty

Because some of the treacheries are bold and low-down dirty rotten, we put these definitions front and center. There are no better terms. The clearest part of the treason is seen in the huge difference between what has been reported to Livingston and the reality of what took place. Hiding *years* of major security violations is treason to Texas' and TDCJ's values of equality and justice; hiding and intimidating and punishing those who tried to correct is treason; covering up my exposure of those years of violations for the last year is treason. Punishing employees for loyalty to Texas' values is treason.

Merriam-Webster's 11th Edition

Treachery – 1: violation of allegiance or of faith and confidence (Latin “to deceive” or “trick”; 13th century).

Treason – 1: the betrayal of a trust: TREACHERY; **2:** the offense of attempting to overthrow the government of the state to which the offender owes allegiance (Latin “act of handing over”; 13th century).

Traitor – 1: one who betrays another's trust or is false to an obligation or duty (13th century).

Perfidy – 1: quality/state of being faithless or disloyal: treachery (Latin *per* “detrimental” + *fides* “faith”; 1592).

Libel – 1: a : a written statement in which a plaintiff in courts sets forth the cause of action or relief sought **b** archaic: handbill attacking or defaming someone; **2 a:** a written or oral defamatory statement that conveys an unjustly unfavorable impression **b (1):** a statement or representation published without just cause and tending to expose another to public contempt **(2):** defamation of a person by written or representational means **(3) :** the publication of blasphemous, treasonable, seditious, or obscene writings or pictures **(4) :** the act, tort, or crime of publishing such a libel (Latin *libellus*, diminutive of *liber* “book”; 14th century).

Loyal & Loyalty – 1: unswerving in allegiance: as **a:** faithful in allegiance to one's lawful sovereign or government **b:** faithful to a private person to whom fidelity is due **c:** faithful to a cause, ideal, custom, institution, or product; **2:** showing loyalty; synonym: faithful. (Old French *leial*; 1531).

Low vs. High Treason & Treachery. Low treason is when loyalty to a warden or director becomes *more important* than loyalty to Texas' and TDCJ's mission, values, and policies. High treason is when loyalty to a warden *causes* one to violate TDCJ's values and policies *for* that warden. Treachery takes place when a warden covers up and blames another for his own violations, and nasty treachery takes place when a warden or director seeks to destroy another's career to shut them up.

World Upside Down. At this very hour before Christmas 2013, William Stephens, Michael Upshaw, and Richard Alford have succeeded in conveying to Livingston that the computer problems were properly exposed and dealt with in honor by Alford as soon as he heard about it from Maness in Maness' own grievance hearing in October 2012; and, today, all is well, though poor little Maness continues to whine because of Maness' own lack of foresight for the trouble he brought upon his poor little self with his big mouth. Stephens, Upshaw, and Alford accomplished that through cover up upon cover up. The reality is the opposite. As will be described in painstaking and time-consuming detail, those three *with* their predecessors committed treachery and treason to *all* – **ALL** – of what Texas and TDCJ have valued since Texas became a republic in 1836 and was constituted into the USA in 1845. They have lied and covered up security breaches in the Polunsky Chapel from 2006, since David Collier was hired *at least*, but may go before that. But that is not all, they have also covered up how the violations increased in number and severity throughout the last six years through July of 2012. Proven by the recorded testimony of three previous staff chaplains and by a host of volunteers – Chaplain Collier had the enchanted protection of all the wardens and Michael Upshaw for the most policy-violating department in the history of TDCJ. And, today, Stephens and Upshaw and Alford, and likely Rick Thaler before them, have all persuaded Dep. Dir. Bryan Collier either unwittingly or wittingly, which – as a point of professional competence – should result in Bryan Collier's “Sub-Standard Duty” disciplinary if the former, or resignation if the latter.



9. Major Documents Online

See Entire Work Here

www.PreciousHeart.net/OIG/Treason.pdf
code "Love-Honor" to open 139 MBs
in searchable PDF



www.PreciousHeart.net > use the host with the /xxx for each below – pdf has links activated:

[/chaplainsy](#) > largest collection of prison chaplaincy documents and data in the world.

www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf - from 10-2012 through 2013, the five major letters sent

[/Maness-Faith-Based-Housing.pdf](#) > 12-01-11 > the 50-page letter on the ethical problems, church-state conflicts, pastoral care integrity issues, and “cost” issues in the “order” for all TDCJ prisons to start faith-based housing for prisoners.

[/Volokh-Article.pdf](#) > Alexander Volokh’s “Do Faith-Based Prisons Work?” 63:1 Alabama Law Review (2011), 43-95 - complementing the Faith-Based Housing Letter above in a superb way.

www.PreciousHeart.net/chaplainsy/Faith-Based_Outcomes.pdf for Faith-Based Outcomes **Allred Prison 2003-2008**, a very simple with statistically spurious outcomes – **ONLY chaplaincy statistical Study in TDCJ history.**

[/Save Chaplaincy.htm](#) > work, data, strategies, and history that resulted in returning to TDCJ the full chaplaincy budget in 2011, a lot of work many “pockets” of networks.

[/chaplainsy/COMISS Report Georgia.htm](#) > 1992 > Report on Georgia’s deleting of chaplains from their budget and guidelines that helped us save TDCJ chaplains in 2011.

[/chaplainsy/01-Chaplain Pt 1 Proposal 2000.pdf](#) > the defense that resulted in the first pay group pay raise for Texas chaplains in 40+ years in 2001. No official thanks from TDCJ for that.

Yet, we TDCJ chaplains honored House Appropriations Chair Rob Junell with an “Honorary Chaplain” for his signal support for us > see a his resolution copy here:

[/chaplainsy/Certificate Junell-01.jpg](#).

[/OIG/2001-05-16 Rider-Article-IX 2002-2003-Budget.pdf](#) > rider that added \$1 million to TDCJ’s budget for chaplain raises, and over \$100k to MHMR and TYC.

[/chaplainsy/01-Chaplain Pt 2 Timeline 2001.pdf](#) > the above, plus a timeline of the unethical treatment of the chaplaincy’s hiring practices and other items.

[/chaplainsy/Chaplaincy Audit 2001.pdf](#) > the hard data from the first and most comprehensive survey of TDCJ’s 150 chaplains in TDCJ history, that I had to get the Attorney General’s help for Carl Jefferies to release, a six-month battle.

[/chaplainsy/Wyatt Solucient.htm](#) > a review and analysis of the data used by the Texas Auditor’s Office to assess the “market” for the salaries of Texas chaplains, and shortcomings therein.

[/OIG/2002-09-22 Johnson-Letter-26pgs.pdf](#) > a long letter to TDCJ Executive Director Gary Johnson, on the unethical things happening in 2001.

[/OIG/AD-07.30-Religious-Programming.pdf](#) > TDCJ Directive.

[/OIG/OIG-Reporting-Policies-2013.pdf](#) > OIG policy on reporting.

[/OIG/2000-03-01 Scott.pdf](#) > Letter to Executive Director Scott in 2000.

[/OIG/2005-05-04 Letter-Texas-Legislature-Chaplain.pdf](#) > the letter I sent to all members of the Senate Finance Committee and House Appropriations Committee in 2005.

www.PreciousHeart.net/OIG/3-Gym-Main-Work-Orders.pdf > Polunsky Work Orders for 3-Gym



TDCJ Definitions

[/images/Letter_McReynolds.jpg](#) > Letter from Rep. Jim McReynolds on November 2010, recognized Maness' work in 2001 and in 2007 that returned to TDCJ 25 chaplains that were not budgeted.

[/OIG/Valentine.pdf](#) – Maness punished for voicing ethical concerns over church-splitter David Valentine's program to obligate ex-prisoners to a church for a job and housing *before* the ex-prisoner is settled

[/OIG/2012-01-03 Byran Collier.pdf](#) > Letter to Dep. Dir. Bryan Collier on Marvin Dunbar's humiliation of my 50-page Faith-Based Housing Letter, explaining Dunbar's substandard behavior and knowledge, which came to be more prophetic later in 2012, when at Polunsky – well – here is the book.

[/OIG/2013-02-05 Inventory-from-Gen-Counsel.pdf](#) > entire Polunsky Chaplaincy inventory from an Open Records request, revealing the unbelievable assets, most used by unsupervised prisoners.

[/chaplaincy/Chaplaincy-Manual-2012.pdf](#) > the entire Chaplaincy Manual 2012.

[/chaplaincy/Chaplaincy-Manual-2012-FORMS.pdf](#) > the forms given in August 2012.

[/chaplaincy/Chaplaincy-Manual-2012-APPENDIXES.pdf](#) > Chaplaincy Appendices, including over a dozen Executive Directives relating to TDCJ chaplaincy operations.

[/chaplaincy/Volunteer_Services_Plan.pdf](#) > entire **TDCJ Volunteer Services Manual**.

see www.tdcj.state.tx.us/documents../Volunteer_Handbook.pdf– for latest (10-2013).

[/OIG/Tabler-Cell-Phone-10-21-08.pdf](#) – the OIG investigation on the Death Row Prisoner Richard Lee Tabler #999523 and the Polunsky cell phone fiasco – what a real OIG investigation looks like.

Chaplain Collier's three good Annual Evaluations www.PreciousHeart.net/OIG/Collier-Evaluations.pdf

Recorded Interviews on Disk 1 – see Part Three for Descriptions

www.PreciousHeart.net/OIG/01-TDCJ-Chap-Rick-Anderson-2009.mp3

www.PreciousHeart.net/OIG/02-TDCJ-Chap_Loren_Edwards_2010.MP3

www.PreciousHeart.net/OIG/03-TDCJ-Chap_Mary_Barry_2012.MP3

www.PreciousHeart.net/OIG/04-TDCJ_Chap_Joe_Vitela-08-03-2013.MP3

www.PreciousHeart.net/OIG/05-CVCA_Walter_Bennett-07-15-2013.MP3

www.PreciousHeart.net/OIG/06-CVCA_Walter_Bennett-09-02-2013.MP3

www.PreciousHeart.net/OIG/07-CVCA_Carlos_Ratcliff-08-03-2013.MP3

www.PreciousHeart.net/OIG/08-Shawn-Wallace-TDCJ-Info-Officer-08-16-2013.MP3

www.PreciousHeart.net/OIG/09-HR-Tabitha-Taylor-08-16-2013.MP3

www.PreciousHeart.net/OIG/10-Major_Hutto-don't-remember-08-03-2013.MP3

www.PreciousHeart.net/OIG/11-Robert-Smith-Got-DVDs.MP3

www.PreciousHeart.net/OIG/12-Ricky-Drake-Got-DVDs.MP3

www.PreciousHeart.net/OIG/13-Cameron-Corbin-Got-DVDs.MP3

www.PreciousHeart.net/OIG/14-Bryan_Collier-Maness-06-18-2013.MP3 – Tab 1, Item 3



[/Mother](#) > effort to look at 100,000 mothers' parole option, a revolutionary way to change the entire prison system as we know it, fallen on deaf ears so far. Who knows, maybe this had a place in all, too.

Character Counts

For a bibliography on books on "character," see www.PreciousHeart.net/fm/FMbib_Character.htm

For a list of 30 *lists* of character traits from organizations, see www.PreciousHeart.net/fm/Character.pdf

Premier org on "Character Counts" see www.JosephsonInstitute.org and its www.CharacterCounts.org.





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Part One

Book of Secrets

on the Longest Cover Up in
TDCJ History



PART ONE:

Treatise on Treason

to the Book of Secrets



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Treatise on Treason**

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Special Introduction for Brad Livingston
TDCJ Executive Director

January 1, 2014

Brad Livingston, Executive Director
TDCJ Executive Office
P.O. Box 99, Huntsville
936.295.6371

P.O. Box 13084, Capitol Station
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512.463.9988

Dear Brad:

Happy New Year. Here begins the letter. This took a little longer than I wished, as the process and presentation matured. This introductory letter is a summary of my best thoughts and feeling over the whole tragic drama for the last two year. How more terrible and treasonous can it get when it takes such an outrageous amount of evidence *before* OIG is called? Some like Fall leaves ... just *everywhere*!

First, anyone else who might read this would do best to see a snapshot of the vast sophisticated array of “directives” that govern TDCJ in Tab 21. TDCJ is not merely a multi-billion-dollar organization with 100-plus prisons, it is the *action* of Texas’ Constitution and built up from a foundation of law and “directives” that most of all forward Justice and Equality. This Book of Secrets is how Justice and Equality were sent packing, exposures of their gross violation covered up, and other utter nonsense.

A. What? . . . Unsupervised Prisoners in the Dark = Beverly Hills?

Brad, though difficult at stages – treason is hard to unravel – I tried to make this accessible to those who have never been an actual employee *inside* of a prison. Despite the difficulty, the worst of my last couple of years is also the easiest to perceive ... once in the light:

unsupervised prisoners allowed computers, cameras, and printers
in the DARK for years
– unbelievable to the entire world!

One never need visit a prison to see immediately the utter insanity. Looking at as a stranger, as I first did, it appeared grand. Look as those smart prisoners! But there are two operative words: *unsupervised* and *life-sentences felons*. Now we add *in the dark* and *years* and *prison*. What do you get? Insanity. Those *years* of insanity have been covered up and smoothed over, as though nothing much happened for *years*, making wardens and directors guilty of treason to TDCJ in an ugly infamy. And I was made out the dupe for first trying to fix that, and then punished for repeatedly reporting that. Let me explain.

I stand with greater conviction and trembling reverence today. When I confronted Chaplain David Collier, he continually deferred to Warden Simmons, and after Simmons retired, Collier deferred to Warden Alford. So did the majors and captains. The volunteers loved it all, unaware of the violations, the good volunteers are living witnesses still mourning some of my corrections.

Now, the tricky part, you would just have to *work* in the prison, or significantly volunteer, to appreciate the para-military structure. I *gingerly* confronted Warden Simmons, and then Warden Alford. They repeatedly shrugged their shoulders. I say *gingerly*, because one does not *assertively* confront the “general,” if you catch my drift. For 20 years, I never held back a security concern, nor did I at Polunsky. Yet, shiver my timbers, when I revealed a hole in the fence, proverbially, and I repeatedly got shrugged shoulders from captains, majors, asst. wardens, and Warden Simmons before he retired, and belligerence from Warden Alford – What does one do? What *can* one do? What *could* I do? What *should* I do?

Pastoral Care Nightmare. As one of the most senior chaplains left in TDCJ, with “pastoral care expertise” hard to explain here, I saw something worse than the wardens’ mere treason to TDCJ’s mission and policies. A pastoral care nightmare manifested itself amidst the volunteers’ pretended heaven and Beverly Hills in prison chaplaincy resources; it really *was* too good to be true. The enormous assets and

prisoner freedom and volunteer inundation were the result of ... *watch it here* ... the direct result of multiple violations of policy all across several sets of written policies – *in nearly every corner of the Polunsky Chaplaincy chapels policies were violated*. The written policies on Chaplaincy, on Security, on Chemicals, on TDCJ Property, on Employee Personal Property, on Tools, on Volunteers, on Safety, on Fire Code, on Electrical Code, on Prisoner Supervision, on Prisoner Work Space, and even Personnel policies were being violated daily!⁷ The pastoral care nightmare was the pretending to do “God’s work” *through* policy and safety violations every day.

Scary. The wardens received smiles of adulation from volunteers as the wardens daily watched the volunteers “praising” the wardens for the wardens’ own support of “God’s work” in the midst of 30-50 violations of written policy every day! The great mystery was how Chaplain Collier had enchanted wardens and directors who allowed and praised and *signed off on* it all – watching it all every day on security cameras. Polunsky *staff* watched it all, too, but had been told, “Hands off chaplaincy.”

If it did not bother the wardens, so the thinking was, it must have been okay. That was what several staff, security rank, Chaplain Collier and many volunteers repeated to me every time I asked.

Beverly Hills and the Hated Prophet. Drum roll, please. It was my birthday, Tuesday, July 3, 2012, after having “walked and talked” for a month and a half, I decided to hold to the truth and hold to policy, slowly, and to steadily defend the integrity of TDCJ. Honesty and integrity are good things. Hell fire, though, the more I look back upon that, the crazier it became. What? I had to what? Yes, I had challenge dishonesty and violations in the *chaplaincy* department. Everything I had lived by, everything I had defended about chaplaincy to our auspicious Texas legislators, everything I had *lived* for and defended as good about chaplaincy was being violated every day. As I *defended* policy, I became the hated prophet, and am hated today. The more I spoke to the wardens and others, the more rude they became; it was clear they did *not* want to hear about unsupervised prisoners in the chapel! The more I complained in July, August, and September, the more Chaplain Collier defended the status quo. I was talking to a wall. Chaplain Collier and his lead volunteers defended and defended and defended; they were adamant and confident and – *dear reader, are you listening* – they had the support of the wardens for *years* and their Beverly Hills and Heaven in chaplaincy freedom had no equal anywhere in TDCJ. And the RPD presented Chaplain Collier with “Chaplain of the Year” in about 2008-09, in July 2012 Chaplaincy Manager Bill Pierce *interviewed* Collier on “how do you do it?” regarding the 15-plus volunteer chaplains, and in late July retiring Warden Simmons received “Administrator of the Year” for the most policy-violating prison in TDCJ history. **Insane!** But it is not over yet.

Cutting to the chase, here is the very **end of this Book of Secrets** up front for all to see, one of the most nefarious actions committed in all this pitiful drama from January 2012 to the present, and a fact that should cause steam to pour out of several person’s ears, or their engine of honor is broken.

Syllogism Finis: OIG’s Finest Hour

Never has there been a greater effort to avoid an OIG investigation in TDCJ history! ...

Therefore, never has there been a greater need for an OIG investigation in TDCJ history!⁸

⁷ On the last “policy,” I shall not repeat again these two items, among many: 1) being that I had to *remind* 6-plus-year Chaplain Collier to *not* leave his monthly time sheet out that had his social security on it; uncanny naïveté, as simple as that was, given that prisoners were always around; and 2), being, as I said in a previous letter, Chaplain Collier receiving a shoulder massage from Prisoner Jesse Hernandez #759465 almost every week! Several of the CVCA’s and many prisoners could confirm both of those, but they are only symptoms of the worst violations.

⁸ In formal logic, not a purely valid syllogism; yet between the first and second propositions, notice the ellipsis, which stands for an absence; therefore, when these 700-plus pages and the 3,000-plus pages referenced in online documents of previous letters and exposures and the Open Record requests (gotten and not) and the yet-to-be written pages in the final analysis by OIG and others, the syllogism’s second proposition ties to the first coherently.

B. Shrugged Shoulders . . . Yet I Still Want to Save the Wardens

Insanity – while Pierce *interviewed*, prisoners were unsupervised in the dark office working computers. Everyone *knew*. Bill Pierce and Regional Chaplain Stephen Ulmer *both* used the staff restroom located INSIDE the dark lights-out Prisoners' Computer Control Center. Yeah, and many, many other Polunsky security staff, too, came by to use the staff restroom, passing by prisoners alone in the dark working steadily on computers. Yes, everyone knew about this for years!

My Regional Chaplain 1 Ulmer retired at the end of July 2012 and in September (I think) I emailed and called Regional Chaplain Susan Mathis because of my trouble with Chaplain Collier. Wished I had saved that email. She called back, but Collier took the call and said all was well. Just talk and talk was all Collier did, but made no move at all to help correct things. He had *never* read the Chaplaincy Manual or any security policy at all, flying by the seat of his pants, and guided mostly by the prisoners.

No help. I made some improvement during July-October, bringing many things into compliance than all the previous chaplains and wardens and majors *combined* in the last five years, some pretty important things too (Tab 2, Item 2, section I). Yet, I was prevented from correcting the major violations of unsupervised prisoners, prevented by the wardens themselves – though I asked and even begged for help – but I got shoulder shrugging. Nor did I get help from the captains, majors, and assistant wardens.⁹

One cannot *force* any of those to do a thing. It *is* paramilitary. I *was* new, though I knew better.

Still, because of 20 years of working with many wardens, I still want to know who got to *my* wardens. Who or how did this happen? Part of my problem from the beginning, and reticence, was truly, *I repeat*, “if it did not bother the wardens, the thinking was told me by so many, then, it *must* have been okay.” That made standing up for policy much harder. I could *not* believe wardens would participate in this, and still have trouble with that today.

But – facts are facts – Simmons, Alford and Upshaw *did* stab me in the back.

C. Epiphany – on My Happy Birthday! . . . and One Life to Live

Peek a Boo, I See You ... NOT. July 3, 2012 – that’s when it began, on my birthday. I sat in my office, watching the dark, lights-out office, *knowing* that within the Prisoners' Computer Control Center there were two life-sentenced prisoners who could see me better than I could see them, and they were *totally* unsupervised all day, every day, and that had gone on for *years* before I got there. And I continue to fight on today.

Hell or high water. On my birthday, no one at Polunsky sung Happy Birthday to me, as I turned 57 years old, and I decided that day, come hell or high water – and both hell and high water came – I was going to do what was right, even if I had to it alone. I was alone, too, though a couple of volunteers resonated right well, while the lead volunteer chaplains could not understand. One, ex-CVCA Ed Reeves still functioning as a CVCA, and the money pit, got *angry* at me several times, one time calling me the “devil” for destroying God’s work. The wardens “approved all” – the tiresome litany of the lead volunteers. And NO ONE has talked to those volunteers in an investigative manner for *over* a year now.

Relax ... kick back. Hell or high water – or whatever would come – one has only one life to live. I came to Polunsky on the heels of three disciplinaries, wounded in my heart and soul, with one ugly false accusation and a contrived recommendation for dismissal – the result of retaliation – wounds still healing from those attacks. Hoping to relax and get back home to the Lewis Prison as soon as the powers that be would allow; and, at first, I did kick back. Watched the prisoners do so much, bringing things into compliance slowly; read Don Quixote on the computer. Really did, and talked about with several volunteers and prisoners; they did not care ... until I started to press compliance on the serious violations.

Down but not out. But – as all this makes clear – my arrival at Polunsky was planned by Michael Upshaw and Warden Simmons, among a few others I know not. Only this wounded chaplain was not beaten, downcast but not out, and I held to my integrity and took a stand far earlier and more potently than

⁹ You’ll see that especially in Tab 13, Inventories, that even as late at October, Warden Muniz was *still* throwing coal into the prisoners' Chaplaincy Supply Train supplied by the Cash Cow Accounts of STAFF Chaplain David Collier and Volunteer Ed Reeves (who had his CVCA revoked a year earlier, and he still had not gotten that corrected in December 2013, after I had left!).

they thought possible (or they did not *think* at all). This chaplain had more courage than they had banked upon, and I had enough integrity still in my bank account – thank God – and thanks to good roots and good parents and many honorable people in TDCJ and in my past. Thank *God* for good people.

Upshaw and Alford banked their careers upon the hope and prayer that no one would check up on these things. *Look!* – no one has ... not yet. And – so far – they got promoted.

They got promoted at the expense of many. So here is the rest of the story of treason.

Epiphany! On my 57th birthday, 2012, watching prison insanity as unsupervised prisoners did what they pleased in their own dark office, supplied by volunteer Off-Shore Account/s, a vision from God very much like Ezekiel's "whirlwind came out of the north," otherworldly and with a "wheel within a wheel" swirling. With perfect clarity and clouds separating, the revelation was preceded by the low hum of a chorus of voices rolling down the mountain and through the gray halls of Polunsky, then surrounded by light the Angel Gabriel slowly came into view, and in the deep intonations of rolling water said,

"God ... does ... NOT ... endorse ... violations of security!"

What a revelation! On my birthday no less, the cloudy sky opened and God through Gabriel removed the scales from my peasant eyes and – in **epiphany** – the Angel Gabriel of the Lord nodded his head. Lightning flashed and shook the 3-Gym Chapel, the lights flickered, but – strange as it might seem, I was the *only* one privy to this message from God. No one heard Gabriel or saw the lightning. No one seems to have seen or heard a thing in the Polunsky chapels for years. Then the Angel Gabriel grabbed my ear and tugged a bit – it hurt – and in a low and awesome voice whispered, "Michael G. Maness ... are ... you ... a ... complete ... [Gabriel sneezed] ... ah, I-D-I-O-T!" Sounded almost like a Yankee. After a fearful pause that might have lasted 10 seconds but felt like an entire week, Gabriel said, "Look, look, it is ... *wrong* ... for prisoners to be unsupervised in the dark for years."¹⁰

The clouds rolled back up, and Gabriel disappeared. I nibbled a vanilla cookie, one of many that Chaplain David Collier bought from his commissary account and shared with prisoners without end. I took in that epiphany, chasing that cookie with an orange juice. *You know God*, I said to myself, *you might be right*. But the captains, majors and wardens shrugged their shoulders at my complaints. They did not want to hear about my epiphany. Nor did Chaplain Collier or his lead volunteers.

Who was right? The wardens or God?

Of course, the prisoners were a bit nervous, because they knew, yes, the prisoners *knew*.

It took a couple of days, but I had finally got the message. I chose God and TDCJ's security policy, and some wardens would convey there is little difference between God and security policy. After that epiphany, it did not matter who ignored me. It was clear and got clearer every day. Revelations from God are that way, you know, and so is security policy.

The volunteers, God bless their souls, simply did not understand – how could they?

D. Went Huntsville ... and Back ... Cover Up at My Expense

I went to Huntsville and parked until 0800 a.m., and proceeded to call Dep. Dir. Bryan Collier and Div. Dir. Rick Thaler. I was persistent. I had proof of security violations in mid-July 2012 on paper and on my flash drive – look here in this Sourcebook. But they did not want to hear it. The cover up became clearer and clearer, and scarier and scarier.

After Warden Simmons retired, Warden Alford proceeded to connive and cover up his own epic part in the years of cover up, at my expense. And he was a belligerent fellow, increasingly so, when he saw that his bullying would not work. His rudeness did not get me to be silent about the violations. When Alford stepped up his bullying, by ramping up his Major Hutto to write a bogus "Letter of Instruction" on tools that Hutto knew about for years, tools security audits had audited, and accused *me* of being lax in October

¹⁰ Not wholly hyperbolic – check my time sheet, for I had worked 10 hours that day at Polunsky, looking intently at the totally dark office in which high security life-sentenced prisoners "worked" with zero supervision.

2012, I filed a grievance on that, filed my retirement papers, and began the 21-page letter to Brad Livingston, et al, determined to get that letter off *while* I was still an employee.¹¹

E. Crafting Disciplinaries to Serve Self! – Not a Vital Mystery to Solve

Brad, if you see the cover up of a multitude for five years, which is fairly important to making this entire read intriguing, what you will also see laced between the lines is another infamy running rather consistently. Several have become experts in *using* policy to *craft* disciplinaries for self-service instead of to serve TDCJ's mission and policies. In some cases, just to make their coffee drinking easier, and in other cases to retaliate and censor; in some cases to avoid exposure of incompetence or avoid having to work hard. Brad (and reader), sadly though, you will not see the manipulation of disciplinaries with a scan or quick read; it will take some reading of many pages in both the Treatise and the Sourcebook. This bureaucratic feeding of self-service is pitiful, and if you do not see it immediately, do not fret. For if you see the cover up of years of violations, and OIG goes to work, the proving of this self-service use of disciplinaries will take care of itself. For every violation that OIG validates and each mystery solved, and culling of the liars – that is, attacking the worst will end this use as a byproduct. So, though you have my word on it, and there is proof here if one really dives into this intriguing drama, solving these selfish uses of disciplinary is not a vital mystery to solve. OIG will have enough to do with the more clear violations, and, in so doing, will hopefully put an end to these kinds of wicked uses – we can pray anyway.

F. My Expense and . . . Living like a Lion or a Lamb

My Expense. So, since it was at *my expense*, my being made expendable as the *wardens* forsook equal treatment and favored and protected and sheltered and supported and cradled Chaplain Collier's most ridiculously policy-violating department in TDCJ history – I have dedicated sizable resources to expose the truth and, well, make their attempts at cover up as expensive as possible, proverbially speaking, in the hope that justice might prevail. Someone will see this for what it is.

If justice prevails, the real reason for the cover up will be discerned, and those responsible will pay what they owe for such crooked dealing, in disciplinaries at least, but – likely – dismissal.

Treachery and treason to Texas' and TDCJ's value of equality and justice *cannot* continue. The degree of treachery here deserves fair treatment, to me too, in proportion to the level of responsibility each ranking supervisor, warden and – of course – director had in at least three areas:

1. Responsibility each had in allowing the security violations for years,
2. Responsibility each played in the cover up of those violations for the last five years, and
3. Responsibility each played during this last year in cover up of my exposures.

Denying responsibility is so very cowardly, and treason extends itself into high treason when those truly responsible try to defame and malign the one . . . oh, hear this . . . malign the one *trying* with all of his might to salvage the honor of TDCJ, inform the executive director, and help chaplaincy be a department of high integrity.

Treason ... and OIG. Many other employees have suffered under them, for perhaps worse things or lesser things. But we shall never know until OIG takes this searches like Indian scouts, analyzes like Sherlock Holmes and solves the enchantment Chaplain Collier had over the wardens and directors.

My Honor . . . Worth My Life – sometimes – at other times, I wonder if I have courage to pursue this as I ought to. I want justice, but I tire. Then, I think of my future and the future of other good employees who have suffered under Alford and Upshaw, and now it appears almost certainly under Stephens too. At other times, perhaps, it would be more comfortable to remain silent. Then I watch a movie where – not unlike myself here – the underdog never gave up in the pursuit of justice and equality and the American Way, even the Texas way, and never gave up the pursuit of correcting wrongs that have affected many good people, even sacrificing himself in the end. Even sacrificing his life in the end, and it remains to be seen just what Simmons, Alford, Stephens, Hunter, Helm, and a host of other assistant wardens and majors will

¹¹ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf for a copy of the 21-page letter and four others, all nearly totally ignored and covered up.

do when they get their disciplinaries or dismissal recommendations or simple *firings* for their own level of responsibility in the treason. These are men who have covered up, sidetracked, falsified official documents, favored the crooked, given disfavor to the honorable, and protected their enchanted Chaplain Collier all along the way. Playing with the lives of good volunteers and even some prisoners in the process.

Yeah, I fear for my life. It is not the first time, and no one can live forever.

Lion or Lamb. Many times, I would rather live one day as a lion, than a long life as a cowardly sheep. But, the older I get, being a cuddly sheep seems nice. I was just not raised to run. The time for looking away is over. The cover up must come to an end.

I have sought justice for wrongs to me and have not yet succeeded, even though I had a lot of evidence. Evidence and witnesses were ignored – what is that? The Chaplaincy Department is not a toy, but a precious profession touching the lives of prisoners and staff in valuable ways.

Evidence. Here is a hoard of hard evidence, documents and recorded testimony and photographs, nearly everything pertinent, though still the short story. Clearly, for any reasonable person, we truly do need OIG’s best Sherlock Holmes to ferret out the greatest mystery: how did scruffy Chaplain David Collier enchant so many wardens and directors who turned blind eyes to severe security violations for years? And, while turning, how did Chaplain Collier’s enchantment cause wardens and directors to protect and praise and – look – even write *three* good annual evaluations in a row? Why did they protect Collier for so many years? Polunsky Warden Richard Alford, Asst. Warden Muniz, Asst. Warden Butcher – centering around Alford and Michael Upshaw – they charged many majors and captains and others to look away. There is no question about that in these pages.

Ridiculous treachery to Texas’ and TDCJ’s missions and constituted values comes on the heels of five letters already sent to Brad Livingston, with the conjectures in those letters refined here.

1. **2012-07-12** – Polunsky – Muniz IOC – 4pgs – Sent to Warden Muniz, to cover myself, given all that was going on, with a copy sent to Polunsky personnel
2. **2012-10-29** – Polunsky – Exposure 1 – Livingston-Collier-Thaler – 21pgs – with DVD
3. **2013-01-17** – Polunsky – Exposure 2 – Livingston-Collier-Thaler – 13pgs
4. **2013-02-18** – Polunsky – Exposure 3 – Livingston-Collier-Thaler – 35pgs – with Lewis Prison
5. **2013-06-18** – Bryan Collier 30-Minute Plea – recorded – 4pgs – No acknowledgement of wrongs at Polunsky and extensive cover up of inequality¹²

See them all here: www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf

Texas’ Highest Value = Justice! See Tab 21 on Texas’ policy and values. TDCJ is Texas’ institution, and Texas is all about justice. Because of TDCJ’s awesome mission, *justice* ought to be front and center and the rule in all administration. I have known many who believe that. *Justice* ought to be the easiest to see and find, a friend to employee and prisoner alike. Of all the things obvious to see, *justice* ought to be the easiest and most potent part of every aspect of TDCJ. When high-level wardens and directors fail in “justice” – God have mercy – the failure costs millions in officer retention and in counteracting the rehabilitation of prisoners.

There are others who have suffered as I have, some less or worse, and we need to find them.

G. Deputy Director Bryan Collier Culpable

There is no question in the pages below, regarding Dep. Dir. Collier’s culpability; the only question remaining for Collier is the degree of culpability in the longest cover up in TDCJ history. I am a witness from two interviews with Collier. I honestly did not feel like he had truly read the main documents; Collier appeared to repeat someone else’s flippant remarks. Collier did not take the letters seriously. In my June 18, 2013, conference call, it was clear that Collier thought me irritating and even said my letters boarded

¹² See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf. And listen to my last interview with Dep. Dir. Bryan Collier here, www.PreciousHeart.net/14-Bryan-Collier-Maness-06-18-2013.MP3, which broke my heart, Collier unable to see anything of value *at all* in anything I sent, essentially if not wittingly supporting the years of cover up of major security violations. If unwitting, then what does that say to the entire line of communication?

on “harassment,” which meant to me that either he had been completely snowed or that he was an active accomplice in the cover up.¹³ The degree of unequal treatment of several staff and volunteers, some unduly favored and others disfavored for no other reason than several wardens’ personal pleasure and spite (in 100s of pages below) bespeak a horrendous labor relations nightmare. The farther up the administrative ladder the violations of Texas’ and TDCJ’ values and policies go, the worse it gets. **Critically Important:** today, at the very least, the unequal treatment and injustices to employees and volunteers go as high as Dep. Dir. Bryan Collier. I pray you, Brad, are honest and fair and in no way a party to any cover up, for if you are, then all is lost. Regardless, your office is now inextricably tied to these violations. The major mystery remaining is for OIG to discover the degree of Bryan Collier’s culpability, by his own words (on Disk 1, track 14), and a very powerful ally and partner to the vast cover up for six years in one of two ways:

One: Collier is a **witting accomplice** in the years-long cover up of major security breaches or,

Two: he is an **unwitting accomplice**. I pray the latter, but am not certain at this point, for it is a bit inconceivable that Collier could be so unwittingly a part for so long.

Hear this, if “two,” then the degree of cover up has spread through most of the major divisions, with Michael Upshaw promoted to deputy director of Management Operations under recently promoted Division Director Stephens over the Correctional Institutions Division, and Madeline Ortiz over the Rehabilitation Programs Division. I do not know how, but the IOCs from Stephens and Alford in Tab 5a, Items 3 and 4, are masterpiece keys to the cover up in what they say and most of all in what they leave out, essentially covering up and falsifying the level of security violations running rampant for five years prior to my arrival at Polunsky. A failure to look closely at Polunsky prior to my first attempts to expose in July 2012 is proof positive of cover up, clear favoritism to Chaplain Collier, and unequal treatment to me, who was trying with all my heart to help correct, until the epiphany made clear the *depth* and *scope* of violations. As mentioned, I had no idea of the full scope, until I began to fight for my life and my career under Warden Alford’s adolescent shenanigans throughout October 2012.

He spit in my rice bowl! Damn, that’s offensive.

Throughout 2013, I have made perhaps 100 Open Records requests for every conceivable piece of data related to Polunsky and Alford’s cover up before and after July 2012. The scope of violations is presented here, side by side the scope of the cover up, and in those one infamy after another surfaces, the likes of which fully expose the longest cover up of security violations in TDCJ history, and other “worst in TDCJ history” awards along the way.

H. Not My First Rodeo – My Advocacy History

This is not the first time I exposed unethical behavior to TDCJ Chaplaincy. In 2000 I wrote a 70-page proposal to legislators as I led about 70 chaplains in a statewide push for the first pay-group in 40+ years, and we were successful, that letter exposing decades of professional indifference to Texas chaplains in TDCJ, MHMR, and TYC, and exposing the true market and for the first time in TDCJ history really publishing what TDCJ Chaplains did. The second main letter was in 2001, with a “Timeline” given to TDCJ Executive Director Gary Johnson revealing unethical hiring practices. The third was a massive project, the first-ever compilation made from the first-ever extensive audit of, then, TDCJ’s 150 chaplains, a rich treasure trove, and my six-month battle with Carl Jefferies to free the material, *only* freed after the extensive and repeated intervention by the Texas Attorney General’s Open Record attorneys.

1. www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 1 Proposal 2000.pdf
2. www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 2 Timeline 2001.pdf

¹³ Only a couple of things lead me to believe him not being an active accomplice in the years of cover up: one, Collier did see me for my appeal; two, someone did override the Lewis Prison wardens to allow Vol. Melvin Back in the Ides of March in 2012; and three, someone, and perhaps him, sent TDCJ’s ITD Techs promptly to Polunsky after my fax on October 29, 2012. And, Bryan Collier did not promote through the ranks and is likely outside of the vast network so integrated within those coming up in the ranks.

3. www.PreciousHeart.net/chaplaincy/Chaplaincy_Audit_2001.pdf

As the unethical treatment of TDCJ chaplaincy continued, on September 22, 2002, I wrote my fourth letter devoted to a greater exposure and requested a moratorium on hiring the new chief chaplain, and Johnson initiated an OIG on that (or the second; I cannot remember now). Mindful that any false statement could result not only in a disciplinary, but a simple *firing* from the agency, the prerogative of the Executive and Division Directors, I risked a lot, but also thought of “to whom much is given, much is expected,” a haunting statement. How could I live with myself and *not* share important information?

www.PreciousHeart.net/OIG/2002-09-22_Johnson-Letter-26pgs.pdf

Of course, Brad, you do not need a false statement to *fire* an employee, but honor does have its day, and – so I believed then in 2000 and believed since then and believed in 2012 and today in 2013 – honor continues to be a primary concern in Texas’ core values of equality and justice. Johnson initiated an OIG investigation then in 2001 or 2001.¹⁴ The *fact* that I was *not* disciplined says a lot, and what I sent was the truth. Johnson did not do much, or, at least, did not tell me what he did. In all, no law was actually broken, though the OIG investigator and I kind of giggled at the slamming of good business ethics, where qualifications for the Chief Chaplain’s position had been *tweaked* multiple times to give favoritism.¹⁵

So, think not that my advocacy and exposures for the last 15 years played no small roll in what swooped down upon me after my 50-page Faith-Based Housing Letter was sent, exposing once again many cover ups and unethical practices in December 2011. True professional concerns.

My Testimony and More. This is my testimony. I would have had trouble believing it all in October 2012, myself, if I was in Brad Livingston’s and Bryan Collier’s shoes, and I said so. But, after the epiphany of sorts in July 2012, struggling with my unbelief – as most do with such world-shaking epiphanies – I had to fight my inner self with struggles no Texas employee should ever, ever, *ever* have to endure. I was there, this is *my* story, and I saw these things first hand, and herein are the documents backing up what I wrote in the previous letters. I struggled in June and in July 2012, in many ways *unable* to believe Warden Simmons culpable of a single pinto bean of support of Chaplain Collier’s wholesale-policy-violating chapels, and Simmons – hear this – used my *trust in him* to bide his time until he retired, knowing full well that he and Upshaw had sent me to Polunsky to become their fall guy in that mess, once Warden Alford arrived and they could book safe passage for Chaplain Collier to another unit.

My honor and dedication to TDCJ’s mission have been traduced, while I sought the good and while I defended the very persons who were secretly stabbing me in the back. When it was clear that Alford and Upshaw – front and center – had covered up for years, forsook honor as they endangered Chaplaincy’s holy work, I have redoubled my efforts to make clear the scope of treachery.

Sherlock Holmes, PLEASE!?! As far as I can, hoping and praying and even begging that Brad will see the light – or Oliver Bell – and get OIG’s best Sherlock Holmes on this case, for only he can **finish this work**, and solve the major mysteries herein.

Zero Budget Chaplaincy? Think not it an accident, that, in January 2011, some unscrupulous person tried to *end* TDCJ Chaplaincy with zero budgeting it. That was *no* accident. And it took no small effort to defeat that and refund Chaplaincy, based on statistics that I provided, the *only* one providing statistics on TDCJ Chaplains’ good work.¹⁶ TDCJ’s Rehabilitation Division did not help and has refused *real* publication of the Chaplains’ work for over two decades. Only a fool would think my activism had zero role my treatment while others got away with violations 25-50x worse than mine.

Chaplaincy Value. If anything, while *not* entirely any of the volunteers’ fault, the exposures here do *reveal* to high heaven the value of a truly competent chaplaincy. And “Staff Chaplains” value of mere



¹⁴ From the 2001 timeline piece, or the 2002 letter, I cannot remember which.

¹⁵ As said in previous letter www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf, and exposed in 2002, seen in www.PreciousHeart.net/OIG/2002-09-22_Johnson-Letter-26pgs.pdf, there was the selection of Bill Pierce as Chief Chaplain *over* Dr. Vance Drum in about 2002.

¹⁶ See www.PreciousHeart.net/Save_Chaplaincy.htm for the story no one wants to share with all of the TDCJ Chaplains of the salvation of their own profession in Texas.

“Volunteer Coordinators” that some desire to replace. Let’s see to it that prison Chaplaincy pursues the highest excellence.

Personal. This is very personal to me and many employees done likewise, even though they know not yet. They took my rice bowl, ruined my career through treasonous actions, for personal gain and at my expense, and all to hide and cover up their ugly support for the longest series of cover ups of security violations in TDCJ history. Then they protected several wardens, directors, and one chaplain with a favor uncanny in TDCJ history. Only God knows who else, though I do have an idea on how to find out whom else has been a victim and punished for being honest in TDCJ – see the P.S. below.

This is, after all, only the short story of infamy sweeping wide and going back at least six years, and, Brad, we – you and I – ought to do our best to find and offer repatriation for every other victim.

Most sincerely,



Michael G. Maness
409.383.4671 ~ Maness3@att.net

cc: Bruce Toney, Inspector General, OIG

see the entire work here

www.PreciousHeart.net/OIG/Treason.pdf

code “Love-Honor” to open in 112 MBs in a searchable PDF.



P.S. – Primer on Character Counting in TDCJ and the “Right Thing”

Character Counts All the Way. Though not touched upon until the very end in Tab 23, the Conclusion on Character Counting will reveal what “Character Counting” in TDCJ means, in not just a novel fashion – oh, God, I pray not – but in a fashion that has real-world monetary savings and at least common-sense value in every mission-critical function of TDCJ. Hint – it should go without saying that “good character” benefits all aspects, and that plays out in the following 700 pages like never seen before, for not only is God watching, but other employees have been watching. The *jobs* are their bread and butter, and no man or woman should have to compromise their honor to keep their jobs, but – Brad – that is exactly what has happened, and several wardens and directors are directly responsible, though – at this moment, prior to the arrival of this – they have gotten clean away with treason. My honor was sullied.

Right Thing. There is no telling what this has cost TDCJ in the long run. The pounding on good employees who tried to “Do the Right Thing.” Don’t you, too, want to know who else *tried* to do “right” and was punished? Brad, those are the ones *more* deserving of raises than the ones who compromised.

Well ... the rest is here. Brad, you are the only one who can help make this right.





To whom much is given, much is expected.



I. **First Hero . . .**

Who Was that *First Man or Woman*?

Brad, it is both the scope in *years* and seriousness of violations in the Polunsky Chapel that has been **covered up for six years now**. Again, if you cannot see that it is both scope and seriousness that has been **cover up . . .** if you cannot see that here, **all is lost**. You will not see anything else in these pages but fire from an embittered ex-TDCJ Chaplain, a toad croaking at the moon. If you *can* see that *serious* violations were going on for *years* at Polunsky *prior* to July 2012 and that has been covered up for *year . . .* that will unravel all and make this an intriguing read.

And if you can see that *years* of cover up at Polunsky, then the connection to Lewis Prison and the contrivances in *all* my disciplinaries will become clearer, and the only reason I ended up at Polunsky was a ruse to deflect from Chaplain Collier, allowing this *already* hated exposure to take another hit.

A challenge for OIG at Polunsky will be to find out when it all began at Polunsky. I pray OIG does not think “when” moot this far away. 2007? Before?

Importantly, who was that first officer to report unsupervised prisoners on the computers at Polunsky? What happened to him or her? That is impossible to find.

Very importantly, who was the first to **repeatedly** report and who **did not give up**? Perhaps a sergeant or lieutenant who did not give up. Nearly impossible, but still possible. How was he or her first punished because they would **not give up** reporting?

Brad, that’s the **First Hero**.

Brad, if we can find that **First Hero**, that is the example of the employee we need, the kind we want to cultivate and cherish, and the kind we want to drill into at the academy. Might be impossible at this late date, but that man or woman deserves our best effort to find.

And those who first punished need to be found as the *opposite* of TDCJ values.

The treason here is atrocious.

Honor, courage and commitment – especially courage – should be rewarded, and we owe that to honor to fine *first* man or woman who *first* stood their ground and would not give in. Who was it? Who was the first truly honorable and courageous and committed officer or sergeant or lieutenant to *not* give up? Who was the **First Hero**?

Who was the **First Hero**?

And who else did *not give up* and was demoted or transferred because of *their* honor, courage and commitment? There are others.





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II. OIG – 2007? – Please Help Us Sherlock Holmes

A few cuss words from OIG’s toughest will said when and *if* they are finally charged with “Go Get’em!” For the shame of this and for the work they face here should *never* have happened. As best I can tell, OIG *should* have been called in early to late 2007, shortly after Chaplain Collier was hired, when the *first* officer or rank *repeatedly* reported and was snubbed or demoted. Or did it begin with Chaplain Edwards, before Collier, sometime after 2004. Regardless, by 2008, the culture of *avoiding* the Polunsky Chapel began, and the Prisoners’ Computer Control Center was fully operational in 4-Gym, then moved into 3-Gym a year or so later, with regular supply train of office supplies and computer parts to the unsupervised prisoners funded from Off-Shore Account/s – out-of-the-prison account/s – by Chaplain Collier and at least ex-CVCA still functioning as a CVCA Ed Reeves.

Several years before July 2012, the unsupervised prisoners had turned the lights out in *their* office, even while three high-resolution security cameras watched every day!

And I am the bad *guy* for repeatedly calling

Treason – No Expiration. Brad, there is no expiration date for treason, and, since this repeatedly happened to me, then others have been similarly treated: no question about that, that is absolutely certain (I have the name and phone number of one 17-year veteran officer I suspect was so treated). Part of the following includes my good friend Volunteer Chaplain Melvin Bell, and clear documents – thank God – of several wardens’ violations of policy. Part of my persecution was, clearly, for my support for him, which bred treasonous inequality to me, while Wardens Frank Helm and Gary Hunter (now at Polunsky) were given favor and immunity from the violations worse than mine on the same issues. Blatantly bold inequality and injustice to me . . . on paper, and indefensible. My good friend Melvin Bell was kicked off of the Lewis Prison for nothing other than spite, while *all* watched – many staff and volunteers – *watched* a favored warden’s immunity to policy violations and that warden’s killing of a good man’s ministry (crystal clear Tab 18). Yes, justice needs its day in the your office.

Chaplaincy is a precious profession, working hard with fewer resources than most, and without any meaningful professional fellowship in the last ten years, thanks to the bureaucracy described in short above and the relevant historical documents in the respective footnotes. And, of course, already exposed ten years ago in two long letters to your predecessor, Gary Johnson, in 2001 and 2002, when he sent OIG to do what you should have done in October 2012.¹⁷

Painful. I want chaplaincy to survive and flourish, and I want my honor restored, and justice. You have no idea how painful this has been, how hard this was to write. Nor do you have any idea where all this leads . . . nor I. But the pain doubles, knowing that other employees incapable of this kind of defense have also been wronged. And the security of Polunsky was endangered, and all of that affects the rehabilitation and the behavior of prisoners.

Golden Rule. Yes, to whom much is given, much is expected, not only in skill, but also in awesome responsibility to justice and equality from your high office, and from our office before God and fellow citizens. More importantly, “Do unto others as you would have them do to you,” (Luke 6:31). I did in July 2012, and have continued to do so. If I was you, I want someone like me to beat this into my head until I finally saw the truth.

OIG. A copy of this was sent to OIG, and I have several copies.¹⁸ As you see from Tab 1, neither Oliver Bell or Allan Polunsky have bothered to respond to my emails. I suppose they are deferring to you. If I do not hear from you early in the New Year, then I will assume you have continued to sweep this under the rug, and I’ll scratch my head and find someone else to send this to. Or



¹⁷ Op. cit., fns. 1, 6, 10-13, and especially 14, among others.

¹⁸ See www.PreciousHeart.net/OIG/Treason.pdf > code “Love-Honor” to open.

be assassinated or hospitalized by an agent of Alford and Upshaw and their cowardly friends, stabbing the back is something they have others do, which will be one of the easier “secrets” unfolded below in this Book of Secrets.

God Sees. Yet, I challenge you to think and pray on this, for God is watching, and your honor and reputation are unfolding here, irrevocably and unstoppable. I’d like to hope you’d read it all, but I might not, either, and, please, do not give it to Bryan Collier – he has not truly read anything I have sent – and especially not until you discern for certain his role in the cover up, wittingly or unwittingly. Even if nothing is done, and no one listens – ever – still, God knows all, God knows you, God knows me, and all things are laid bare before Him with whom we have to do. This is truly all about God’s good work, and **God does not endorse violations of security**, and He does look after His own. God *is* watching.

David & Goliath. As to Oliver Bell and Allan Polunsky, if you continue to do nothing, then, it is my sincere prayer that for the rest of your life you will remember this: in every book you read, in every inspiring song you hear and in every movie you see, I pray God will bring to your mind this Book of Secrets, where a David found himself alone in the Valley of Elah with a Goliath bent on the ridicule of his size and his tools, and where chaplaincy was daily ridiculed, with no respect for God’s good people (I Sam. 17, and TAB 1, Item 1). Wherever you get your inspiration for honor and self-sacrifice, and endurance under stress, I pray you will feel the pain of this book for the rest of your life, if you choose to do nothing. Enough *nothing* and twiddling of the thumbs have been done, and your own Dep. Dir. Bryan Collier is an official part of the cover up now, as will be made clear shortly (Tab 1, Item 3, and Disk 1, Track 14), either wittingly or unwittingly. And though I pray for the latter, the degree of his unwitting sanction of the longest cover up in TDCJ history is one mystery waiting a resolution.

My Fear. I am *not* David, and this is not ancient Israel. Nor is this funny. TDCJ is much bigger than Goliath. It is a fearsome challenge, for me, one of the most fearful things I have pursued. I fought beasts in my heart, so many times, but I knew, *knew* that I was the *only* one. So many are touched by this, and I am not getting any younger. I cannot do much more than this, especially alone. OIG’s job is to help *all* of the Davids in TDCJ.

Sherlock Please? Though I have my doubts, I am hoping you will see the truth presented here and endeavor to do what you ought to do and solemnly charge OIG to get their best Sherlock Holmes and his team into action, develop a strategy to get all they can, and finish this exposure. And find all the loose ends, including when Chaplain Collier first enchanted, the full nature of that enchantment, and the fullest extent of the mystery of many wardens and directors falling under his spell – or, if murder – precisely what happened at Polunsky. Of course, just how many wardens and majors, and doubly so who was promoted for compromising for the last six years at Polunsky. Promoted for compromise – sickening.

And who else was promoted for compromise and demoted for honor? God have mercy!

Who was the **First Hero**? And who else in the last six years did *not give up* and was punished for it? We should not only find the sponsors of treason, but we should find all those who truly did not give up and were sidelined and punished for – what? – their honor, courage, and commitment!

I hope OIG’s best Sherlock Holmes will team with their best Dirty Harry and hunt down every knucklehead and also rescue every honorable officer that did *not give up*.

Of course, I truly want redemption for wrongs done to me, too. Of course, I do.

Let’s find that **First Hero** . . . and make an example out him or her.

That man or woman should be the first inductee to TDCJ’s Hall of Fame!



III. Reading This and the Quick Read

Reading This Monster. Here is a quick way to get at the meat of this. Go through the **Contents**. Then – I pray – you’ll read the **Treatise on Treason** (Part One), but at least look at the items in the treatise with the selected documents, especially chapters II and III. Then, scan especially the following sections in the **Sourcebook**, especially Tab 5a:

1. **Tab 5a, Richard Alford: Items 3 and 4**, for Richard Alford’s and William Stephens’ IOCs are the *only* reports from all the exposures sent, *both* crafted to deceive all who read them into thinking I, Michael Maness, was just a simple-minded disenchanted employee whiner, with the agenda to give the appearance of addressing my previous letters and also avoid any kind of language that would merit an OIG investigation. Brad, both documents mostly lie, becoming intentionally falsified documents. These two IOCs are keys to unravelling the years-long cover up of major security breaches. Felonies dressed up with the air freshener of incognito treason.
2. **Tab 8, Texas Fire Marshal: Item 3**, the June 2013 Texas Fire Marshal’s report had some of the very things I exposed in July and again in October in the 21-page letter I faxed you; they were *still* not fixed a year later. Thank God for that, as the Polunsky novice Chaplain Jose Vitela, a good man, has not truly been brought up to speed, and his prior years as a volunteer was *used* by Upshaw and others to bring him to Polunsky as an unwitting – yes, *unwitting* – accomplice in their cover up. That is not my interpretation, sir, but the facts.
3. **Tab 9, Programs: Item 1**, the recorded attendance by the prisoners themselves, regularly over the fire code by the Polunsky Safety officer, who dodged the 3-Gym Chapel like the plague.
4. **Tab 10, PAINT: Items 5a-c**, and – God have mercy – see that the Chaplaincy Art Team is *still* not supervised at all in June of 2013, over 9 months and four letters later; paint stolen regularly with no controls over 50-plus bottles. Furthermore, what a sloppy Serious Incident Review in January 2010 when the report notes that the escaping prisoners “removed their white shirt and pants revealing a second layer of dark stained clothing,” but does not anywhere reveal what the prisoners used to stain their clothes. And, today, there is no concern whatsoever for tracking the paint used, none, and that in the very chapel the escape attempt was staged.
5. **Tab 12, Money Train, Off-Shore Accounts, Cash Cows, and Codes**: just two pages – Brad, you’re good with finances. They had a true Off-Shore Account supplying the prisoner money train. Look at it, and *know* this, Brad, I sent that MS OneNote file with the hard copy on 10-29-12, the same one on Disk 3, that no one looked at then, or has cared to look at since. An Off-Shore Account with a credit card. What do you make of that spread sheet kept up by Prisoner Jesse Hernandez #759465, who regularly shared his commissary with Chaplain Collier, and vice versa, and “funds” in which suspended CVCA Ed Reeves (though *still* acting CVCA) regularly deposited \$1,000s for the ongoing Prisoner Supply Train? You, Brad, would find Chaplain Collier’s dribble on that stranger than me, if you, yourself, would just call him at the Walls Unit and ask him his take on those finances; he was proud of it, really, supported by Warden Simmons, too, as long as Collier’s name was not on it. The wardens *knew* about it all and did nothing for years. If that spreadsheet is any reflection of the previous six years, that also means about \$50,000 entered the Prisoner Supply Train to the Prisoners’ Computer Control Center, with no controls, no supervision, and – today – we do not have any quarterly or annual reports. Yes, a true Off-Shore Account funnels money to the prisoner supply train running the most policy-violating department in history – we don’t even know who is on the board or the name of the account. Just how much came into the Polunsky Chaplaincy Department in finances *and* inventory? Why does *no one* know? Oh, darn, no one is covering *that* up, because no one cared to even look; it being on the *prisoners’* wireless network; and, with Upshaw ordering the *erasure* of all the prisoners’ data, we’ll never know. But Chaplain Collier will talk about *that*. Talk. What happened at Polunsky?

6. **Tab 13, Inventories:** thumbing the inventory and paperwork should be enough, but look at item 20 and the 250' of cable, that any idiot would know was for *making* of cables in the chapel by prisoners, and, of course, unsupervised. When I asked CVCA Tommy Dill about it, and Ed Reeves, they shrugged their shoulders. Nor did Chaplain Collier *know* what happened to that. Oh, I guess ... ah ... the prisoners “made audio cables” from the 250'-foot spool of CABLE. Oh, yeah, that's what happened to the cable, *under* the million-dollar Polunsky security cameras. Hmm?
7. **Tab 14, Chaplain Collier:** Brad, ask yourself how for three years in a row, ah, skipping a year, so that makes four years of straight good marks for the TDCJ employee *responsible* for the most policy-violating department in the history of the U.S., and – ah, yeah – despite the fact that *four* (4) previous staff chaplains had trouble with Collier, told the wardens they had trouble with Collier, and all four of us had trouble with his lack of value for the truth! The wardens knowing about all, including the wardens knowing about all of the previous chaplains' dire stress over Collier's *non-supervision* of prisoners. Not a big secret in this Book of Secrets, but something Warden Alford and Bill Pierce *tried* to keep secret, falsifying his annual review.
8. **“To-Do List – and Evidence Not Unavailable to Me”** in **PART FOUR** is in the final matter before the CD Holder and list things still outstanding in Open Records requests, the couple of things denied (and that denial supported by the Texas AG's office), things *only* a TDCJ employee with special access can obtain and some things *only* OIG will be able to get through its legal powers and investigative skill. There is no pretension that *all* of the items in the **To-Do List** will ever be gotten, *ever*, though a few would have been nice to get for this Book of Secrets. While no one will spend the time or expense on the entire **To-Do List**, but this book *needed* to be outrageous in its evidence, given the wholesale cover up that has taken place, and the **To-Do List** does give a good indication of what a full scholarly report. So this is truly less than 10% of all.

Now, all of the 23 Tabs have a flow, and Tabs 16-18 give the critical documents to my three disciplinaries, including my lengthy responses, indicating how contrived most of them were. And therein is a long story of the longest cover up of violations in TDCJ history, with these 700-plus pages being only 10% of the total story, with only about 10% of the documents I retrieved from Open Record requests.

I tried to get most of the significant items in one place, focus upon the documents that reveal another aspect of a cover up. Other documents are online footnoted, where appropriate, often of previous exposures. But some, like the 21-page letter to Gary Johnson in 2002, clearly reveal a long precedent of unethical behavior regarding Chaplaincy, and some of those very practices have continued.

This was an outrageous amount of work. Many times I wanted quit. Several sets are still outstanding, which has been a struggle for a few who apparently did not know the law. Some still await the Texas AG's determination, and – seriously – some I have forgotten about.

The Tabs. Each of the 23 Tabs is almost an independent section in its own right. For instance, Tab 3 on OIG Witness list could take a week to get testimonies from all, but Tab 3 alone and the evidence therein has enough evidence to indicate the atrocious cover up. The three previous TDCJ Chaplains are still employed; their testimony should be enough. Why are some employees sidelined? Tab 8 on the Texas Fire Marshal's Report verifies the violations I exposed earlier in writing, and also reveals incompetence and more violations where – in those previous letters – security and safety violations were reported again and again and the Polunsky wardens did not inform the staff Chaplains. Tab 10 reveals violations still going on in the Polunsky chapel – no supervision of paint.

Except for Tabs 21 and 22, every Tab contains a *set* of documents and items regarding violations of policy, relating to an element of the years-long cover up, and together they put together a huge and terrible picture cover up, favoritism, protection of the unethical, and of persecution of me, the whistle blower. Some of it clearly shows how I tried to help before exposing and how while I was helping wardens were stabbing me in back.

There is a lot more, and, again, the **To-Do List** in **PART FOUR** gives all I can remember.



IV. Conspiracy, Conspiracy . . . Where Art Thou?

Conspiracy Ghosts Everywhere in Prison.

You, Brad, and everyone else who has *not* worked behind the wire with prisoners for any length of time *cannot* understand “conspiracy” well. You can read about sailing, watch it on TV, and even take water rides at Six Flags. But until you have sailed on the open sea for days on end with no land in sight – you will *never* understand “sailing.” That is why it is *terrible* to promote those over chaplaincy who have *never* had any experience in religion working with staff, prisoners, and volunteers *inside* of a major prison. Part of Polunsky’s fiasco was RPD’s failure under Carl Jefferies when he put Don Keel over chaplaincy, in order to dumb down and start the hiring process of favored pastors over truly dedicated and accomplished “Chaplains,” and I’ll drill that later (Chap. IV). What Jefferies did and what continues to be done, is the appointment of someone who has never sailed a two-man sunfish to be commodore over an ocean frigate, which is why it is no surprise these things happen. Covering them up then becomes the *only* hard work those manager, and they’ll be free to loaf again if you, too, cover up; cover up helps no one, except the undeserving. But herein, the larger story is that “conspiracy” is *everywhere* in prison. And for folks like Alford and Upshaw, the mention of it here – hell fire – brings smiles to *my* face, too, for I *know* what they know on conspiracy, and how *everyone* is tempted from time to time. Everyone. And one measure of success as a staff person is when you have been tried and overcame that, preferably in your first year or less. There’re plenty of jokes.

Yet, when Justice and Equality are real values, as the wardens right well know as captains of the ocean mains, even those prisoners with mental illness are more stable. And wild-eyed chaplains ☺.

Conspiracy 101 – Who Did It? When? What’s the Legacy?

That makes my job harder here. Because – oh my – there was a conspiracy. Myself a victim to its nasty teeth, the Chaplain who has read more spy novels and studied more on chaplaincy than anyone, and so I fought the “conspiracy” part the hardest. But I did have 20 years in the service and could write ten books like this. But, if ever God blessed, God arranged for me to end up at Polunsky, part of Upshaw’s conspiracy, and that shall bless all. For, Polunsky had the worst thing imaginable for so long that OIG will be tripping over evidence once they begin – after a good gawking and shaking the head at this monster. And, I suspect a few unlawful cuss words will be come from several – oh, yeah – a few still cuss in prison, Brad, and there should be a lot when OIG finally unlocks the flood gates: Brad, it should never, ever, ever have gotten this far. May it never again.



Mark It Down. For God and Country – mark it down – a CHAPLAIN is the one that had to persist and fight, and then fight again, and then labor night and day for months to bring this Book of Secrets to you. Mark that down.

The hard part for OIG will be tracing where it all began. Without Alford or Upshaw confessing, or Chaplain Collier confessing, it will be OIG’s toughest case.¹⁹ Still, the blessing of Polunsky is that several things are clear as crystal, Chaplain Collier did get favor and was protected like no one else. Yes, there are witnesses in every corner – here are the photos and documents – violations all across the board, and the greatest effort to cover up all, the greatest of all – successful to date – was that this went on for five years before July 2012.

¹⁹ Chaplain Collier’s confession – goodness his value of the truth will take talent to circumvent. I do believe him sincere, in his own way, a person who truly cares, so I’ve cut him some slack here, given that the wardens are mostly responsible for *not* helping him early. OIG will have to discover why he was so favored, because it was *not* because of talent or his following policy. The most substantial “truth” that OIG will get from him will be that, yes, he sincerely believed he had the wardens’ support, that he truly believed he was doing right, and that the many violations were truly not that serious. He *loved* “his” Media Room and would wince today at the truth about the “Prisoners’ Computer Control Center,” that wince giving a seasoned detective a volume alone. Truly, a novice to this day, even after six-plus years. Endorsed and praised by Chaplaincy HQ, all the “managers,” though Collier fell early to prisoner advocacy and helped several gullible volunteers fall along too. Go figure.

Mark This Down too. The three preceding staff CHAPLAINS had trouble with Chaplain Collier's looseness and policy violations and could *not* get help too. Mark that down too, by God, and think about the entire Chaplaincy HQ Managers (Dunbar, Pierce, Rutledge) covering up *themselves* just as Alford and Upshaw have covered up *themselves*, though four good staff chaplains tried, this last the most repeatedly and potently as none in TDCJ could have. Mark it down, Brad.

And even if Chaplain Collier is innocent, how did he enchant so many wardens and directors? I prove the conspiracy and prove who the major players are. But it is the job of OIG's Sherlock Holmes to figure out how and why and what in heaven or hell caused the cover up for years.

Darkness Fell. Almost exactly two years have transpired since I sent that 50-page Faith-Based Housing Letter in December 2011, and darkness fell, and I found myself in office after office for paper- reasons on contrived disciplinaries *while* others more favored were violating worse policies *on the same prisons* I was at and at the *same time*.²⁰ And, yeah, that letter was on the disciplinarians' desk at every stage and humiliated – but answered! Maybe justice and equality will get an answer, maybe not. Regardless, now in 2014, we have something much worse. The cover ups and unethical behavior mentioned in that letter continue, but those were near nothing compared to the covered ups of major security risks for the last six years, including covering up my exposure this last year.

2017 Livingston Retires. If my calculations are right, you will have your 20 years in TDCJ in 2017, and, if so, you'll be moving on in three years, almost certainly, at 57, my age now. Though with a far better retirement, and the history of having allowed my ruination and forced retirement. This is a part of your legacy, Brad. Your honor, too, is unfolding here. Even if no one else sees or responds, God sees. But I suspect and pray for a real investigation by a good OIG genius. As the TDCJ prison saying goes, "It is what it is," and it's time to stand up and be counted. Will you?

Truth 101. I was told four decades ago a saying that has troubled me ever since, but I never dreamed I would live it: "a lie will go all around the world, at times, before truth gets its boots on." While confidences have their place, and, more than any other officer, chaplains cherish confidences, there are times when truth should not be hidden and where truth needs help to get its boots on.

Truth 201. There is only *one* truth to all of this, the whole of which still needs OIG's best efforts. Yet, there are several absolute truths here, portions of the whole, like years of cover up, clear injustices and unequal treatment by several wardens and directors, and secret service protection for Chaplain David Collier – the greatest mystery needing resolution is his enchantment over wardens and directors.

Conspiracy 201 – Sophomore Conspiracy – No One Will Confess.

Brad, can I repeat? The most prolific employee-activist in TDCJ history was recommended for dismissal a couple of months after I wrote you a 50-page exposure letter. Just a little compassion will perceive a connection. No one will ever confess. But, oooh *Brad*, you will see the connection in the following, like the mist swirling around the floor in a Shakespearean play, and that connection is *not* – no sir! – *not* the most serious exposure. But, like the mist, that connection provides a haunting backdrop for a true and thoroughly tragic drama of intrigue and mysteriously hidden agendas that unfold below, and, I assure you, up from the mist one will see the connection. If one reads this.

Truth in Conspiracy School. Tied to all conspiracy is the "truth." How do you find the truth? The following gives you a hoard of truths, that if followed, will aid OIG in finding the answers to the whole truth regarding a host of security violations and cover ups for the last six years, involving many wardens and directors, and the suppression of many good TDCJ employees who would not compromise their integrity – like myself. Truth – there is only *one* whole truth. If I lie in these pages, there is a case for libel against me, for I call Michael Upshaw, William Stephens, and Richard Alford liars and traitors, the purveyors of **BULL_ _ _ _**, who have lied to you about me, *stabbed me in the back*, and I prove that here along with thoroughly proving the cover up. And much more.

²⁰ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf for that fateful letter, and then see Alexander Volokh's masterful "Do Faith-Based Prisons Work?" 63:1 Alabama Law Review (2011), 43-95, complementing my Faith-Based Housing Letter in a superb way: www.PreciousHeart.net/Volokh-Article.pdf.

Alford Visit? – No. Just like I tried to come and see Bryan Collier and Rick Thaler in **July 2012** – Brad, are you listening? – I *tried* to come and see Richard Alford, too, in **June 2013**. If he would have apologized then, confessed *mea culpa* and made things right, a resolution would have come a lot quicker and with less pain, especially me, this old Chaplain, wearying of the fight. But, no, he held his ground.

Photo 1. Alford Email – No Meeting, but Libel and Lies

Even in **June 2013**, I was *still* trying to think the best and see what Alford thought. Then after a fight, a real fight and with the aid of the Texas AG, I got Alford's IOC and Stephen's IOC in late **July 29, 2013**. But when I got those two IOCs, it was confirmed, Brad, and this Book of Secrets began. Liars on paper, now, falsification of record – Brad, I had my back stabbing on paper now. Libelous, too, making me out a dupe, a poor fool with a slip of the tongue mentions problems in my own grievance hearing.

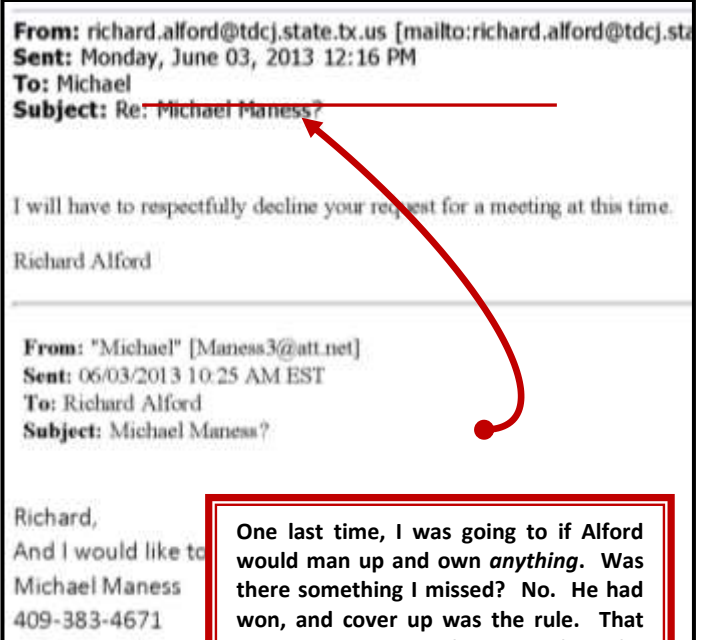
Libel and Lies. On paper. Himself covering up his own years of failure, making me the dupe. Hoping and praying his January 2013 IOC would *never be checked out*. Well, it has been checked out now, and we need OIG to send their Dirty Harry to rough up Alford and drill him and get to the bottom of this.

Brad, imagine how this could have turned out if, in **July 2012**, I had had an honorable warden? We'd have fixed Polunsky, Alford would have helped, and I'd be back home at the Lewis Prison. But, no . . . as the old saying goes, buzzards of a feather flock together. And I'll be looking at full reinstatement with a significant raise, if equality and merit meaning anything at all.

I tried, Brad, really tried to keep this INSIDE.

But I Was Stabbed in Back ... TDCJ too. But, Brad, really, no one can say I, myself, did not try repeatedly to keep this in house, that Michael Maness did not try to give as much grace as possible . . . while at the same time over *months* I was being secretly stabbed in the back. And – take it to the bank, Brad – you're being stabbed in the back too. The silken sheet they have drawn across your face has many knives. But OIG has big guns and the law. I support our law officers, btw, and have and had many cop friends over my decades, a few FBI and CIA officers, too, and – really – a former CIA assassin – really – my ex-wife's uncle of all people! Good law officers – what would this world be *without* them? And, you Brad, got a call from our local Tyler County Sheriff in March, 2012, if I recollect the month, Sheriff David Hennigan, who has moved onto a be chief of security for an oil company at four times his Tyler County pay grade, ex-State Trooper and ex-International Police Officer Trainer who helped train the *new* Iraqi police. Do you want his number again?

OIG to Alford – I'd Like to be THERE. I know I will not be, but after OIG has vetted this, and cursed the jokers that caused them all this, all this that should have been reported FIVE YEARS ago when the first officer tried to stand up and was put down. Who was THAT officer. I would like to meet him and shake his hand and give *him* a signed copy of this. Probably *still* a sergeant under Alford. But, Brad, I sure would like to be there when your *real* OIG investigator sets down with Alford. I have seen them in action. Real Dirty Harry at work, and I'd like to see Alford say to *him*, "I will have to respectfully decline." Let



One last time, I was going to if Alford would man up and own *anything*. Was there something I missed? No. He had won, and cover up was the rule. That was **June 3, 2013**, the same date the Texas Fire Marshal's Report came in (Tab 8). I wanted to show him that report and more – if his honor meant anything. That was it: no honor at all.

After a fight and more aid by the Texas AG, I got Alford's **January 2013** IOC on **July 29** (Tab 5). **Libel and Lies!**

I ramped up OR requests.

No, he did not want to see me, because he *knew* he had lied. And I would not have that IOC and so much more if we did NOT have a Texas AG office to help.

Think about that.

Alford retaliate on Dirty Harry. I hope Sherlock Holmes has Dirty Harry as a partner, instead of Dr. Watson, too, but I am just hoping for help. I'd take half-blind Columbo at this point.

Who Was the First? Brad, who was that first person to *stand up* repeatedly, and was shot down? Five years ago! We really owe it to *that* man or woman to *find* him or her, and reward. And publish this reward, and put the news out – after OIG finishes – that Justice and Equality are supreme values, and courage and honor and commitment will be rewarded. And treason and cover up punished. See Tab 23 on that, Brad, and I've gotten off track a bit. But know this, part of the drive for this monster, Brad, is because I have truly met many *fine* TDCJ employees, and several are at Polunsky – cowering to this day – because you and your staff will *not* move on this. And, the deeper I got into this – what? – the cowards were promoted! Just what has this done for attrition? The only answer to that will be *after* OIG's Sherlock Holmes and Dirty Harry really and truly *rough* up Alford and let him know who actually runs TDCJ. OIG can do what this Chaplain cannot do, and find that first person, the **First Hero**.

That is a truly worthy mission. Make a contest out of it, if you will, publish *that* in one of your system-wide emails that few but *good* Chaplains read thoroughly. Demand to know! **First Hero** – who was that? And where and when? Then give him or her a *five-step merit* raise, not a piddle-dee \$100 Savings Bond, but a *real* reward for Honor, Courage, and Commitment. And, then, see your officer attrition sink and morale rise ... and the buzzards take flight. The weasels find a hole. But take these words to heart, for that is the true mission of Chaplains, to deal with and take care of the ... what? ... oh, you *know* ... the Precious Heart.

Warden Simmons. Brad, 15 or so years ago, Asst. Warden Timothy Simmons and I worked out in the local high school gym together, while at the Lewis Prison. I got him a key to it; many people had keys. He, the parole chief, the substance abuse chief (before their RIF), the commissary chief and I worked out about two times a week. My secretary – when chaplains had secretaries – caught Simmons' eye, and they married. I remained at the Lewis Prison and Simmons progressed, and we passed each other at meetings over the years. On Friday, May 18, 2012 – after having fought the Devil himself and administrative hell – I was allowed back to work at the Polunsky Prison, and Simmons was a *relief* to see and chat with, a God send, and the only *apparent* piece of sanity in all that had happened. I worked three hours that Friday, taking off early, telling Chaplain Collier and the warden's secretary (important: how I called in). That Friday I met many staff and Chaplain Collier, a jovial soul, who said he “heard about what had happened” and was concerned – what a sweet and comforting thing to say! But, in the back of my *prison* mind, I wondered how he knew a *single* thing, being we had *never* met before. Yet, glory be, what a Beverly Hills of Chaplaincy Resources, no equal in the state, as I knew like few, having researched Prison Chaplaincy across the nation like no else. I had a second start, or so I was led to believe. As May quickly rolled into June, and the *reality* unfolded as I walked and talked, the more shocked I became. My veteran eyes saw more and more violations every day. I approached (*confronted*) soon-to-be-*retiring* Senior Warden Simmons, twice, my old *chum*. He was as nice as he could be, such a smooth-talking fellow. His retirement would become effective July 31, 2012.

I went to Huntsville in mid-July, parked, and at 0800 proceeded to call Bryan Collier and Rick Thaler, to show them in a flash drive just *how* the Polunsky Chaplaincy was run. Both were too busy, and had no one else to send me to. Collier told me to send all to Warden Simmons and Madeline Ortiz.

Terror and Playing Patsy. The truth that I could not see *then*, nor see clearly in October 2012, was an ugly terror. Hop and skip to today ... and now looking back – here's what happened. Only *after* I continued to get no response to my letters, no OIG investigation, and after my mind cleared and I continued to seek more evidence – aaah, that sorry dog! Today, the truth is that, then, in 2012, Simmons used my trust in him as he played me for his and Region 1 Dir. Michael Upshaw's patsy. Simmons talked to me like old friends *while* the knife had already been thrust into my back – to *cover* his and Upshaw's failures for the five years previous.

Simmons and Upshaw's Patsy. Simmons *counted* on my trust in him, in order to keep quiet until he could retire and Upshaw and Alford could begin to move their favored Chaplain Collier out. There is no clear document on that, oh no. But my actions were clear. And their *lack of action* is documented for five years! They intended me to take the fall for their five years of cover up of violations they had allowed at Polunsky (this sentence being the summary of perhaps one third the documents following). But, as will be clear in another third of the documents, my moral fiber and my heart could *not keep quiet* about severe, dangerous, unprecedented, crazy-as-a-loon security violations *every damn day* – I could *not* keep silent, and . . . glad I did not. Why in heaven or hell are you, too, not *glad* that I uncovered everything, Brad? – a mystery you, sir, need solved, for, unless you are a part of the cover up, your ignorance of in-prison good-old-boy loyalty was taken advantage of too. Let me be crystal clear, Brad, old friend, that I have never had a single cup of coffee with: *you too* were made a patsy, as they controlled the information train to you, and they used your trust in them – just like they did with me – to keep a state secret their ruination of the Polunsky Chaplaincy by allowing for *five years* a host of dangerous security violations unlike anything since the days of Hogan's Heroes and Stalag 13.²¹ The remaining third of the documents inserted throughout and in the 20 Tabs below resolutely and cogently weave my time at the Lewis Prison with that at Polunsky, as Upshaw and others violated more policies, sending justice and equality packing. The more clearly I saw, the harder I fought, the fight outlined below – similar to the previous letters – but down below with a hoard of hardcore evidence. And, Brad, your legacy and my legacy of being played like patsies is revealed here, on different levels to be sure, but woven throughout. Except – on my part – I am fighting the cover up with every fiber of my being, at great expense to myself, and with months and months of super-hard work, including the writing of this monster.

Younger and Stronger Brad. What are you doing, Brad? After this, I pray you see as clearly as I do, for you are the younger and stronger one in TDCJ to do something about it. And make it right!

Conspiracy 301 – Junior Conspiracy Training – Hunt the Evidence

Photo 2. Stack of Open Records Requests

Stack of Evidence. Here is a photo of the stack of Open Records requests I obtained from October 2012 to the end of 2013, many times appealing to the Texas Attorney General's office for stuff your people wanted to withhold, my appeals winning release about 95% of the time. Brad, some is *still* on appeal. That stack is not all, for many other items came through email and on CDs, like the Chaplaincy Manuals, the RPD reports, several dozen other items, including two huge excel files on the 80,000-plus employee disciplinaries that *no one* in TDCJ is analyzing (for shame), ah, except me below.²²

And the stack does not include the copy of the Polunsky Chaplaincy "My Documents" folder and a copy of their MS OneNote database (1.4 GBs) that I *tried* to share with Bryan Collier and Rick Thaler in July 2012 and that I mailed on a DVD to you with that 21-page letter on October 29, 2012. Now, Brad, given the redactions, denials by your legal department, the support for your denials and support for me by the Texas AG's office, and how most of that stack came *through* your good legal



²¹ Yet, the operations under the fictional Colonel Hogan were more honorable. And unlike Stalag 13's Colonel Klink who did not have a clue, the wardens at Polunsky *knew* all. Did the Polunsky prisoners have an outside line of communication like Colonel Hogan. But, as you will see in Tab 6 and on Disk 1, Track 8, you'll see that Upshaw ordered the erasure of the prisoners' computer hard drives, forever deleting critical evidence of just what the prisoners did and were capable of doing for years. Klink won after all.

²² See Chapter. VIII of the Treatise on Treason below, section B, and it appears I am the first on in TDCJ history to do an actual analysis of TDCJ employee disciplinaries, for the Open Record request specifically asked for any monthly, quarterly and annual reports and analyses – and there were none! None? Only the excel list! Shame!

department – hmmm? – Brad, *Braaadd*, can you imagine what could have been done with FULL unredacted access to everything and to everyone?

OIG has all it needs here in this Book of Secrets, and routes to more. Yes, OIG can have that entire stack, too. It will be wrapped up for storage before this gets to you.

Yes, there *has been a cover up* for the last six years, and Upshaw and Alford are KEY conspirators!

Polunsky Key to Bogus Success. The *appearance* of success in the Polunsky chapel, that clearly fooled all of Chaplaincy HQ, was Chaplain Collier's dependence upon many violations and three modus operandi that *cannot* be duplicated in any other prison: 1) *volunteers* allowed in the locked building with no staff and up to 40 prisoners, 2) use of MS OneNote computer network, and 3) unsupervised prisoner's running the Computer Control Center, and in a measure, still going on today.

Blind Directors. Director of Chaplains Bill Pierce was hired over ten years ago and Dep. Dir. Michael Rutledge hired recently to be Pierce's post-retirement replacement, both hired under spurious conditions, Marvin Dunbar *knowing* Rutledge had no experience as a prison chaplain. Both have done nothing in the chaplaincy profession, not even joined the American Correctional Chaplaincy Association, the first affiliate of ACA. Pierce adulated Polunsky, signed off on Chaplain Collier's good annual evaluation a month after the exposures, and Rutledge would not know a good department from a cow.

Short Story. Brad, these 700 pages are only the short story, culled from many 1,000s of pages, with photos and recorded testimonies of a dozen people critical to – yes – helping truth to get its boots on and helping to trample traitors' lies and cover ups. That this stack was available also said so many good employees *were doing* their jobs. This is *not* me against TDCJ, oh no, it is a host of fine employees and me against a few knuckleheaded cowards who have gotten lucky, progressed up the ladder, and have control of a corner of the prison system. The following ties into my 15 years of advocacy, some strategies and bureaucratic study skills honed over the last decade as I brought the good work of Chaplaincy to the public. That is, the documents selected for inclusion below are just a few, and often the critical ones.

Conspiracy 401 – Senior Conspiracy Training – Make It Personal

Make It Personal. Brad – I had a couple more years on you in TDCJ, all of it *in prison behind the wire*, and 35 years in the ministry, with a load of psychological training too. You have similar skill in finances, and it should go without saying that you value expertise in security in your wardens. Let me interject the personal, here, as all of this is so very personal to me (and to many others). For the lid is being pulled off a cover up of immense proportions, and – not only my future – the future of many are at stake. And the future of the good and the bad, for the world has been flipped upside down.

Brad, what gives you “significance”? Meaning in life? An “authenticity” that your life means something of value in world affairs? All church-going folks give the canned answer, “God and family.”

Meaning in Life. That is the professional chaplain's domain, most of all, and I'll bet at the end of the day, it is your family that you love with all your heart, and it is your “providing” for them that helps you stay with TDCJ, at least until you have secured your retirement. In the meantime, it is a set of balanced books and a confidence that legal has a handle on all the lawsuits ... and no escapes ... that gives you a sense of “well being” each day. While there are a host of other things I cannot imagine, for the most part, those “other things” are things you can choose – as executive director – to give attention to, or not, for the next “moral value” in your life that also gives you “meaning” is the personal sense of leadership and honor that goes with your directorship of a world-class penal institution. And it is a *goood feeling* to have *good* people working *with* you, and not merely subordinate. Brad, all chaplains know that feeling, too: it is a good meaning-*full* life to lead and share leadership *with* top-notch volunteers and *under* and *with* good wardens.

Staff Chaplain – Credible. That was not a loaded paragraph, and Tab 23 brings this whole Book of Secrets full circle, and right back to “meaning in life” that is the special and honored profession of prison Chaplains.²³ For a chaplain, it is not a set of balanced books or legal affairs that “turns him or her on” or gives him a sense of “well done, thou good and faithful servant.” No sir, but when he sits with a staff or

²³ See Tab 19, Item 6, on the Role of the Prison Chaplain, reflecting their accredited and clinical education.

volunteer or prisoner, riding the wave of grief *with* that man, helping that man stay afloat in his sanity, that bedraggled dog just a dog-paddling for his life as hell has descended upon him – for the chaplain, *knowing* he has helped that man cope, facilitated in that man a sense of “value” to that man’s own broken soul – *that*, Brad, brings meaning to a real Chaplain’s life, next to his family and church.

Empathy. Absolutely critical to that empathy with a fragile soul is honesty, integrity, and professionalism – of which more will be said in Tab 23 – and assuming those as normal skills acquired in high school, a Chaplain also conveys a sense of genuineness and credibility and *respect* that the fragile soul himself *feels* in and emanating from the Chaplain. That is the essence of a good Chaplain in TDCJ.

Policy and Treason. Brad, following policy is the easy part. At Polunsky, we had a whole department *violating most of the policies* with several wardens’ and even the prisoners’ full knowledge. Even many of the senior Volunteer Chaplains knew, given what they saw at other prisons, making Polunsky’s *freedom* all the more “special” and as the volunteers say, “Blessed by God” and – grab this – “How God has worked *through* the wardens” to allow “so much ministry” at Polunsky. God have mercy, but God does not support violations of security policy, nor does God support treason (except like the founding of the USA).

Honor in TDCJ. Either you are a conscious part of the cover up or not. I bet and hope not. Had I not seen so many good years with many of rock-solid integrity, this would not have come about. I have persisted *because* I believe someone will see the truth, the whole booted and laced up truth.

Maness’ Accomplishments Slain. Brad, I was the one publishing statistics on Chaplains for the last 15 years.²⁴ Led the *only* statewide effort to get chaplains their first pay-group raise in 40-plus years in 2001, myself being the key through which another millions dollars was added to the budget, with no help from Carl Jefferies then.²⁵ In 2007, though downplayed by your deputy, I was responsible for getting the 25 additional chaplains funded that were not asked for (see Tab 19, Item 2).²⁶ And I did more work in 2011 than all of the other TDCJ chaplains combined in the 2011 race to get TDCJ Chaplains refunded – myself being the only ready source and the writer for the signal flyer on the Chaplains’ worth.²⁷ So, Brad, the most prolific and credible and resourceful TDCJ Chaplain in TDCJ history, the only staff person directly responsible for nearly \$2 million previously unfunded coming to Chaplaincy via personal lobbying using his own resources – who – three months after writing a 50-page Faith-Based Letter is made a stupid idiot for Sub-Standard Duty for an email saying – what? – some critical things about “church splitting” David Valentine.²⁸ Then I was “fired,” said Warden Hunter, for placing photos on my Facebook page of prisoners putting together Christmas card packages with written permission and signed TDCJ lawyer-created Media Releases.²⁹ And after fighting the bogus disciplinaries, I was sent to Polunsky, took my licks, but then found – what? – *everything* I had been fighting for, for the last 15 years, being sold down the drain as every day nearly every Chaplaincy Policy and most of the security policies were being violated. There was no honesty, integrity, and professionalism – no private area to counsel a hurting prisoner without kicking listening prisoners out of the office. But that was not the worst.

Maness Most Published. Brad – you might not know, but I am also the most published of just about anyone in TDCJ, and I say that less out of boast than to clarify this book as not a new venture. In fact, this book is the *third* 700-page book I have written. The ninth full-length book, not including my doctoral dissertation. I have published 100-plus articles for the Tyler County Booster, including 35 major

²⁴ Bill Pierce just starting a couple of years ago to send hard data to Marvin Dunbar, data never published to the board, except one time, and that on volunteers and *not* on the chaplains who managed the volunteers.

²⁵ See [www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 1 Proposal 2000.pdf](http://www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_1_Proposal_2000.pdf) that won chaplains a raise.

²⁶ See [www.PreciousHeart.net/images/Letter McReynolds.jpg](http://www.PreciousHeart.net/images/Letter_McReynolds.jpg).

²⁷ See [www.PreciousHeart.net/Save Chaplaincy.htm](http://www.PreciousHeart.net/Save_Chaplaincy.htm) and Tab 19, Item 1, and web site of “notices” sent, 100-pages of blow-by-blow, often two to four a week from January through April 2011.

²⁸ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf, and Tab 16, Items 2a-g for Valentine fiasco, and Items 3-6 on disciplinary and grievance.

²⁹ See Tab 17 for bogus dismissal recommendation trail and a larger question: what was I disciplined for? At Polunsky, wardens were doing far worse for years. We’ll never know all, yet we can find out who and how long.

features in my *Message in a Bottle* byline, dozens with front-page coverage.³⁰ And as Managing Editor for Testamentum Imperium for the last seven years I have been responsible for the publication of 200-plus world-class scholars from all over the world, including several university presidents.³¹ What that says, or should say, is that I am truly qualified to write on Chaplaincy, as I am the only one in TDCJ history who has done any real research on it. Why? Writing about this is harder, because so much was and still it at stake for me. In conspiracy language, what motive do I have to lie about anything?

Wardens Cover up. The worst, Brad, was that the wardens *knew* about the violations. When I confronted Chaplain Collier, Warden Simmons (before he retired), tried to see Bryan Collier and Rick Thaler (who were too busy) in July 2012, and when I approached Warden Richard Alford several times – of course most of all of the volunteer chaplains too (no one caring today to even ask which volunteers) – Brad, no one wanted to get supervision for prisoners on computers all day. Moreover, I had encountered *resistance* on most of the things I brought into compliance, and *could not get help for the worst thing of all* – *could not get supervision of prisoners alone in the Prisoners’ Computer Control Center*. And I did nothing about the supply train to the prisoners, for that *was* signed off by the wardens (see Tab 13).

Junk? Brad, looking back, I suppose when you got my 21-page letter on 10-29-12 exposing Polunsky, if you glanced at it, you gave it to Byran or someone and said, “What’s this junk?” I want to believe you looked it. When you sent that 21-page letter off – to whoever – as you must have with the 50-page Faith-Based Housing Letter, I also want to believe that you had the expectation that they would vet it and give an answer. Now, after all, and after two talks with Bryan, the answer is this: nearly everything I did – what? – meant nothing! These were serious concerns. Yet, whoever read them, if anyone read them, the essence of those letters was covered up. No investigation, nothing. After other letters, your staff was satisfied with two IOCs from Richard Alford (Jan. 2013) and William Stephens (Feb. 2013) that were filled with lies. There are things one cannot grieve as an employee, and the affairs here show that the grievance process alone was not sufficient.

Conspiracy 501 – Entering Graduate School Conspiracy – Syllogism Finis = OIG

The End . . . First. Or, as Shakespeare would say . . . with his Baker Street hat on,

“To OIG or not to OIG” has *not* been the question! – instead, it has been “**Hide from OIG!**”

Brad, once you see in the following how hard a few wardens and directors have worked to KEEP OIG out of the picture, well then, you will have graduated from college and entered into your masters level work on conspiracy in this sick drama at Polunsky. Several traitors are dangerously close to your office. Let’s start with the ending, at the very end:

Syllogism Finis: OIG’s Finest Hour

Never has there been a greater effort to avoid an OIG investigation in TDCJ history! . . .

Therefore, never has there been a greater need for an OIG investigation in TDCJ history!³²

Evidence Hoard! I worked steadily for months, realizing several have so effectively lied to you that I had to turn the screws harder to make sure this – this Book of Secrets – was rock solid cogent. We obtained and presented several critical pieces of evidence, and to those we added a *hoard* of evidence from the whole spectrum of TDCJ prison management. Then I topped off that with recorded testimony, photos, and routes to more evidence in a witness list. One question that you, Brad, should ask is this: just *where* is there evidence of Stephens’, Upshaw’s, and Alford’s innocence? Other than the treasonous words coming out of their mouth this last year, what document exculpates them? The two IOCs from Alford and Stephens in

³⁰ See www.PreciousHeart.net/message.

³¹ See www.PreciousHeart.net/ti.

³² Op. cit., fn. 8.

Tab 5a reveal clearly the cover up in the light of the evidence; what they wrote becomes falsification of records, just the tip of the iceberg of infamy here, inextricably tied now between the Polunsky and Lewis Prisons.

Warden Muniz the Pawn of Irony. But also – the reason for this paragraph – Brad, when I faxed you 21-pages on 10-29-12 exposing Polunsky, with my retirement papers all signed, having been forced out because of the Warden Alford’s shenanigans – grab this! – on that day, Warden Muniz wrote a disciplinary for me *not* calling him personally, though I had called in, as I had since coming to Polunsky, and Muniz saying Warden Butcher would handle that disciplinary five days hence on Friday. Still on probation for two disciplinaries, that would have been *another* mandatory dismissal recommendation! I had the privilege of informing Muniz my retirement came effective on Wednesday, the 31st. Muniz was a willing pawn in the cover up, cowardly following orders from Alford and Upshaw without a conscience. I was written up for *not* calling in *while* prisoners were *still* unsupervised in their regularly supplied Computer Control Center that on Friday good ITD Techs would *begin* their largest four-week cleaning of illegitimately procured computers in TDCJ history (Tab 6). Muniz, the pawn of irony, if ever there was.

It is idiotic things like that, when pulled together, make the conspiracy, the cover up and the hide and seek game from OIG so plain to the senses.

Right Sense. Yes, *the* reason I was fired was for that 50-page Faith-Based Letter, that started the process, and then – as I knew how to make a big stink – I was thrown to Polunsky in a hastily crafted ruse, but, though wounded, I still had my sense of “right” and continued to stand for right and – to the end – I am still fighting for “right” amidst the longest cover up in TDCJ history. Let’s cut to the chase.

Treason Five Years Old! Here you have it: 100-plus documents and more, showing clearly that cover up of major security violations goes back at least to 2007 at Polunsky, how justice and equality flew the coop at the Lewis Prison regarding treatment of both me and Vol. Melvin Bell, and Upshaw was center stage. But, hear this, Upshaw was *not* the top director and not the only director involved in the treasonous behavior.

Courage? Running between all of these pages, Brad, you have to know that not everyone is granted courage in this life. For those who have been granted some, it is their duty to stand in the gap for the weaker. For the full significance of this, look at the conclusion in Tab 23 on Character Counting, and see the U.S. Navy’s values of “Honor, Courage, Commitment” as more useful than TDCJ’s honesty, integrity, professionalism today. Not to exclude TDCJ’s, but to look at the moral value of *valuing* “courage” itself in TDCJ. The huge scope of cover up in the following is rooted in a lot of things, but the most important thing is a lack of courage that caused several to set aside their honesty and integrity.

I pray you, too, are man of courage. You just have to be, to make the kind of decisions you make.

Three Traitors and OIG Manipulation. What did happen is that Stephens, Upshaw, and Alford, with others, covered up five years of security violations and covered up my exposure of that for the last year. And, as you will see, if you just scan this intelligently, those three used all their ability in TDCJ to keep the truth from you, using their treasonous ability to downplay and deflower and stain the many things I wrote before that would have demanded an OIG investigation.

Yes, with others, those three crafted and connived well to carefully avoid OIG. They did that to me at the Lewis Prison, and – bank on it – they have manipulated OIG in the past, instead of valuing OIG as a critical part of TDCJ’s checks and balances. So the cover up has gotten worse, now, in that whatever OIG would have found in October 2012 would *not* have been as much or to the depth or scope of what is presented here. So, in a way, as unfortunate as the delay has been, the delay has allowed the creation of this monster, as only an experienced TDCJ Chaplain with gobs of security training can provide, and also who had been *researching* for years, too, knowing how and what questions to ask. Because of TDCJ’s mainframe access, while a Chaplain, I had read a lot of policies of most of the other departments, too, on Infopac, something very few others did. So the delay has truly allowed a greater exposure of those three’s cover up, and more, a greater exposure of the depth, as well as – hear this – discern a few questions and discern a few mysteries that remain mysteries that *only* OIG can solve.

OIG Assumed. I am not manipulating OIG. Or anyone. I got into trouble for *defending* TDCJ’s *mission* in good faith. In fact, I so much *assumed* OIG would get involved after my 21-page letter to you,



Brad, in October 2012, that I lay low, to avoid interference with OIG to give all a good chance to vet and verify, and then call me. But no one called. Not much gratitude there and zero compassion.

Hence, I wrote more letters, at critical stages, still content to rehire, another story for another book.

No Game. I desire justice and equality, and truly expect it, though I am weary. This is no play game. There is no play slide in front of your office, though some have been playing very dangerous games with their careers, and ruining the careers of others.

For my innocence, honor and for others, I fight on.

Work. Some have tried very hard to undermine my credibility, and that is terrible, so I prayed and prayed, and asked God to release me from writing anything else. God would *not* let me go. I am surprised that they succeeded in keeping OIG from investigating. The very fact that *no one* has bothered to even call a single volunteer or staffer on my previous letters should say volumes – *does* say volumes. So I worked much, much harder, putting together this Book of Secrets on Polunsky's Chaplaincy, defending to the end the values Texas constituted and that TDCJ has written as mission critical.

Nitpicking? – Not me, not truly. At Polunsky, I liked the way Chaplain Collier had the prisoners handling all the religious property and did not touch that major violation until after an audit was on the way, and *after* my eyes were opened to the multitude of more serious violations going on – unsupervised prisoners in the dark, which I will hammer from every conceivable direction. And I pray that OIG finds 1,000 more ways to hammer that utterly insane happening that the good Volunteers were *allowed* to praise God for, for years – a shame to God's kingdom and a shame to TDCJ's history.

Honor – Redemptive Chaplains. Truth, equality, justice, integrity, honor – many of us try the *best* we can to pull ourselves up each morning by the highest ideals.³³ In-prison staff chaplains try their hardest to be the most redemptive and honest of all. Somehow, I just must believe you a man of honor, Brad, I just must, believing others have simply lied to you, or I would have seen you sooner. No one could concoct or pull out a hat the following. See the TDCJ *documents*, only a portion of the whole truth, desperately in need of TDCJ's OIG to solve the mysteries that remain. Security is job one!

Confidences. Brad, chaplains are the caretakers of confidences, more than most. While TDCJ strives to be an open agency, even per the Governor's orders, we all know the importance of confidences, and you *must* know that after 20 years of listening, I hold many confidences in my heart that will never make it here. Yet, there is a vast difference between holding a non-security confidence and keeping security violations secret. Also, it is this issue of confidences that made my work all the harder, Brad – gosh, I wish you could see this – for I am *not* a trained investigator. I have known several, and could probably play act like one for a couple of hours, but I am not one. That made so much of this kind of writing all the harder, and getting those interviews recorded was the hardest of all.

This is the most important work I have done on Professional Prison Chaplaincy, not the one I desired to do, but *had* to do. I've rewritten these first pages dozens of times, aware that this may be the very last time to you, the last chance for me to win your support against those who have covered up for years.

Murder on Death Row? – Two State Secrets! Did *murder* take place at the Polunsky prison? Unless you, too, are a conscious part of the cover up of years of verified violations of security, something happened, Brad, something I cannot discern. This Book of Secrets reveals many secrets, the clearest secret revealed being that the longest cover up of security violations occurred between 2007-2012 at Polunsky by wardens and directors. Even Director C. F. Hazlewood held his church services at Polunsky and “looked away” from prisoners in the dark *while* he preached to the prisoners, the Computer Control Center prisoners recording him while he could not see them. And the cover up continues, too, with a sad traitorous passion to today, Jan. 1, 2014. But the greatest is still a **First Great State Secret**: how did Chaplain David Collier enchant so many wardens and directors for the last seven years, so that the wardens *looked the other way* from multiple security violations every day for five years? Next to that secret, the **Secondary State**

³³ For a bibliography on books on “character,” see www.PreciousHeart.net/fm/FMbib_Character.htm; for a list of 30 *lists* of character traits from organizations, see www.PreciousHeart.net/fm/Character.pdf, 18 pages with internet links to the major organizations; and for the premier organization devoted to “Character Counts” see www.JosephsonInstitute.org and its www.CharacterCounts.org.

Secret: who was the highest ranking TDCJ official who *knew* about the Polunsky violations for years prior to July 2012 and *did nothing about them*? **What is the reason?** At this point, it is clear that William Stephens, Michael Upshaw, Richard Alford (among others) want desperately to keep secret the “reason” for Chaplain Collier’s enchantment! Brad, from this monster, there is *no question* left – yes – multiple security violations happened every single day for five years, the worst of which was unsupervised prisoners in their Computer Control Center in the dark with cameras and printers and endless supply train from a secret accounting system totally independent of any accountability or normal reporting schedules.³⁴ **What is the reason?**



We need OIG’s best Sherlock Holmes on this!

Da Plan. I’ll start with *da facts* as I see them now, then ease into the close of this pre-letter, paving the way for the rest of this Book of Secrets – all a *personal* letter to you.

Da Facts. Brad, hear this: Upshaw and Alford have lied and covered up for years now, conspired with someone higher, and with Timothy Simmons before he retired (likely with Thaler too), counting in part upon the “friendship” Simmons and I had developed in Woodville about 15 years ago. Simmons *used* that, a deep personal betrayal, but not the worst betrayal. The worst betrayal was *how* Simmons, Alford, and Upshaw betrayed TDCJ, betrayed the chaplaincy, and betrayed all of the Polunsky employees and volunteers, and then also betrayed you, Brad. *Da facts* are now clear.

Texas Constitution Violated. When an agent of the state betrays his duty to justice and equality and to the truth, they violate many policies at once, and at that same time such betrayal is not specifically “coded” as a violation in the personnel directives – why? – because Texas and TDCJ have presumed no one would stoop so low. Brad, in other words, here are moral violations of a magnitude not yet specifically coded, but still “coded” in the Texas Constitution and in every personnel directive.³⁵ Oh yes, not merely the law, but the very Bill of Rights in the Texas Constitution, the foundation for all law in Texas, was violated, along with every personnel directive with the words “fair,” “equal,” and “zero tolerance for discrimination” have been violated below by Senior Wardens and Division Directors!

Conspiracy 601 – 2nd Year Graduate School, Semester 1 – Stab the Victim’s BACK

Feel? How can I make what I *feel* clear? I am not a lawyer, and it would be an additional moral crime to attempt the legal language that totally eviscerates the “personal.” Yet, I shall *not* keep the pain of such betrayal a state secret. While hard for both of us to grasp, Brad, it is part of employee attrition.

Felony? While it still remains to be seen if an actual felony or heinous felony was committed, and still remains to be discovered the mysterious reason for the cover up, the actions by Alford and Upshaw, et al, were close to criminal violations. While exceedingly difficult to *specifically and legally* indict Alford and Upshaw for violating the highest ideals of Texas’ beloved Constitution, the documents herein will show violations of TDCJ policy and cover up that do in fact violate the Texas Constitution.

³⁴ See Tab 12 on the Money Train, etc.

³⁵ See TAB 22, for the **Summary of Texas’ TDCJ High Ideals on Justice and Equality**, sold wholesale at Polunsky to cover up years of security violations for reasons yet to be determined, the most Critically Important mystery being how Chaplain Collier enchanted so many wardens and directors for years. In sum, see Article 1, section 3 on equality, section 8 on libel, section 22 on treason; Title 4, chapter 73 on libel especially impeaching a person’s “honesty, integrity, virtue, or reputation”; PD-01 intro on “fair to all”; PD-12 on EEO’s *general* words of “treated fairly and equitably” and “free of all forms” of discrimination, not merely those specified in protected classes; PD-22’s clear reference to “highest standard of conduct” before the rules and zero tolerance for all forms of “retaliation”; PD-23 encourages employees to exercise their “rights and responsibilities as a citizen” specifying the “political process” and in no manner excluding another “rights” like an employee *writing* the TDCJ director or any other in the state about honest ethical concerns affecting tax-payer institutions; PD-32 “prohibits retaliation against” me for reporting a “violation of the lay by TDCJ” to authorities, especially in “good faith,” a directive filled with things affecting me in subtle ways; PD-79 repeats the “zero tolerance for all forms of employment discrimination”; and Gov. Code 556.007 on Termination of Employment provides for – what? – immediate *termination* of *any* employee who causes another employee – like me, Maness – to be “discharged, demoted, or otherwise discriminated against for providing,” hear this, “public information” (the latter under 556.006(b)).

Keep Your Job? Until the final report is done with OIG's help and with the full reasons for the vast cover up are laid out plain for all to see, we still have violations of TDCJ policy, and, worse, violations of human trust right here that need addressing by your office, Brad. If you fail to address them, I would like to ask the TBCJ for a vote of no confidence in you, and your replacement – that's how I *feel*, but I know the TBCJ will not agenda such a request. Just know this, I am praying all the way, for two things, 1) that I be consistent in the pursuit of justice and equality, as I have for the last 15 years, and 2) for the quickest way to end my part in this. I sent a couple of things to Oliver Bell, and he has not responded. No chairman coin for me yet. I also realize I might appear to be an ant scratching, alone, and nothing will ever come of this.

Still, right is right, and at the end of my days, I will be able to say, "I did my best" and did the lion's share of the work, that should have been done by your staff.

Pain Worse in the Weak. How can I make what I *feel* clear? Yet, I am forwarding *chaplaincy* and have boundaries that, at times, force me to use words that – to me – appear too weak to get to the depth quickly. So hurt. And not just me, but others like me, only without as pesky a pen and often without the ability to research like this. My pain in the following 700-plus pages is *smaller* than the pain experienced in those less able. Yes, my pain is *smaller* than that experienced by the *weaker* employees. Wardens with big heads and small hearts threw *others* under bus of their upwardly mobile careers paved by the blood of those they ran over in dishonor. **PAIN – Brad, you better feel it, or resign.**

Stabbed in the Back. Simmons, Alford, Upshaw (et al) played on my loyalty, screwed with my career, counted on my trust in them as they stabbed me in back, and all the while they refused to help me get supervision for *their* prisoners in the *unsupervised* prisoners' Computer Control Center in the dark. Then, as the rest of the *documents* came in, their nasty behavior got clearer and clearer. Upshaw and Alford lied and ran like cowards from their sworn duty for at least the last six years. At the height of their traitorous cesspool of treason – *what?* – they connived to blame me, Maness, who was trying to help, for God's sake. No IOC was written for that; Judas tried to cover his tracks. For years, they watched with their veteran eyes *clearly* the most policy-violating chaplaincy department in the history of TDCJ, even in the history of the U.S.A.! As their nasty behavior continued through October 2012 – I was *forced* to leave when their treason manifested – and to the rest of 2012 Upshaw and Alford and Stephens conspired to further cover up my exposures and minimize the seriousness of all. See Tab 22 on libel, as Alford and Stephens were *not* subtle in their IOC as they made me out a dupe (Tab 5a) while *very subtly* crafting a cover up. **They lied to make me a liar!**

Silken Sheet over Livingston's Eyes – Stabbing YOU, too, in the Back. In snail-dung insurgencies Alford, Upshaw and Stephens *crafted* their dialogue to you, Brad, to place a silken sheet over your eyes, leading you to see themselves as angels, me as a dupe, and to *prevent* OIG from coming down and uncovering their pigsty playpen. Brad, they stabbed you, too, in the back.

Stabbed OIG in the Back, too. You have it here – in collusion with Upshaw and Stephens, poor wee Alford crafted his fateful January 2013 IOC (Tab 5a, Item 3). Someone had to *write* something after all my letters, and Alford was the first, poor Alford, who had to falsify in writing. Like a flea-bitten TDCJ tracking animal, Stephens presented his slobbering IOC in February 2013 (Item 4). Yes, **falsification of a state record** to avoid any speck of language that would merit an OIG investigation, by two men with enough experience to *know you*, Brad, and to also *know* OIG, and to know what would flag or turn the key to a real OIG investigation and undress their cover up of five years of major security violations in the Polunsky chapel.

A Better Dog. Brad, what do you call that? These human beings slandered my name, cut up my hard work of 20 years, minimized my hard work at Polunsky, and then in cowardly betrayal of TDCJ's best principles made mud of my letters to you. I have a better dog.

How do our law officers keep after these kinds of persons? Bless them.

Spurious Promotions! What? Alford, Upshaw, and Stephens were promoted *shortly after* my 21-page exposure to you, Bryan Collier and Rick Thaler. Hmmm? Painful to watch. But not nearly as painful and degrading as those *other* employees feel, who were likewise treated, but who could not provide you



with five letters, ignored, and who could not persevere and produce this monster. We really need OIG to find the answers to the mysteries that remain here.

Assassination. My career and character in TDCJ were assassinated for expressing to you, Brad, reasonable concerns regarding ethics and best practices. Pretty simple. No one was so stupid to leave any proof of that, except what I had expressed to Bryan Collier in my January 3, 2012, letter (Tab 16, Item 4), regarding Marvin Dunbar's humiliation of my 50-page Faith-Based Housing Letter (Tab 20). Irrespective of Dunbar, though, I seriously doubt he had a big conscious part in the larger interwoven conspiracy. Like your Deputy Bryan Collier, Dunbar was either *wittingly* or *unwittingly* pulled into the cover up at Polunsky. Both Collier and Dunbar *are still* covering up the seriousness, *wittingly*, at least to the degree of denying the five-year length and refusing to do basic police work. The first disciplinarys will be dealt with much later, as minor as they were, and their role in the wholesale cover up at Polunsky.

Falsely Accused! Brad, in my third disciplinary, Warden Bill Lewis officially *falsely accused* me of an inappropriate relationship, the most odious thing imaginable, not just spurious behavior by Lewis, but sycophantically parasitic behavior – cowardly selling his honor for his warden's chair, instead of shooting straight. Moreover, Warden Hunter's relief from that false accusation does not *erase* the stain. Hunter's recommended for dismissal was an ugly capstone (Tab 17, esp. Item 9b).

Brad, do not let this go. Your legacy is woven in this, too, for God sees.

Taking My Licks. That was bad enough, and I fought my three disciplinarys, took my licks and prepared to live the rest of my time in TDCJ, accordingly, at Polunsky. My views and justifications meant *nothing*. That is life. I did all I could *within* TDCJ's policy, as an employee, knowing it was unfair, but – yeah – there was nothing else to do, and there was no Federal case (I checked that out, too). So, Brad, I took my licks, still loving my profession and loving my previous 20 years in TDCJ. Now then, had things been truly fair and equal – Brad, hear this – then Polunsky would have been okay until I got back to Woodville or was ready to retire.

Conspiracy 601 – 2nd Year Graduate School, Semester 2 – Links to Inequality

But my *false* accusation was more, and the dismissal and previous disciplinarys were much more. Not immediately and not at first (wittingly or unwittingly connected to Madeline Ortiz), but at some juncture, through Upshaw and Simmons especially, the dismissal and disciplinarys became a part of the much larger plan to dishonorable **link** me to Polunsky's fiasco in many ways. Oh, that was impossible for me to see in July 2012, but, as you know, I have not ceased to dig and scratch and ask for every conceivable item related to Polunsky. Oh, it takes concrete evidence to call a "conspiracy," and so I have backed up a ten-ton truck load on their **conspiracy to hide their own violations!** As a bonus, I give you Upshaw's "orders" for TDCJ's ITD Techs to **erase critical evidence** in Tab 6.

Inequality's Hydra Head. Polunsky was *not normal*, and inequality rose its ugly hydra head, a good portion of the documentation below. Warden Muniz very clearly supported Chaplain Collier, told me so a dozen times by his words and actions – Collier hung the moon. Many staff and departments had trouble with Collier, and any sergeant or lieutenant that cast an awkward glance at the chapel nonsense was maligned by Collier and his only a couple of Volunteer Chaplains (not all), to my embarrassment and not challenged enough – even before the prisoners! Choke, choke, cough. All the while, a *host* of wardens committed far, far worse violations in *allowing* that than I had been accused of. Equality – nada!

Others Drawn. Alford and Upshaw are keys. Woven through all, others were drawn into the nefarious cover ups in three lesser roles at least: 1) in submitting collusion with the warden, promotions the carrot stick, 2) in patsy roles in the cover up, more unwitting than not, and 3) under intimidation to stall careers or demotion for trying to keep their integrity.

Polunsky Special. Polunsky was *very special* from day one in mid-May 2012 when I arrived. But by mid-June I was seeing things *every day* that were clear violations of policy. In July, my job and integrity demanded I either begin to compromise my principles and degrade my loyalty to TDCJ's mission and policies, and remain **silent!**, or **defend policy!** Brad, "SILENCE" about security risks is not my nature! I

did my job at Polunsky and eventually told everyone my concerns, and you have five shorter letters on that.³⁶ And without repeating a lot in those letter, the more cogent story is here.

Book of Secrets and Assassination Revealed. Brad, how do I get your attention today? The title of this Book of Secrets is *not* sensational, but the heart of this personal letter to you. Your integrity will be a part of this for all eternity, even if I am not granted a toothpick of relief. God knows. Though my life be taken, yes, even a contract for my assassination or hospitalization issued by Upshaw and Alford, et al, I shall not live the rest of my short life *holding* this experience back. I can see a few grins, when you mention that around your inner-sanctum conference table, with this book's cover hidden. Yet – try this Brad – look at their faces when you hold this up. I'd like to be fly on the wall there. And you can see the “assassination contracts” brewing in Upshaw's eyes, assassination revealed, and Alford swallowing his Adam's apple. Humans being of the low caliber I am describing here cannot fully hide *who* they have been the last decade.

Conspiracy 701 – 3rd Year Graduate School, Semester 1 – Number the Violations

I could *not* see it at first, but – today in January 2014 – I found out that *wardens* were violating worse policies than I had been charged with, and many times. Can we count them? I mentioned “counting” them in my four-page outline to your Deputy Bryan Collier on June 18, 2013 (Tab 1, Item 3), but Collier did not care. Equality did not matter. Upshaw and Alford violated many written policies, with a cumulative total of 2,754 violations, if we include *failure* to report and count the daily repeats, just an estimate on my part. If you, sir, will seriously thumb through this, you will see TDCJ *documents* that your legal department saw *first* before forwarding to me what the respondent department sent. So there is a big box in your legal department with “Michael Maness” written on it, filled with violations at Polunsky. Great backup of cover up! *Documented* proof that Upshaw and Alford (including the lucky retirees of Simmons and most likely Thaler too) committed 1,000s of violations and – *hello America* – documents that *document* a cover up for years. And photos. Videos. And honestly recorded testimony. So much, that anyone *denying* the years of cover up is dirty traitor, too. Conspiracy 201 – *certified!*

No Code? No TDCJ code for “cover up” *being* a policy violation? Hah, I'll bet you'll write one!

Substandard Duty – oh, *please*, that doesn't cover the cover up infamy *here*. No slap the wrist *here*.

Suspicious Early – Thanks Dad! What *could* I do? Brad, if I had *not* become suspicious when I did, no telling what would have happened. Had I *not* become suspicious *early*, until *after* Simmons retired – oh, you have to read the previous letters.³⁷ But as the load of violations came into view in late June of 2012, my eyes opened increasingly through July. See what shall be detailed. I was *not* there because of a fair and equal process, but – God as my witness – I was placed at Polunsky to be another patsy and aid the wardens and Upshaw in their cover up of years of violations of a magnitude *impossible* for me to conceive in July 2012. Still, I held my ground while wounded. That's my Purple Heart and Silver Star, Brad, the more I look back, the prouder and humbler and more in debt to my father and more in debt to many good mentors I have become.

Of course, if you, Brad, cannot see the 2,754 violations, approximately, then you have made to through your first semester of your last year in Conspiracy 701. Without *seeing* and *believing* what you are seeing here – a multitude of *crazy-as-a-loon* major security violations for years – go ahead and close this Book of Secrets and send back. They have succeeded and I have failed. It is not only the years, but it is also the *multitude* of repeated violations of security.

Brad, I held my ground, alone most of the time. My last months in TDCJ being hell on the soul, and after, hoping upon hope with each letter help would come down from the mountain top.

I am still alone.

³⁶ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf, all totally ignored and covered up, including TAB 1, Item 6, and the full text of the 21-page 10-29-12 letter to Livingston, et al.

³⁷ Ibid.

Conspiracy 701 – 3rd Year Graduate School, Semester 2 – Debriefing Defectors.

Debriefing Defectors. Brad, try reading a John le Carré novel.³⁸ I know, *who is that?* you might be thinking, and what does a best-selling spy novelist have to do with this? Well, being that so few read anything, I am not surprised, but I am thinking better of the top man. Conspiracy is something all of us who work with prisoners for years are *very* familiar with, for, prisoner mental illnesses aside, some kind of conspiracy in gangs or simply called “politics” is always afoot, “elementary my dear Watson,” Sherlock Holmes would say. Herein, this book had to be a monster 700-plus pages in order to clarify with an overabundance. It would take more than a couple of “oops” to justify a real conspiracy. Herein is a load of proof and, yes, routes to more in Tab 3 with the **30 witnesses** and what they can provide, too. The depth of the evidence reveals not only years of cover up, but an extensive network and watershed that leads *from* Upshaw and Alford and, now, Stephens, as they led others in traitorous behavior to . . . however hard OIG wants to work. This going back years, and without a quick confession and debriefing – like a foreign spy defecting – the worth of the defector resides in the *amount* of information that defector will share, including those he promoted for compromising and demoted for not compromising.



Who will take this to the next level? It’ll be a better law officer than I will ever be.

How Many Violations? Yet to be determined, only OIG’s Sherlock Holmes will find out how Chaplain Collier enchanted them and got from them Secret Service protection, while other chaplains and staff were clearly, extensively, and repeatedly unfairly *discriminated* against for lesser violations while Chaplain Collier got *favored* discrimination (at term going both ways) for services or silence or – gosh this is simple – or for Collier’s simple ability in enchantment. For, Brad, the most basic element in this masters-level Conspiracy 701 is this: there is no question whatsoever that there were 1,000s of violations for five-plus years *before* July 2012, in – I repeat – documents, photos, recorded testimony, and routes to others with first-hand knowledge, and – Brad, wrap yourself around this – they have been covered up for years, and my exposure of that *prior* to this Book of Secrets for this last year has been covered up.

Conspiracy 701 – the Masters Thesis – Identify What’s Missing.

Conspiracy Proven Eight Times Over: 1) in the indisputable cover up of 1,000s of violations for years, 2) doubly proven with the extension of that cover up for over a year now after my first exposures, 3) triply proven by the IOCs from Alford and Stephens totally conniving, 4) quadruply proven with the degree of the TDCJ’s ITD Techs fix, 5) quintuply proven in Upshaw’s *cover up* and nasty *erasure* of the prisoners’ hard drives with terabytes of whatever the prisoners did and were capable of doing, 6) sextuply proven in – with their vast experience – failing to identify the protection of Chaplain Collier or failing to help Collier, 7) septuply proven in their failure to be honest with the executive director, and 8) octuply proven in just how much work it took to bring this Conspiracy 501 to light.

Upshaw Erased the Evidence! Need I say more? I should not have too. But, Brad, if you have learned anything at all about this conspiracy, then you must know this: never turn in the first draft of your thesis. Work it, rework it. Let it cool. Then rework it again. So, listen closely, Brad, you who have *not* spent any significant time on the ocean sailing, proverbially speaking – meaning no significant time *in prison supervising staff and prisoners*. Listen to this – Division Director Michael Upshaw erased, deleted, threw into oblivion, that is, he caused to be burned and deleted from memory and removed forever and ever ALL the TERABYTES of evidence from the hard drives of what the prisoners **did** and were **capable** of doing. Guilty! The ITD Techs, like yourself, might not have known better. But not a seasoned promoted-ex-warden like Upshaw. Think about it. I have.

I Made Copies – Upshaw Erased! Only my experience saved me – in the eyes of God and honorable men – and then ... well ... look here. Had I *not* become suspicious, and *not* made copies of a few documents and copies of that OneNote database with some photos and videos made by the prisoners,

³⁸ See www.JohnleCarre.com.

even Open Records requests would not have gotten me this far.³⁹ You see, after my 10-29-12 exposure, faxed to you, Brad, just a couple of week later, Upshaw had all of the prisoners' hard drives **erased** before any real analysis. Upshaw was then Region 1 Director, with vast experience, and of all the people, he knew – in fact, it is impossible to believe he did *not* know what he was doing. And, if Upshaw was simply, lazily, yawningly with little concern simply ordering the *erasure* – instead of an intentional cover up – then we have a dangerously thoughtless Region Director recently promoted to *Division* Director. Someone that *cannot* see value in finding out what was on the *prisoners'* hard drives is just a single moral hair above the conspirator who knew and purposely erased evidence of the prisoners' guilt or innocence in whatever the prisoners were illegally doing for five-plus years alone in the dark. That should be enough to raise a **Critically Important** question ... a question like this: will justice and equality win? We shall see. Rogue chaplain, *they say*, made *copies* of violations. Upshaw, with his experience and in his position, **erased** evidence, huge *stores* of evidence of what the prisoners **did**, how **long** they did it, and what they were **capable** of doing! Ah, dah! So, yes, Upshaw, together with Alford and Stephens, covered up huge stores of data, to purposely hide what the prisoners did for *years*. Makes me vomit.

Words fail me. My Christian faith prohibits much. Snail dung seems too clean a metaphor.

The 701 Graduate Thesis is determined what has been erased and what's missing, and we are going to show you a lot that is clearly *missing* that should *not* be missing, a lot that is *mysterious* that should *not* be mysterious, and a lot *absent* that should *not* be absent. Yet, despite all my work here, again, and we shall repeat strategically throughout, we will also identify a couple of mysteries that *only* OIG's Sherlock Holmes will be able to solve, and pray he does solve them, for TDCJ's honor.

Conspiracy Masters Graduation – When Others Are More Important than Self.

Others – Have Mercy. Just as I was putting together the final touches on this, and as I have and will point out again, I began to think of other employees totally unable to persist with so many letters, much less to present a monster like this. On this case, there is no one in Texas who could write this, Brad, none, not even the totality of the RPD; worse, your Chaplaincy “managers” have not even tried! There are several employees who have suffered *knowing* they were accused of super-small things *while* they watched others do *worse* things without any charges, and some, like myself, watch their very accusers doing *worse* things. Brad, this is made all the worse for how hard I have had to work, and worse still in how hard those accused have likewise worked *hard* in their treason to cover up.

Short Some. Brad, listen to this: if I waited until I got all I could get, this would have taken another six months. Like with the posting and applications for the Deputy Director of Chaplains position? Why has that taken six months? No reason for that. I apologize I could not give you everything, as about half a dozen things are still coming. Still, the resolutions to some mysteries *only* OIG can find out. Brad, I could write another book about my pain, alone, and another book about *how* this was written. And because of this, sir, I would encourage you to re-look at the lawsuit filed by your ex-public relations director, **Michelle Lyons Carman**. She and I might be the *only* ones truly fighting the crooks. Like me too, perhaps, the wrongs done to her were covered up and the “cover up” made to look like something else to you. Fortunately for me, I do have witnesses and documents galore, regarding *my* truth, and recorded testimony.

Imagine what I could have done in November 2012 with the TDCJ ITD Techs and a *real* inventory of what the Polunsky chapel Prisoners' Computer Control Center produced and were capable of producing? Imagine what I could have done if I, an untrained police interrogator, had full access to interview employees? And prisoners? And records?

³⁹ Funny – I got photos and videos by a fluke of fortune, for I made a copy of the MS OneNote database for the documents in it and to share with Warden Muniz, who would not see me on it, and then to Bryan Collier and Rick Thaler, to show them how the *prisoners* were actually running the chaplaincy department. Many of the documents are scattered throughout the Tabs, and that very OneNote database was also sent to Livingston and Collier with the 21-page letter on Oct. 29, 2012. Only after being snubbed for that letter and beginning to undertake my own investigation did I truly get farther into that OneNote database and the My Documents folder I had copied. Low and behold, the prisoners had placed a *few* of their terabytes in these folders. How exciting. And this also proves the epic nature of the *non*-supervision of the prisoners, for no one – no staff or volunteer chaplain – *no one* knew what the prisoners were doing or where they were putting everything on their several hard drives.

But, shoot fire, Chaplaincy HQ has not even asked me for which Polunsky Volunteer Chaplains were for and which were against the prisoners in the dark. That is, Dunbar, Pierce, and Alford did not *care* who did and did not support prisoners violating policy every day for years. Doesn't that just make you sick, too? It should. Treasonous behavior is sickening to all honorable people.

Pain in Many. The pain of having your *good* turned to *bad* by those doing *worse* – oh, that hurts. And hurts worse, when those doing worse get away with it for years. And must hurt even more for those employees *unable* to write like the wind or file lawsuits. And if you read this, Brad, it must also hurt you that *you* were lied to for so long by so many so high in TDCJ that should have been the most honest of all.

Summary. This pre-letter prepares and challenges you to take seriously the rest of the Book of Secrets, all of which is a single letter in three parts to you, because all of this is *not* business as usual and is so very personal to me and other TDCJ employees and volunteers who have suffered under unscrupulous wardens, the third part containing CDs with more evidence to both the truth and scope of what took place. And, as I will repeat, if to me – the most prolific in TDCJ history – then you, sir, *must know* it has happened to others. Only God knows how many and for how long – help us Sherlock!

Six YEARS of Cover Up. In the following, Brad, you must know that the easiest thing to see is that the cover up has been going on for **SIX YEARS**, at least, and if you can wrap your head around that, and settle your trunk upon that, then the rest of this will be easier to handle, even become intriguing, like the unfolding of a WWII spy novel (one of my favorite kinds of reads, one can learn a lot from history). Among a host of violations, here is the thing Upshaw and Alford, et al, have been covering up: computers, cameras, printers, and a supply train of ink, CDs, paper, and electrical parts were given to

Life-Sentenced Murderers Unsupervised Every Day in the DARK for YEARS,⁴⁰

yes, and for at least the last six years. But, do you know what? We do not even *know* how long! How sick is that? Pretty damn sick. Just how *little* is expected when it comes to security?

The 2010 Serious Incident Review on the Polunsky escape begins to look like an *attempt* to say as *little as possible*, or say just barely enough to cover bases; given what is here, I suspect there is more to that report (TAB 10, Item 9 – perhaps worthy of reopening). And here is the worst: Chaplain Collier and lead Vol. Chaplains “trusted” the prisoners 100% to be holy, never doing a thing wrong for *years* – as Collier and *all* the volunteers praised the wardens for “God’s work.” Every volunteer and security staffer *knew* that it all was with the

wardens’ permission and protection for six years

and not merely when I informed Warden Alford during my grievance hearing in October 2012, about which Alford *lied* about (Tab 5a, Item 3). And my exposure of that lie, and exposure of this, too, that – yes, sir – all of Polunsky and the volunteers *knew* of the wardens’ permission for years, and that “permission” was also covered up. By who? – Michael Upshaw *and* William Stephens (Thaler, too?).

Livingston Liability – Truth about “Thats” and Lies! Brad, with that kind of cover up and line of false communication, you, sir, expose *yourself* to all kinds of liability, not just TDCJ. And if they – whoever all of “they” are, and however long “they” were lying to your office – if *they* will do that for that long about **that**, just imagine all of the “**thats**” that they have tweaked just for your ears, tickling your ears with what they want you to hear, or what they think you *should* hear, instead of the God’s honest truth, like I have been giving. Leading the director on – you, Brad – instead of doing the hard work, like I did in that 50-page Faith-Based Letter, they lie and manipulate your office, so *you* will do what they want, instead of allowing you to do *your* job. It is your job, Brad, to weigh in the balance data presented as objectively as possible, as the top agent responsible, for you to make decisions. Which cannot effectively happen if you have lying and conniving within *your* executive circle. And, to be funny and deadly serious, too – that’s *that*! So, forgive me, whatcha going to do about those *thats*?

⁴⁰ As will be pointed, the two lead lifers were Ramy Hozaifeh 0705004 (Capital Murder) and Gilbert Cavasos 0740176 (Murder), and they were the Computer Control Center “directors,” who worked endlessly on the computers, revising configurations, splicing cables, ad infinitum, yet, there were five SSIs who had regular access.

Loyalty to the Home Front

Loyalty. An honest line of communication – you expect, need and demand it. Loyalty will give *that* to you, as straight as a man or woman can, with whatever “expert advice” they might have. In loyalty to Texas and TDCJ, true respect for you and your office, he will give you the straight scoop. Traitors lack respect and loyalty, and pretend what they give is straight, when it is as crooked as a snake.

Integrity. Now, if they *did* tell you about this going on for six years, and you have allowed me to believe through your Deputy Collier that all is well, regardless – then you and I have a problem, and that is a bird of another color. I suppose you can grant immunity to all those involved, and it is clear Allan Polunsky and Oliver Bell will support whatever you do, their silence contributing. If you did know – that would be nice to know, so I can rest with your integrity not being worth spit. But I believe you honest, and so I spent another 1,000 hours pulling from everywhere because I believe in *your* integrity, Brad.

OIG. Now – don’t you, too, want OIG’s very best Sherlock Holmes and team to tackle those *thats* and all of this? I do. I really, really do want to know how Chaplain Collier enchanted so many wardens and directors. And I would like their Dirty Harry Callahan to put the screws on a few, too, to let them know who is really running TDCJ.

Today. Here is where we are today: with multiple pieces of concrete evidence, the longest cover up of security violations in TDCJ history at the Polunsky Prison goes back at least six years to the hiring of Chaplain David Collier in 2006. Of late, William Stephens, Michael Upshaw, and Richard Alford, among others, have covered up my signal and persistent role in exposing them, and that was the reason I was forced to retire early. Believe it – Upshaw’s center role in this weaves through all of my disciplinaries at the Lewis Prison, too. There is no question about that.

Polunsky! Brad, of all the prisons in TDCJ, this was Polunsky, Death Row, the highest profile prison in the history of the world today! With the most security violations in TDCJ history and the longest cover up in TDCJ history? And where they have a million-dollar array of security cameras!

Bean Counter Language. No, this was not the creative Gib Lewis warden who wiggled a requisition to fix the ice cream machine: when budget rejected and would not replace the part to fix the ice cream machine, the warden re-sent the requisition for a “building AC part,” and got the ice cream machine fixed that way – to all of us staffers’ joy. What a warden! In bean counter language, this was not the kind of favor where seven pinto beans of privilege and protection were given to Chaplain Collier and Warden Alford by Reg. 1 Director Michael Upshaw, and I was given only four beans. No, it was *not* a six-to-four bean ratio of favor: they received a semi-trailer full, and I had to hunt for my own bean.

Senator Whitmire! Aren’t you tired of hearing his name? Yet, look! Polunsky – yes, Brad, that means they were covering up a *host* of security violations **before** the cell-phone fiasco regarding Death Row prisoner Richard Tabler who threatened Whitmire in 2008 and **before** the escape attempt in 2010 and – worst of all – covered up the security violations **during all of the investigation** of those. Did you know that? I began my exposure in July 2012, had to leave in October, and they are still covering up.

The Set Up – Up Set. Of all things, the wardens and directors did not want a chaplain exposing them; few things are more shameful for egotistical wardens, especially Richard Alford and Michael Upshaw. Then, it got worse for them, the very Chaplain Maness they *sent* to Polunsky to take the fall for their beloved and enchanted Chaplain Collier – what? – their Set Up was *Up Set*. And by a chaplain! They cannot stand that, and *hate* is too small a word. No honor. Before they could *continue* their cover up and *move* Collier – oooooops – Maness **up set** their plans by doing what Maness had done for the last 15 years and **stood up for the right**, even going to Huntsville to shove my disciplinaries down Bryan Collier’s and Rick Thaler’s throats (figuratively speaking). What I had been disciplined for was *nothing*, less than nothing, compared to what was going on at Polunsky.

Fighting Beasts. As I feared that set up in July 2012, I took some notes, copied info to my flash drive, and even made some pivotal mainframe emails that I also copied. But, Brad, hear this. I am just human. I fought with beasts in my heart; I also *fought* my fear of a set up, too, *not* wanting to believe wardens could be such dishonorable wretches. *I could not believe.* Yet, Warden Alford proved his worthlessness with every interaction in September and October: it became crystal clear I was being set up.



The *only* way to retain as much credibility as possible as their defamation preceded *inside* TDCJ was to retire before another dismissal recommendation could be contrived.



The mission of the Texas Department of Criminal Justice is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime



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V. Save Chaplaincy from Its Present Course of Ruination

Chaplaincy Ruination 101 – Ignorance Promoted. And I just barely succeeded in the above, as Warden Muniz wrote me up for not calling him personally for taking off – when? – on the very day you, Brad, received my fax of the 21-page exposure – ain't that neat! And nasty. And I'll repeat, Muniz set up my hearing with Warden Butcher on Friday, November 2, the day TDCJ's ITD Techs arrived to *being* their largest cleaning of illegitimate computers in TDCJ's history (Tab 6). Add to that, four weeks later, just a day or so after Techs finished, Warden Alford, Director of Chaplain Bill Pierce, and Manager III Marvin Dunbar *all* signed Chaplain Collier *third* good Annual Evaluation in a row (Tab 14). And Dunbar just hired a non-experienced Michael Rutledge as Dep. Dir. of Chaplains to be groomed to take over Pierce's place of Pawn in the Making to complete the ruination of Professional Chaplaincy.⁴¹

The Chaplaincy Department has been led by bureaucratic sycophants for 15 years now, who got there not because they *loved* the profession, but because they knew little – proven here time and again.

Brad, what are you going to do? Oh, just few more pages to this pre-letter.

Texas Attorney General. Though some documents are still waiting for the AG's approval. Others are waiting for resistant bureaucrats to obey the law in good faith. Yet, enough is here for any reasonable person. And hear this: If the AG had *not* helped, several documents – here – critical to the cover up would have remained a TDCJ state secret. The AG suppressed only a few documents. Now imagine, Brad, what I could have presented and how much quicker I could have presented it if I had been granted full access to all. There is a lot more to the full analysis. I am a chaplain and chaplaincy researcher, and do not claim and do not want to be a full OIG investigator; with this, and the full load of documents, and the OIG's best Sherlock Holmes – now then, that would be a full report.

Mystery. The mystery is Chaplain Collier's enchantment over wardens and directors, that I cannot solve, and still, *still* awaits OIG's best Sherlock Holmes to solve.

Honor = \$1,000,000s! In the following, you do the math. How much does the *dishonor* of wardens and directors *cost* the agency, as other good staff went through what I have been through?

Respected Wardens. I do pray, too, that Stephens, Upshaw, and Alford, and retired Simmons and Thaler are close to the men they have portrayed themselves to be. Thaler – I am only 85%, but, given all here, it is extremely hard for me to believe he had no knowledge and zero part in the affairs at Polunsky. I know something of the network of confidants (some malign as the good-ol-boy network, sometimes with good reason). I have had the utmost respect for wardens over my 20 years. Though the skill set of good chaplains has had little formal appreciation – another book, and the preferred book to this – we are psychologists of sorrow in many ways, and come to know people. Your wardens gather experience in the most *interpersonally* hostile environment, the prison, and combine grit with a third sense that few have articulated well (just like prison chaplaincy). Wardens and top security rank develop intuitions and just *know* many things about in-prison dynamics even they themselves cannot express very well. Like a professional ice skater, who can do things normal people cannot on ice, that same skater cannot explain an iota of the *physics* of skating. The “dynamics” in this paragraph will have to wait. For now, the ethics below are enough of a challenge, justice and equality needing the greatest attention.

Polunsky to Lewis. Furthermore, given what is absolutely proven here, it is much easier to see Upshaw's connection to his ordering Warden Bill Lewis to “find” and file false charges of an inappropriate relationship on me at the Lewis Prison and for Upshaw's support of the policy violations by Wardens Hunter and Helm in the nasty firing of esteemed Volunteer Chaplain Bell (Tab 18), which includes Upshaw's illegal favoritism to Hunter and Helm and Chaplain Collier, for things 100x worse than what I was charged with. And who knows how many others.



⁴¹ See www.PreciousHeart.net/OIG/Rutledge-2012-TDCJ-Application.pdf for the Reg. 1 Chaplain, me getting the run-around on obtaining the posting, job description and applications for Dep. Dir. of Chaplains for **six months**.

10 or 100% Credible? Brad, there is more than meets the eye here. Pretty much at this point, I suspect you have been convinced that most of my work was fluff, and – the buck stopping at your office – all appears well, and I, Michael Maness, appear to have shared 10% or less of things gone wrong with a whole lot of fluff, perhaps even to have appeared (as your subordinates convince) to have shared 90-95% nitpicking complaints. Just a wee little turd upset at his disciplinaries. And herein, if you do *not* look at this closely, the same persons who “evaluated” the previous letters, and covered up so much, might say of this, “Oh, there he goes again, about 10% of it could be improved upon, you know, like stirring the pancake batter a little longer to keep the lumps out, and, in our time, we’ll get to it.”

Reality – is the opposite, and the longest cover up of major security violations in TDCJ history.

Unless they were honest with you, the director, and *you* sanctioned the cover ups. I bet not ... a lot.

Reality: 1,000+ Pages = 10%! The reality, Brad, is that if *only* 10% of the worst of the following is true, then you have a major cover up from division directors. The reality – as God is my witness – is that 100% of the following is true, and grab a hold of this Brad, the following 700-pages is only 10% of the whole story, the *short story*, with perhaps additional 1,000 pages in all the links attached, most of it, too, researched by me. Then think about my first disciplinary for “Sub-Standard Duty” when that 50-page Faith-Based Housing Letter was shamed and its contents on “cover up” and “costs” humiliated by Marvin Dunbar, the “numbers” man he described himself, the authority without an authoritative understanding.

Chaplaincy Ruination 201 – Raises? As I said to your Deputy Dir. Collier about Dunbar in January 2012 (TAB 16, Item 4), Dunbar loved TDCJ and meant well, but now I doubt Dunbar meant well at all. He *simply* applied to the chaplaincy manager position for a *raise*, that’s all, as his predecessor Donna Gilbert did, and her predecessor Don Keel did – just for a raise, without any formal education, experience or networking in religion ... at all. Zero. Accounting and legal departments promote experts, why not chaplaincy? Oh, let’s just cover that up, again ... and again and again, since I first pointed it out in 2001.⁴² Someone might argue they had special expertise, it just is not on their application. The reality is simply a bureaucracy feeding itself, promoting “friends” who only, solely, and singly sought the job for a promotion, not at all because they had made “religion” their life’s study.

Personal Promotions. A complicated profession with a global network – chaplaincy connected to the world’s religions – has been treated like a stepchild. That is part of the story below, with some playing dangerous games with people’s lives. In addition to *not* promoting experts over chaplaincy, some were promoted upon pure bureaucratic favor.

God Sees. As God is my witness, and God *is* watching, your office has become either a witting or unwitting accomplice in the cover up of the longest series of major violations of security in TDCJ history, and some have worked *hard* to make it all appear like the whistle blower – me – was just a rogue chaplain, a wee fellow with more personal “issues” than sense, instead of one loyal enough to stand by what was right, though it cost him his job. I stood by Texas’ and TDCJ’s values and policy, when wardens did *not*; I was the patriot who has been maligned and my career as a chaplain ruined by traitors, namely, Timothy Simmons (ret.), Richard Alford and Michael Upshaw, especially, but it is clear that William Stephens is party to it, too, and – as hard as it is to conceive – it is hard for me to see how Rick Thaler did *not* share. Through those powerful individuals, many other wardens and majors became accomplices, some more or less willing, and to some degree Madeline Ortiz, too (Dunbar told her most of what he did, certainly). If those at their level have comprised security and covered only a portion of what I have exposed, it means an entire house cleaning, but, again, this is just the short story. Here is just 10%.

My Advocacy. This was not the book on chaplaincy I desired to write. The one I desired would have included a history of advocacy incorporating the magnificent and varied “pockets” of networks we developed at a lightning pace from January through March 2011 that won back the full budget for TDCJ’s chaplaincy.⁴³ Some of your staff have minimized the work done by several, including my work, and a

⁴² See www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_2_Timeline_2001.pdf, pages 53-65, and the timeline on unethical promotions, documented with Open Record requests then, too.

⁴³ See www.PreciousHeart.net/Save_Chaplaincy.htm – therein, there is nothing to compare anywhere in the U.S. regarding those state chaplaincies that were threatened or lost.

couple did undermine the work of your good TDCJ chaplains in concurring with the few legislative staffers, who were duped into thinking “volunteers” could do it all. That’s right, some of them told *congress* behind your back, Brad, that “volunteers could do it all,” while I heard that Bill Pierce was *ordered* not to testify (I don’t want to write here who I heard said that, but they have been credible). It was a tough fight, but, once the lid was *off*, it was not very hard to stir a fire in every corner of the state. I became the de facto clearinghouse, distributing “updates” in an email distribution almost twice a week to about 300 leaders. That Titanic work in 2011 was minimized by Chaplaincy HQ then, and to this day, yes, covered up, too.⁴⁴ Where was the honor in that? And there is so much more.⁴⁵

Had to Write – Exposures. But this is the book I *had* to write. No one else could. Heck, Brad, no one, not a single soul has asked for any chaplaincy data in the last ten years, and other than simple tabulations, there has been no analysis of anything. The only ones in Texas who have written anything more than a letter or two in advocacy of TDCJ chaplains are on my web site. But no one at Polunsky will, at least until OIG asks them, something made almost impossible after several years of *promotions* and only God knows what kind of intimidation of those who tried to correct anything before I got there. And several wish very much I would shut up, having done all they could to discredit what I have already sent, covering up the longest cover up of security violations in TDCJ history. Longest in history, Brad!

Your Legacy and Mine. Now, Brad, your reputation and honor *are* and *will be* unfolding in this, too. You received a substantial raise, something no one in your office sought for you, but of which I sought long before you came.⁴⁶ I know that you will be in your office until the day you become eligible to retire, and likely not long after, for better things will beckon. But this book shall become part of your legacy, as you have responsibility to truth, justice, and equality as any other man. It is part of my legacy, too, that instead of cowering in fear of my life or succumbing to the non-responsiveness or worse, what may have happened to others less capable, simply cave in and believe I, myself, was just not up to snuff – whatever – I *knew* I was right and had right on my side in July 2012. And, with each letter, and dozens of Open Record requests – the most comprehensive series of requests in TDCJ history to date⁴⁷ – I began to step back and see, yes, I was courageous, did the right thing, and my father would have been proud of me, damn proud (R.I.P.). And God is proud, too, for I now *know* I did the right thing, and it is getting clearer, though even to this day all of the data is not in, some requests have still not arrived and all my appeals to the Texas AG are not finished. Moreover, even with *everything* on paper on the table and open and clear, there is still a need for OIG to find the answer to a critically important mystery: how or what happened at Polunsky? Was it murder that they are covering up? Most important of all, **Critically Important,**

how in God’s name did Chaplain Collier from his
first day of employment as a new chaplain in December 2006
to the present **enchant** so many wardens and directors?

I worked with him, and though skilled in some likeable people skills, clinically he was a mess and had by July 2012 completely crossed over into a prisoner advocate, unable to see clearly – loving the prisoners,

⁴⁴ Ibid. See www.PreciousHeart.net/chaplaincy/COMISS_Report_Georgia.htm for the failed effort in Georgia precisely because the chaplains had *not* networked and had no active network, or leaders to guide them.

⁴⁵ See www.PreciousHeart.net/chaplaincy, only site to publish data on the chaplaincy work in the U.S., at least to 2013, the largest collection of documents on prison chaplaincy and cost-savings to states that employ them.

⁴⁶ See www.PreciousHeart.net/OIG/2002-09-22_Johnson-Letter-26pgs.pdf, pg. 6, for the exposure I sent to your predecessor Gary Johnson and unethical conduct, noting how absurd it was to me that the Houston ISD Superintendent made more than \$100k more than Johnson, and in another venue, how – prior to your raise – the Houston Society for the Prevention of Cruelty to Animals with about 80 employees made the same salary. Yes, sir, when I studied the “market” for chaplains, I also showed how skewed the Texas State Auditor had used a substandard market to evaluate Texas chaplains, and they did not like that at all: for a full explanation of that, see www.PreciousHeart.net/chaplaincy/Wyatt_Solucient.htm. In subsequent market study, the president of Houston Society for the Prevention of Cruelty to Animals made \$176k a year, too, with like 80 employees and a few million-dollar budget – so, how does it feel that *this* maligned Chaplain was the only one to advocate for your raise ten years ago?

⁴⁷ Yes, in TDCJ history, for I also obtained the list of all those who made Open Record requests, and no one has asked for anything, and, as suspected, no one else is looking at chaplaincy. Isn’t open government a *good* thing?

certainly. Don't blame him too much, for the greater responsibility lay with the full knowledge of the wardens, who know "prisoner advocacy" like the back of their hands; it is not totally Chaplain Collier's fault, now, but very clearly the wardens and directors, and we will hammer that from a 100 directions below. Even if no one does a thing, your legacy and mine are *here* and *hereafter* before God.

I know what you have the authority to do, and know a smidgeon of your awesome responsibilities, and part of the impetus of this book – what makes it tick – and what helped drive me was what I just have to believe about your honor. I just have to believe you did *not* know these things, and if I was in your position I would want someone to come forward, and I would protect that person with all the resources I had in proportion to what they gave. A few have come to bat for me in the past, thank God, and I stand upon the shoulders of many good mentors, some of them volunteers. My 20 years in TDCJ has seen many honorable men and women that would not sell their souls and would not contribute a toothpick to the kind of treason Alford and Upshaw are deeply involved in and – believe it – too committed to at this point to back down (though I have a way to get at it in the P.S. at the end of this pre-letter).

Had to Write – Sole Proprietor. I *had* to write this book, for my legacy, too, is at stake. And my honor would not be worth much if I remained silent or backed away from what I know to be the truth. When one is the sole proprietor of information critical to the integrity of any good institution – TDCJ – one has an obligation to God as well as to their fellows to share. A few directly under you have taken the dishonorable path, not in TDCJ's interest, and withheld from you information critical to the security and integrity of TDCJ – traitors guilty of treason. So I *had* to write this book, at great expense to myself, because TDCJ has been very good to me, all in all, and the profession of chaplaincy has been my life for 20 years, dear and all the more precious, too precious to see it whipped like a dog. Damn their treason!

Expect Honesty. You, Brad, do not have the time to read all of this, and you should not, just as I should not have *had* to do the 1,000-plus hours of research and Open Record requests and interviews to bring this to you. Brad, you have to be able to trust the persons directly under you. When you ask a question, in your position, you expect the whole truth, succinctly, and the objective truth, without any mixture of conscious error. If one under you holds back or covers up, especially on issues of security policies like this, that is ugly. But if that director under you purposes to deceive you and intends to cover up years of violations, that is a treason almost unforgivable. And coercing or promoting others – nasty.

Had to Write – People's Lives! I *had* to write this book, yes, to regain my honor, even to get reinstated so that I can retire in honor. But in the light – I *had* to write this book for *you*, sir, to free *you* from the treason that has gone on too long and that effects too many. It must stop. But the highest and most noble reason impelling me to write this book is that God wanted me to. Chaplaincy is God's work most of all, even as all the other religions have their own unique and mutually exclusive claims to truth, religion has been and will always be the most significant force for change in human history. And for us Christians, Christ *is* the way, the truth and the life. Yes, traitors have betrayed many subordinates, betrayed you, and betrayed me. And betrayed the least of these, the prisoners, too, in all that follows.

Accountable to God. I held in my hands and heart – largely a commoner's heart – not only the painful experience of having been thrown under the bus, but I also held in my hands documents – and was driven to find more documents – I had hard data from Polunsky, and I had experience in chaplaincy and in writing complicated dissertations. We are both accountable to God. "Unto whomsoever much is given, of him shall be much required" (Luke 12:48). At great cost, my loyalty delivered this.

Save Chaplaincy – Chaplaincy should be the most honest and honorable department in any prison. I have known many TDCJ chaplains, and I can tell you most follow policy as scrupulously as I did, and as begrudging some of the utter nonsense as I did, too. The difference between Polunsky being a "model" for Chaplaincy HQ's Pierce and Dunbar and Ortiz speaks another entire book, just hinted at here between the lines of the Titanic exposure here. But Save Chaplaincy, for most would never do what was common at Polunsky, and have high ideals.⁴⁸ But, who *knows*? The only and largest survey of TDCJ chaplain ever is on my web site, and I had to fight Carl Jefferies for six months and would not have succeeded without the

⁴⁸ See www.PreciousHeart.net/Save_Chaplaincy.htm for the worth of chaplaincy.

repeated – did you hear that? – *repeated* intervention by the Texas AG’s office to get Jeffeires to obey the law and release that data.⁴⁹

You will see how contrived the disciplinaries were, in the following. Moreover, the very same people who disciplined me let others off free as a bird for violations much worse than mine. See Tabs 16-18 on the disciplinaries, and the other Tabs regarding the favor and protection of Chaplain Collier. Justice and equality were sent out of town without a lunch bucket.

Your Feelings. In your expertise, you just *must* have a smattering of a feeling of how utterly strange it was for me to sit in that Polunsky chaplaincy office in 3-Gym and look 30 feet way to the fortified Prisoners’ Computer Control Room with its lights out – as their staff supervisor and a 20-year veteran TDCJ employee – *knowing* that they could see me very well, *knowing* they knew I could not see them, and *knowing* that no one knew what they did all day, every day, for 10-13 hours a day.

Chaplain Collier “Fight” All. Once the epiphany happened described in the introduction of the Treatise on Treason below, I went to work as diplomatically as possible, uphill all the way, Chaplain Collier and the lead CVCAs bucking me all the way. That recalcitrant attitude was confirmed in the oddest of places, the TDCJ ITD Techs mentioned in their own emails: they believed **Chaplain Collier “is probably going to fight use on most if not all issues”!**⁵⁰ Not subtle at all, but another crystal clear proof to Warden Alford’s lying in his January 2013 IOC (TAB 5, Item 3), where Alford’s own Chaplain Collier was perceived by ITD to “to fight ... all issues” because Collier was fully convinced *nothing was wrong* at all; years and years he had *all* of the wardens’ *full* support! A few weeks later, Warden Alford and Manager Marvin Dunbar and Chaplaincy Manager Bill Pierce, all, concurred on Chaplain Collier’s *good* annual evaluation on the same day, Nov. 29, 2012, after years of Collier’s *non-supervision* of the most policy-violating chaplaincy in the history of TDCJ (Tab 14, Item 3) – falsification of a state record to cover up years of their own violations.

Collier Protected. Obviously, Chaplain Collier did not agree with me in that 21-page exposure I faxed to you, Brad, on October 29, 2012 (Tab 2, Item 2 on description⁵¹), the truth of which was self-evident then and provable seven times over, if just OIG had been called, and just as Chaplain Collier disagreed with the *three* previous staff chaplains that had preceded me. Chaplain Collier was the most protected chaplain the U.S. prison system has ever seen, and the unequal favor given to him bespeaks to a mysterious enchantment OIG’s best Sherlock Holmes has yet to solve ... retrieving justice. Equality still out to lunch without a snack.



⁴⁹ See www.PreciousHeart.net/chaplaincy/Chaplaincy_Audit_2001.pdf, and once in history, for this was when chaplaincy had 150-plus chaplains, and in the next fiscal year Carl Jeffries RIF’d a third of chaplaincy, without a single study, though TDCJ was only asked to decrease its budget by 10%, punishment for chaplains networking.

See www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_1_Proposal_2000.pdf that won chaplains a raise.

⁵⁰ Tab 6, Item 2, Shawn Wallace to Mike Bell, November 11, 2012, 08:51 a.m. *Beautiful*.

⁵¹ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf for a copy of the 21-page letter and four others, all nearly totally ignored and covered up, though I have had to revise some of my previous conjectures.



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VI. Motive, Treason, and Wardens’ “Look Away” Song

A. Cover Up by Dep. Dir. Collier – Sub-Standard Duty or Resignation

Mystery Motive Summary – What Happened? There is something I cannot find out or fathom, that only your best OIG Sherlock Holmes will be able to determine – *motive*. All law enforcement agencies look for motive, except here in TDCJ. Here, motive will be the only thing that roots out the truth, for the facts have exploded like Krakatoa. Why did Wardens Simmons and many wardens **knowingly allow Chaplain David Collier** and his volunteers to go *years* with so many major security and safety violations? That allowance included Wardens *rewarding* rank who complied with them with promotions just as that allowance included *preventing* security subordinates from correcting, and – as with me – *punishing* those who tried to fix the violations.

- ✦ In Tab 2, Item 2, you can see the 50-plus security violations I was able fix in the Polunsky Chapel in three months, more than all of the previous Wardens and Chaplains combined in the last five-plus years, plus what I was *prevented* from bringing into compliance;
- ✦ In Tab 2, Item 3, is the *essence* of the five letters sent, each one with several *unique* exposures, that were mostly ignored, including Dep. Dir. Bryan Collier saying my letters “bordered on harassment” in our fateful conference call on June 18, 2013; and
- ✦ In Tab 4, Item 4, are 12 PowerPoint Slides of photos taken mostly from screenshots of videos the prisoners made of themselves, of volunteers, and of staff, that the *prisoners* had full unsupervised freedom to edit – need I say more?

Wardens and Directors

- ✦ Rewarding those Aiding Covered Up
- ✦ Preventing Security from Correcting
- ✦ Punishing those who Tried to Fix

Disgusting Treason

Within Tab 2, Item 3, there is the pivotal, foundational, and fateful 21-page letter I, Michael G. Maness, faxed on October 29, 2012, to TDCJ Executive Director Brad Livingston, Dep. Exec. Dir. Bryan Collier, and Institutional Division Dir. Rick Thaler, while I was still an employee, 100% confident that an OIG investigation would follow. I had seen OIG investigate things far less serious over the last 20 years. But OIG never came and still has not.

No OIG = Another Level of Cover Up. The fact that, given the contents of that 21-page letter then and all the cover up since, the very laxness in contacting OIG is another level of cover up, even a clear attempt to *avoid* and *interfere* with OIG’s job, too. Just as Upshaw tried to do some chaplaincy, himself, in ordering all chaplains and wardens to his office for a Baptist pow-wow on Experiencing God Weekends, *without ordering*, but *all were ordered there* for only that, and Upshaw said, “I expect all chaplains to Mike your dates before you leave.” Cute that was. And Upshaw and Alford try taking over OIG’s job, too, in covering up so much. And Upshaw ordered Warden Bill Lewis to “find” something on me, and the false accusation of an inappropriate relationship for Facebook junk – *not* OIG.

Revealed below, I was left with no options, as grieving the facility Warden to his boss, then Reg. Director Michael Upshaw, would have been like complaining about a crime to the crime boss. And my attempts to reach the Dep. Dir. Bryan Collier and Div. Dir. Rick Thaler failed. I had few options.

Shocking – but crystal clear – the violations were *permitted* by the Polunsky Wardens with full knowledge of Upshaw and others prior to my initiative from July 2012. In the succeeding letters after my retirement in October 2012 (Tab 2, Item 3), I theorized on possibilities, refusing to believe that those *over* Wardens Timothy Simmons and Richard Alford knew about it all; to me, it was incomprehensible that those above those two would actively participating in covering anything. I had 20 glorious years and *knew* there were many in TDCJ of top integrity.

But as the cover up continued through 2013, it became crystal clear that *all the Polunsky wardens and majors* knew about all of the security violations and did **nothing**, knowing, too, that I, Maness, was

innocently trying to *fix* the violations. As the cover up spread to covering up of my exposures, now in December 2013, the worst has surfaced – as Sherlock Holmes might say, “elementary Dr. Watson” – for now the evidence herein is clear and the

**Cover Up Indubitably Includes Dep. Exec. Dir. Bryan Collier
with these two questions remaining:**

- ✦ **1.** Did Dep. Dir. Collier *unwittingly* and *unknowingly* participate in the cover up, just lazily believing his subordinates without checking? or
- ✦ **2.** Did Dep. Dir. Collier *wittingly*, *knowingly* participate in the cover up, *knowing* violations and aid and abet in the cover up *while* Chaplain Maness was trying to expose them?

For, among the host of things in the previous letters, it was painfully and crystal clear in our June 18, 2013, conference call – recorded on Disk 1, Track 14 – that he had not read much of the previous letters and had not read or simply was snubbing the 4-page outline of my conference-call that I had faxed (Tab 1, Item 3). In that call, Dep. Dir. Collier fully supported the cover up of all the years-long security violations that had been going on in the Polunsky Chapel, supported the cover up of my exposures, and covered up the seriousness of my exposures, even saying clearly that my letters “bordered on harassment.” And in that *recorded* conversation, clearly, indubitably, Dep. Dir. Collier also supported the UNEQUAL treatment of TDCJ employees across the board as will be unraveled here, document after document, myself doing the work he should have done, or his subordinates should have done. Herein, then, is the indictment of Dep. Dir. Collier with respect to the two questions above:

Sub-Standard Duty or Resignation for Dep. Dir. Collier

- ✦ **1.** If *unwittingly* Dep. Dir. Collier participated in the cover up and unequal treatment, then at the least he deserved a Sub-Standard Duty Disciplinary, or
- ✦ **2.** If *wittingly* he participated in the cover up, et al, then his resignation, which is still far more merciful than he and others gave to me in my Dismissal Recommendation

Those are the questions that only OIG’s best Sherlock Holmes and his crack team will need to solve, along with the likewise critical question of how Chaplain David Collier so thoroughly enchanted so many Wardens and Division Directors for so many years – indubitably!

B. Maness’ Short History of Polunsky Fight

In June and July 2012, after talking with Chaplain Collier and all the lead Volunteer Chaplains, and after talking with many Sgts., Lts., Captains and both Majors – then – I consulted with my old friend (or so I thought then) soon-to- retire Senior Warden Timothy Simmons (explained in detail five letters previously sent⁵²). Then I confronted Chaplain Collier and wrote that up in a 4-page IOC to Warden Muniz followed up with a Mainframe Email of the computer virus (Tab 4, Items 1-3) with a copy to Polunsky Personnel and *then* I drove early to Huntsville and at 0800 a.m. proceeded to personally see either Dep. Dir. Bryan Collier or Division Director Rick Thaler – to no avail. August 1, 2012, Warden Richard Alford comes on board, and after he gets settled, I chatted briefly with him about all, too, including the 4-page IOC to Muniz, but he was not concerned! I could not abide long these blatant security violations that I, Michael Maness, was *supposed* to be supervising. I ordered the prisoners in their Computer Control Center to LEAVE the LIGHT ON! A few days later, Chaplain Collier had allowed the prisoners to tape paper over the lights! I told Warden Alford, and he giggled! Told Alford again – *nothing*. Finally in October, on my fourth complaint to Alford about the “Damn lights” he let me override Chaplain Collier, and with haste I not only had the prisoners take down the cork board and turn the “Damn Lights!” but I also got maintenance to “Please, hurry, and fix the broken lights,” because some prisoner had actually destroyed some of the light

⁵² All sent to Livingston, Bryan Collier and Rick Thaler, now unsecured and with the others in the series at www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf.

fixtures (Tab 2, Item 2, Slide 8).⁵³ As I struggled with Chaplain Collier and Warden Alford about non-supervision of the Prisoners’ Computer Control Center, I realized that the cameras could see almost *everything* going on in 3-Gym. Even in the darkened Prisoners’ Computer Control Center, the security cameras could likely focus and see a lot (see Tab 2, Item 4, for all 12 slides in the PowerPoint presentation). One of the three cameras was right above the 3-Gym Chaplain’s Office door, just 30 feet from the dark windows to the Prisoners’ Computer Control Center.⁵⁴

In October 2012, after Warden Alford ramped up his Major Hutto to write me a Letter of Instruction, and Alford’s pitiful excuse of humility and mercy, I wrote a Grievance to get Alford’s pitiful Letter of Instruction for my being lax ON THE RECORD, having already contacted ERS and getting my retirement papers in order. It was clear by then, and I had been so very slow to see it – one cannot spell “Cover Up” any clearer than what was happening! And Alford and Upshaw, and only OIG’s Sherlock Holmes will be able to find out who else, were covering up Chaplain Collier’s years-in-the-making \$50,000-plus of assets in prisoners’ hands with zero supervision and *host* of other violations, many still going on *today*. Including the prisoners’ endless *reconfiguring* and *repair* of their Computer Control Center with wireless routers (whatever those are) and active Bluetooth.

To make matters worse, the ERS made a mistake on my retirement estimate, too, of all things, accidentally giving me three extra years, that they did not discover until a month later, and I had to pay back the overage they mistakenly paid me. Really, no part of Polunsky, to be sure, but a real downer. I *might* have reconsidered my retirement had I known the correct estimate, but, all in all, God was in this and guiding. And had anything else happened along the way, as I recapitulate in the end, then the full scale of the Polunsky cover up would not be before you today.

C. Mysterious Motive – MURDER? – Two Impossibilities!

Murder? – A Felony? Given Polunsky’s lay out and standard security, the (1) first impossibility is that it is *impossible* the wardens did not know all of what was happening for years – a day *maybe* – but impossible for five-plus years. The (2) second impossibility is clearer: it is also a spiritual and psychological IMPOSSIBILITY that Warden Simmons, Alford, Upshaw, Stephens, and other wardens and majors were all *merely* enchanted by Chaplain David Collier’s magnetism. Nor could they be that lax or inattentive, especially at Polunsky. TDCJ is better than that.

Something happened and they needed Chaplain Collier’s silence – what?

What is the motive? Next to covering up years of unsupervised prisoners in the dark, this is the greatest cover up at Polunsky. No warden was *afraid* of Chaplain Collier, but they *were* afraid of something. Could it be as simple as Chaplain Collier losing poker games? It was rumored Collier was fairly well-healed financially (won hearts in spreading wealth), and that led to Simmons’ protection of Collier – yet even I do not believe that! What? Polunsky is the highest profile prison in TDCJ, even in the world.

What caused the wardens to “look away” and also cause subordinates to “look away”?

The only thing that comes to mind – as a real motive – is that something very bad or evil happened. Was a prisoner murdered by a staff member, and that was covered up? If not that – God I hope and pray not – then what? I am clueless here. OIG’s Sherlock Holmes has a case of the Enchanted Chaplain Collier.

In June 2012, I could not believe that Warden Simmons had much knowledge of what was actually happening in the Polunsky 3-Gym Chapel. I told him, a couple of times, and walked and talked and asked



⁵³ See Polunsky Prison Work Order #105413002402, 10-9-12 to 10-10-12, for it took them *two* days to “rebuilt light fixture” that had been destroyed – what? – only God knows how many years before!

See www.PreciousHeart.net/OIG/3-Gym-Main-Work-Orders.pdf for the official copies.

⁵⁴ For the rest one needs to read the Tab 2, Item 2, on all the corrections I did as well as all of the exposures sent in previous letters sent, at link op. cit., fn. 1.

all of the first shift supervisors. Yet, the real eye-opening came when I began to see the cameras. You see, too, the full ramifications of the million-dollar high-res security cameras ... came into view. So, know this, in all of the Wardens and Majors claims to date of *ignorance*, think about the security cameras at Polunsky, and know this, one monitor was in the Senior Warden’s office and one monitor was in Admin. Control, with someone watching 24/7. And, perhaps there were other monitors, too. Cover up was global at Polunsky, ordered by the Warden Simmons and now Region 1 Director Alford!

Cameras - good! One day, Asst. Warden Butcher gave Volunteers Rev. Dr. Paul and Jeri Carlin and me a view of the Polunsky Security Cameras from Senior Warden Simmons’ office we viewed previous recordings and live recordings, and – hold onto this, for I certainly did – Butcher demonstrated the camera’s fine ability to focus with such accuracy, he said, that they could “read a prisoner’s ID.” I was more impressed than the Carlins. When I came back to the 3-Gym, I realized that the three cameras could see clearly. I’m reminded of the song, “I can see clearly now, the rain is gone.” I had not paid much attention to the TDCJ cameras before; I was *not* a warden or major and hitherto trusted the “eyes in the sky” and security chiefs to keep an eye on us. Cameras are *good*. What did Butcher say? – they “could read a prisoner’s ID”?

So – let’s look closely at the **MOTIVE**. Did **MURDER** take place at the Polunsky Prison?

**Critical Juncture 1.
Motive? – Cause? – Murder?**

- ✦ **What happened at Polunsky?**
- ✦ **Years of security breaches?**
- ✦ **Years of cover up of those?**
- ✦ **Now, cover up of exposures?**
- ✦ **Clear running from OIG ... ?**
- ✦ **Protection for Chaplain Collier?**
- ✦ **Clear ignoring staff concerns?**
- ✦ **Rank promoted knowing such?**
- ✦ **Other staff punished for loyalty?**

What led Wardens and Majors to ALLOW such for FIVE-plus YEARS?

Was their motive:

1. Enchanted by Chaplain Collier’s irresistible magnetism?
2. Lax – or did know – or all simply escaped notice, despite million-dollar cameras?
3. Was Chaplain Collier related to Governor Perry or to Deputy Director Bryan Collier?
4. The Wardens’ love for Christian service and trust in prisoners, seeing “God’s Work” in holy chapel?
5. Something bad happened causing the wardens’ debt to Collier? ... Was it Murder?

Are there ANY other motives? 1-4 are inconceivable!

if 5 ... was it a Murder? What is the Cause – the Motive?



God Does NOT Bless Violations of Security!

Disgusting does not even describe the cover up to date! We still, even after five substantial letters, do not know how long it all was covered up. Nor do we yet know what all the prisoners did do. Worse, we do not even know what the prisoners were *capable* of doing, and this latter will be forever lost, unthankfully sirs, because in November 2013 then Reg. Dir. Michael Upshaw had the TDCJ ITD techs *clean* the

prisoners’ hard drives without, forever after covering up what they did for years and – so very sadly and unlike any security professional in the USA – forever after erasing any ability to truly discover what the unsupervised high security prisoners were capable of doing! What is that? Disgusting!

D. Photos and Videos – Covered Up too!

Below, we begin with photos taken of the worst, of the Prisoners’ Computer Control Center Office. And let it be known, that until this was written, it was called the “Media Room” by all, which was a euphemism to numb or cover up what was really taking place. The fully functional multi-media Computer Control Center had been given to two high security prisoners mostly, but five had regular access. It cannot be clearer or more gross of a violation in TDCJ. Prisoners were UNSUPERVISED for 10-13 hours a day IN THE DARK with \$1,000s of computers, cameras, color scanners, and color laser printers for YEARS. That was covered up for five-plus YEARS! And my exposure of that has now been covered up for over a YEAR. That is, literally, the tip of the iceberg of a fully out-of-control Chaplaincy Department that had many other violations, with this massive Sourcebook being only the short story with only 100 unique items in the 18 Tabs to follow. That cover up is now sponsored by Dep. Dir. Collier.

Yes, prisoners filmed *staff* and *volunteers* too. To add to the cover up, after my exposure in October 29, and TDCJ ITD techs finally get to the computers in November, recently promoted Div. Dir. Michael Upshaw ordered the TDCJ ITD techs to *clean* the prisoner computers and hard drives. Think about it, after my 21-page letter faxed and sent to high heaven, *what?*, Upshaw *orders* it all *cleaned out* (Disk 1, Track 8). So we will *never* know if prisoners took any photos of Upshaw himself and Wardens and Majors, in fact – unthankfully to Upshaw – we will never know – can I scream this! – WHAT THE PRISONERS DID! Much less what the prisoners were capable of doing. Grab a hold of this! A novice new elementary school CHILD might do something like that, but there is no way, it is impossible, no way, no way in heaven or hell that (then) Region 1 Director Michael Upshaw with 25 years in TDCJ did NOT know what he was doing. No sir, Upshaw knew precisely what he was doing, as he did all along, and he destroyed evidence of my exposure, evidence of the five-plus years of *his own knowing collaboration with Wardens Simmons and Alford* in covering up BOTH the five-plus years of security breaches and five-plus years of their own protection of Chaplain Collier. Warden Alford sat inside the Prisoners’ Computer Control Center in late August for an entire Sunday service according to CVCA Chaplain Tommy Dill, and after my exposures Upshaw ordered ITD techs to erase everything – cover up still going on today.

Now look at the January and February IOCs, respectively, by Alford and Stephens (Tab 5a), for these need to be looked at with great scrutiny, for – as both Stephens and Alford said, covering for Upshaw now! In clear words and between the lines of their two IOCs (Tab 5a) the results of Alford’s explanation and Stephens’ investigation were that, oh, poor wee little Chaplain Maness was bullied, felt bad about it, was passive, and only after Maness’ Grievance Hearing was there the discovery of some kind computer stuff going on – lies – to cover up for *years* of security and safety breaches.

So let’s look at the photographs taken in June 2012 by the prisoners themselves. And remember, Alford’s January 15 and Stephens’ February 7, 2013 IOCs were the only, the sole, and the exclusive *investigation reports* written as a result of my exposures. I sent another 13-page exposure on January 17, and – only God knows, but it is likely – that is what actually precipitated both Alford’s and Stephens’ letters. That is, why in heaven does it months to respond, officially, to my 21-page exposure sent on October 29? And TDCJ ITD techs finish on November 28. I do suspect, after all this, that Alford, Upshaw, and Stephens got together with my January 17 letter – say on Friday January 20, and Alford was *told* to predate his letter to January 15 under the pretense of Alford actually doing something, so Stephens could respond to Thaler. No, I do not have proof of that, but Alford’s other lies in his IOC give reason, and it is certainly *unreasonable* for them to wait to January to “report” anything, unless they knew that the report was not going to mean anything anyway. And it did not.

I have all the respect in the world for Rick Thaler, and do not truly believe he was a part of anything. But I still suspect he may have – after all this – had a hand in the cover up too. I hope and pray not, God knows. But the IOCs coming to Dep. Dir. Collier *through* Thaler, would explain some of Collier reticence

to act and get OIG to move on this. Regardless, it is what it is, and filled with mystery. What is not mysterious is that the two IOCs are what they are, and filled with lies and cover ups that are inexcusable.

In PowerPoint Slide #7 from Tab 2, we have the basics of the lights out in the Prisoners' Computer Control Center, often euphemized into the softer-sounding "Media Room," as though it was not a full wireless work station for prisoners with a LIVE PHONE line. Yes, that is me standing there. If you could just sympathize with my feelings about all of this and *prisoners* taking videos of me and all staff – me being on a prisoner's film – as they did every day under the million-dollar high-resolution security cameras.

Photo 3: Slide #7 – PRISONERS' OFFICE – Lights OFF – for Years!



Retarded – idiotic – treasonous – Alford *lies* when he said I, Michael Maness, “expressed potential concerns” and he “upon hearing these concerns” proceeds to *instruct* his captain to look into it. Lies from hell itself! I had told him earlier, and his 25-years in TDCJ and previous years at Polunsky as Asst. Warden and the cameras and all the volunteers *bragging* about all that God had supplied – no sir! – he *knew all about it*. Just as Simmons *knew* all about it. And he knows more, too, if he can be cracked by a good OIG Sherlock Holmes, perhaps with a plea-bargain from Brad Livingston himself, so Alford can finish up his time as an Asst. Warden in Lubbock, if Alford will save OIG a lot of leg work and inform on all.

Critical Juncture 2. Polunsky Unique – NO Other Chaplaincy Department!

Please, do *not* think this was endemic or a reflection of other Chaplaincy Departments in TDCJ, or even in the rest of the USA. Polunsky was unique in many ways, including housing Death Row, but the security violations in the Polunsky Chapel were not only covered up, there were other things going on that prevented exposure prior to Maness arriving. It is important to note that Maness got an Insubordination Disciplinary for a 5-page letter to Dep. Dir. Collier on Manager III Marvin Dunbar's disrespect of Maness'

50-page Faith-Based Housing Letter and nearly wholesale rejection of Maness’ Chaplaincy concerns.⁵⁵ The reality was that Chaplain David Collier’s policy-violating department was held in high regard, even to the point of receiving “Chaplain of the Year” and, moreover, as model in July 2012, as Chaplaincy Manager Bill Pierce himself came by and “interviewed” Chaplain Collier and myself on how the Polunsky Chaplaincy was able to obtain 17 Volunteer Chaplains, in preparation for the August 2012 TDCJ Chaplaincy Conference. The ridiculous answer Pierce and all, as laid bare below, was that Polunsky was able to attract so many because the volunteers were nearly free to do whatever they pleased, contrary to so many other prisons where *real* supervision and policy compliance was the norm. So, *please*, do not think the vast cover up at Polunsky and the wholesale looseness and multitude of security and safety violations were in any form or fashion *typical* of other TDCJ Chaplaincy Departments. Quite to the contrary, at the Gib Lewis Prison, where I, Michael Maness, was for 20 years, we prided ourselves in *compliance* and in *honesty* – it was, after all, the *Chaplaincy Department*, and it should be the *most compliant* and *most honorable* of all. It represented God in many faiths and should be the cleanest and most straightforward of all, and that is how *most* Chaplaincy Departments try to function.

The Polunsky Chaplaincy was unique in the nation! Even unique in US history! And, today in December 2013, you will hear the lead Volunteers Chaplains given in Tab 3, the OIG Witness list, still *believing* that what they had in July 2012 as “God Blessed, God Given, and God Led,” truly believing that God, Himself, had given them God-fearing Wardens, that Polunsky was perhaps the first Wholly Faith-Based Prison – that’s their words in July 2012, also covered up today, though some of the violations continue today.

The reality is that God does NOT BLESS violations of security, ever!

E. Rick Anderson – an Apology

In the 35-page letter sent in February 19, 2013, as information was coming and it was clear no OIG was forthcoming – and I sought to simply bit the bullet and look at rehiring – well, I still had dreams of honor, coming from somewhere inside my soul.⁵⁶

For that letter, I had a chance to read Rick Anderson’s book, *God’s Feet Are in My Sandbox*, and my pain and frustration drove me to be more brutal than I should have been.⁵⁷ Here, I apologize to you, Rick, for how I handled myself there; if it is not obvious, just take my word for it that I could write a book about my own growth from then to now. I said he was a bad chaplain, and he admits to a terrible piece of judgment. He took Death Row Prisoner Richard Tabler’s letter off of the Polunsky Prison and mailed that for Tabler, the same prisoner who had threatened Senator Whitmire. It hurt a lot of us. Given all I had gone through at Polunsky, and how that hurt a lot of us, just pointed out the weaknesses.

Well now, Richard, I am looped in, in ways no one could foresee. And here is a minor defense for you, without a scintilla of defense for your gullibility to dangerous Tabler.

What I said in my 35-page letter still has merit, though I would totally rewrite it. What is most important is that Anderson does articulate a cover up, too, that was impossible for him to correct. What is absolutely critical to the largely story of treachery is the favoritism to Chaplain Collier that was happening *then* too. As Anderson concurs on Disk 1, Track 1, Chaplain Collier was favored and prisoners were running their Computer Control Center then, too, in 2008-09.

How did Anderson fail? Because of his big heart. That comes out in many ways, and no real training or mentorship from a seasoned Chaplain and a really caring warden, though, here, the larger responsibility of mentorship resides with Chaplaincy itself, not so much the wardens. The subtlety of experienced prisoners cannot be underestimated, and Tabler rightly took Anderson’s kindness for weakness and took Anderson to lunch, ruining his career in TDCJ.

⁵⁵ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf. Many problems and double-speak going on in the management of that statewide program, and at Polunsky’s Faith-Based Program, too, though the Polunsky Chapel had *not even hit the radar yet* of its level of security violations. Everything costs!

⁵⁶ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf, the fourth letter, sec. 4.c, pages 16-19.

⁵⁷ Rick Anderson, *God’s Feet Are in My Sandbox – Faith Chronicle of a Texas Death Row Chaplain* (Mustang, OK: Tate Publishing, 2011; 227p.).

What Anderson gives in his book and in recorded testimony is a *lack* of support from the both Chaplain Collier and the wardens. While it might seem moot here, I would like to *claim* anyway that it is highly unlikely that Anderson would have taken that letter out if he had been part of a *healthy* chaplaincy department with an experienced Senior Chaplain and wardens truly following policy, yeah, where real justice and equality mattered to all. The pastoral dynamics of that will have to wait for another book, if my redemption comes from this, perhaps, or another time.



VII. Save TDCJ Chaplaincy from Ruination – the Dunbar Effect

A. Chaplaincy Managers Illegitimately Promoted

Why would anyone promote someone without experience or expertise or education in a specialized field?

Chaplaincy is a recognized field, and religion is the greatest source of change in the history of the world. But for the last 15 years, the RPD managers over Chaplains have *all* been without significant experience in any area of prison Chaplaincy. In fact, if the last 15 are any indication, one *needs* to be ignorant of religion and actually have *no* experience in Chaplaincy to qualify.

If not the intentional ruination of TDCJ Chaplaincy, then it is at least the promotion of bureaucratic “friends,” for every manager who has applied solely and simply for a raise, not because “chaplain” was any kind of a career. Some will try to say that Don Keel, Donna Gilbert, and Marvin Dunbar possessed some specialize “TDCJ” experience, but I have seen their applications, and none of their applications are remarkable, except for their lack of field experience.

If there are any lessons from the entire history of the Polunsky fiasco, it is that volunteers cannot do it alone. The greatest lesson is that those who were promoted to manage Chaplaincy would have been happy with a raise anywhere, or could not get a raise anywhere else. When it came to Polunsky, they were promoted above their competence, only coming to light with a hard wrought exposure.

That is, not only did the whole Chaplaincy HQ fail to report a single thing – I formally asked for all reports on my letters from Open Records – the “managers” did not even try. We are not yet one-sixth through this massive report, and the huge cover up should be clear as well as the gargantuan need for a *real* investigation. Chaplaincy HQ should have been on the scene. But, so far, Marvin Dunbar, Bill Pierce, or Michael Rutledge have not reported a thing. It should be obvious, too, that they should have been the experts, but would not have been able to write much of anything, even if they were inclined.

Yet, their job descriptions require them to do some “analyses,” though not a single real analysis has come from RPD in the last ten years either, not counting the mere tabulations that Bill Pierce’s assistant *pulls* from the computer and they regurgitate to Marvin Dunbar, who does nothing with them.

B. Save TDCJ Chaplaincy’s Precious Data FOREVER

For all practical purposes, if the paper trail to the Texas Board of Criminal Justice is any indication, if TDCJ Chaplains quit, none of the board would know a thing for years. Which is an utter failure of accountability and a clear violation of policy, too, in that the TBCJ cannot oversee what it cannot see, and it is the duty of the RPD to give *good* reports that reflect the *work* of the division. And 100 Chaplains supervise 95% of all volunteers for statistics that would match the rest of RPD alone. If a really competent report was done, Chaplaincy alone would shine brighter than all other programs under the RPD. That is the truth that has been consciously covered up, too, for the last 15 years; the most glaring being that 100 Chaplains supervise 20,000 volunteers in a host of programs.⁵⁸

⁵⁸ Check out for the statistics with minor analyses at the right, the only publication of its kind in the U.S., and given the pitiful record retention of these, these have all been destroyed by TDCJ.

www.preciousheart.net/chaplaincy/FY2004_Chaplaincy.htm

www.PreciousHeart.net/chaplaincy/FY2002_Chaplaincy.htm

www.preciousheart.net/chaplaincy/FY2001_Chaplaincy.htm

www.preciousheart.net/chaplaincy/FY2000_Chaplaincy.htm

www.preciousheart.net/chaplaincy/FY1999_Chaplaincy.htm

www.preciousheart.net/chaplaincy/FY1998_Chaplaincy.htm

Can you imagine the treasure trove of data, easily kept, each file so small, RPD could keep these kinds of statistics for 1,000 years and still not fill up a single DVD. For shame, for shame, and a crime against the Chaplaincy profession and against sociology and [continued from previous page ...]

Planned Destruction. For the last 20 years TDCJ's Programs Division (by whatever name) does not even keep the volunteer records or keep the chaplains' work measure records for more than three years. What is worse is that those records are collected monthly, but the data from them is never used to make any serious decision. Perhaps the best example of that is with the decision to "order" all the prisons to start Faith-Based Housing, based on not real studies and a complete lack of concern collaborating with the degreed professionals charged with implementing – the staff chaplains – and without any prior analysis at all for the previous ten years of the chaplains' actual work measures. The 50-page Faith-Based Housing Letter in Tab 20 is the only extensive analysis of the moral dilemmas, costs, cover ups, double-speak, and other items, including how it is detrimental to the integrity of the prisoner's faith.

Other than a single simple-minded overview a few years ago from the Allred, TDCJ has no study whatsoever of anything in TDCJ Chaplaincy.⁵⁹ Maness' www.PreciousHeart.net/chaplaincy has the largest collection in the U.S. The destruction of precious records deprives analysts of a huge store of critical data on volunteers, frequency, supervision, and the chaplains' own work in pastoral care, crisis calls, and supervising religious volunteers.

C. Polunsky Programs and Volunteer "Weekly" SCARY

See Tab 9 and the four items there. The vast list of programs is impressive. One interview I have not done, but would be profitable, would be with an ISD school superintendent. What does it take to "supervise" a list of "programs" and teachers like that? Just saying, we are trusting our volunteers, and I am a witness that all of the ones on the Lewis Prison were, because I *knew* them all.

See Disk 3, Item 1 or 2: from the MS OneNote Database copied on July 2, 2012, once you open it, you will see on the left side an impressive array of folders.⁶⁰ Near the bottom is the folder "Volunteer Weekly," that when opened will show you 29 "Weekly" clearances of volunteers going back to long before I got there. Your ITD Techs can validate that none are molested and the date stamps, or whatever they can find, and Volunteer Services *ought* to study all 29 and give a full report on tally of anomalies, violations, denials, and whatever else they can find: it's called an audit! A really thorough study would have compared them, and I don't care to.

Item 4, in Tab 9, is a copy of the Volunteer Weekly from July 2012. None of the "17" CVCA's Chaplain Collier liked to brag about on it – none. When I actually checked, a several were either denied, did not show, or were pending on the VS00 screen. Go figure. It took some doing to get this cleaned up, and Chaplain Collier was frustrated. From then on, I felt uncomfortable that the *prisoner* did all the work, and – take it to the bank – novice and current Polunsky Joe Vitela and the occasional CVCA that "has the prisoner SSI" put these together **does not check the entire list by the VS00 screen every week**; so, if the prisoner *slipped* a name, it would never be noticed. That is almost certainly still going on today. No prisoner should *ever* be doing the volunteer clearance for the **FRONT GATE**.

How much *more* idiotic can it get. Well, let me show you.

D. Chapel MS OneNote Wonder – Part of THE "Success?"

Check out Disk 3 and Items 1 and 2! The two copies of saves of the Polunsky Chapel MS OneNote in July 2012: July 2 has 2,162 files in 1.47 GBs, and the July 16 has 2,164 files in 1.47 GBs, which is a *load* of files. Nearly the entire history of the chapel is there, but nothing *near* what was on the several computers and external hard drives the prisoners used, exclusively, without any staff or volunteer ever checking, except as I tried to roam around, when I was not trying to get someone to listen about supervision.

psychology and every good value TDCJ holds. There is no reason for destroying these data, expect the eventual ruination of Chaplaincy. It is just ignorant. And I have most of the years since, but have not had the time or staff to add them. Wake up America.

⁵⁹ See www.PreciousHeart.net/chaplaincy/Faith-Based_Outcomes.pdf for 2003-2008.

⁶⁰ The MS OneNote probably has a better way of opening it, but the way I do it is navigate to the folder, open folder, and click on a Word or Excel file and, *poof*, there it comes. One also has to have OneNote installed. I did not have to worry about at Polunsky because – hold your breath – the prisoners always had it open.

As in previous letters all ignored, part the famed success of the Polunsky Chapel was threefold: 1) volunteer chaplains could supervise up to 30-40 prisoners in the locked 3-Gym without *any* staff chaplain or security or any staff, 2) the prisoners' Computer Control Center with its dependence upon the Off-Shore Account/s money train supplying, and 3) the sophisticated use of the MS OneNote system, something I had on my computer at home for years and did not even know it. The prisoners ran it, too, with the Volunteer Chaplain's help; Chaplain Collier rarely messed it, much less knew what was on it. So, check out the

E. Chaplains vs. Volunteer Coordinators – Polunsky Proof of “Manager” Failures

My Insubordination Disciplinary was over criticism about Manager III Marvin Dunbar's humiliating remarks about my 50-page Faith-Based Housing Letter (Tab 20), and his disregard and apparent inability to see the gross moral cover ups and “cost” issues in nice language articulating his incompetence to Dep. Dir. Bryan Collier. Now, from the distance of Polunsky and these last two years of exposure of more cover up of major security violations that Dunbar could not see, well, then Dunbar's incompetence is certified many times over, seen at least in Dunbar's signature upon Chaplain Collier's third good Annual Evaluation in a row and at worst in Dunbar's full support of the cover up of Polunsky's last five years of major violations and contribution in the last year of covering up my exposures of that.

This is the ruination of TDCJ Chaplaincy right before our eyes!

Despite my exposure of clear ethical improprieties, the RPD has continued to sideline Chaplains, making the profession mush, not even supporting forthrightly the ACCA, much less helping Chaplains lessen the work load so they can their higher functions like lead and support volunteers and counsel prisoners in their time of grief.

As said in previous letters, I just exposed how Chaplaincy has been treated unfairly for years, the RPD ignoring the work of Chaplains, and hiring folks who are *not* experts, and it went south with the selection of Bill Pierce as Chief Chaplain *over* Dr. Vance Drum in 2002.⁶¹ It is the sloppiest hiring of any “director” in TDCJ history. Drum had all of the qualifications any institution could hope for, the best resume by far, perhaps the best in the U.S. (but we will never know, for no one studies these things much). And Pierce had the worst resume for any such position in the history of TDCJ; he did not even have an accredited bachelor's degree.

Pierce's hiring by Don Keel was simply unethical and *against* TDCJ's stated policy of hiring the best, for Keel hired Pierce *because* at the time Pierce was the least networked applicant. Old history, to be sure, but, as outlined in my February 2013 letter, it came full circle in how Marvin Dunbar *tweaked* the application process *again*, this time reopening the Region 1 Chaplaincy position after it had closed, specifically catering to Vance Drum in a fashion unethical to Dunbar's high office. So, for over fifteen years now, the chaplaincy department has been unfairly treated, and those over it – like Don Keel, Donna Gilbert, and lastly Marvin Dunbar – were promoted who had no formal or professional experience in religion and little to no experience in volunteers. One would not appoint over TDCJ finances or medical or legal one without a simple degree in the field and certainly not appoint one without significant experience, but over chaplaincy – charged with managing the greatest force of change in human history – the TDCJ has seen fit to solely appoint professional bureaucrats, who only and solely took the job as step up the pay scale.

Yes, as I said in that five-page letter to Dep. Dir. Byran Collier (Tab 16, Item 4), except more definitively here, Dunbar is responsible for the dumbing down of TDCJ Chaplaincy, several pay grades above his competence – proven here like nothing before. Very clearly, again, just like his predecessors Don Keel and Donna Gilbert, Marvin Dunbar applied to the position for raise – *finis* – no other reason, and was promoted for friendship, not experience or competence.

Blind Directors. Director of Chaplains Bill Pierce over ten years ago and Dep. Dir. Michael Rutledge hired recently to be Pierce's post-retirement replacement were both hired under spurious

⁶¹ See the relevant parts in www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf, and as previously exposed in 2001 www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_2_Timeline_2001.pdf and in 2002, where I took a risk in belief in Gary Johnson's honor, www.PreciousHeart.net/OIG/2002-09-22_Johnson-Letter-26pgs.pdf, and he *was* honorable.

conditions, Marvin Dunbar *knowing* Rutledge had no experience as a prison chaplain. Both have done nothing in the chaplaincy profession, not even joined the American Correctional Chaplaincy Association, the first affiliate of ACA. Pierce adulated Polunsky, signed off on Chaplain Collier's good annual evaluation a month after the exposures, and Rutledge would not know a good department from a cow.

Chaplaincy Ruination 101 – Ignorance Promoted. And I just barely succeeded in the above, as Warden Muniz wrote me up for not calling him personally for taking off – when? – on the very day you, Brad, received my fax of the 21-page exposure – ain't that neat! And nasty. And I'll repeat, Muniz set up my hearing with Warden Butcher on Friday, November 2, the day TDCJ's ITD Techs arrived to *being* their largest cleaning of illegitimate computers in TDCJ's history (Tab 6). Add to that, four weeks later, just a day or so after Techs finished, Warden Alford, Director of Chaplain Bill Pierce, and Manager III Marvin Dunbar *all* signed Chaplain Collier *third* good Annual Evaluation in a row (Tab 14). And Dunbar just hired a non-experienced Michael Rutledge as Dep. Dir. of Chaplains to be groomed to take over Pierce's place of Pawn in the Making to complete the ruination of Professional Chaplaincy.⁶²

**The Chaplaincy Department Ought to be the Most Honest
the Most Honorable and the Most Compliant – and Competant**

F. Third Infamy – National Experts Ignore TDCJ

Perhaps that explains why the Reentry Council of 2004 largely passed Texas and TDCJ in its main assessment in the construction of its massive precedent-setting 658-page “report” that encouraged “collaboration among key stakeholders,” www.ReentryPolicy.org. TDCJ does not allow chaplains to “collaborate” and it destroys data regularly, though the chaplains are the most educated and supervise the lion's of volunteers, perhaps as much as 95% of all volunteerism in Texas prisons.

What a shame for the Reentry Council though, because excluding TDCJ – except for a token presence of a couple of administrators – excluding TDCJ is like excluding the Feds and practically excluding about a tenth of the continent's felony prison population, a data field of Southern crime, incarceration, and reentry second to none in U.S. history.

Is anyone following anything, truly analyzing *anything* in TDCJ? Not on paper anyway.

Yet, that is to say nothing of the two studies on volunteerism in Texas in 2001 and 2002 led by Sarah Jane Rehnborg for the Texas Commission on Volunteerism and Community Service that included TDCJ but did not mention its chaplains at all. There is little surprise there. Furthermore, at no chaplaincy conference in the last 15 years has anyone made any mention of the Governor's One Star Foundation (OneStarFoundation.org), or the same thing about the Retired Seniors Volunteer Programs (RSVPVolunteers.com) all over the U.S. that actually provides liability insurance free of charge for senior volunteers, whose representatives have come to most of Maness' volunteer banquets, but which have been ignored when Maness has recommended them to TDCJ division managers and directors.

Yes, indeed and absolutely critical to the *whole truth*, that is why a good study on the Wardens' firings of volunteers is needed. And much more.

What does it take to see the light? Isolating chaplains will never help. Helping chaplains communicate will help. Studying chaplains, charting their recorded work, and being truly proud and publishing that chaplains have supervised volunteers for decades will help. Hiding that 97% of all volunteers *volunteer* for religious reasons will not help. All this study and more can contribute to the corpus of knowledge that will prevent another perilously dangerous fiasco like Polunsky, to say nothing of ending the to-date entrenched habit of covering up security violations. To say little more about the covering up of exposures.

God have mercy, but Chaplaincy should be the most honest of all.

G. Chaplaincy and Science – Time for RPD to Lift Chaplaincy

Let me insert one paragraph from the myriad of volumes on morality and honor – other than the Bible – that help illustrate a portion of the distance Polunsky chaplaincy was from other compliant Polunsky

⁶² See www.PreciousHeart.net/OIG/Rutledge-2012-TDCJ-Application.pdf for the Reg. 1 Chaplain, me getting the run-around on obtaining the posting, job description and applications for Dep. Dir. of Chaplains for **six months**.

departments and even other prisons' chaplaincy departments. Most unit departments are in full compliance, a concept not hard to understand; but Polunsky, as the interview with Chaplain Jose Vitela reveals, even a year after my departure he was still bringing things "slowly" into compliance, as he said, one did not want to rush.

This also helps illustrate the Rehabilitative Programs Division's (RPD) suppression of the chaplaincy profession itself, going back to Carl Jefferies and carried on by Madeline Ortiz; and though I have no proof, other than the sordid disciplinaries she participated in, given all this, it *appears* she, too, is party to the cover up as well.⁶³ Part of the reason the Polunsky Chaplaincy went so far south was because the RPD had so little knowledge of the actual quality of pastoral care and lacked the professional ability to discern – "pastoral care" is a professional discipline as complicated as law and accounting.⁶⁴

At this point, it is possible and likely that Ortiz participated with Simmons, Alford, and Upshaw in the cover up after of my exposures came to light. A Chaplaincy department ought to be the cleanest and most honest of all, and TDCJ ought to support the *profession* better.

Let me quote Col. Robert Green "Bob" Ingersoll (1833-99) who was a lawyer, a Civil War veteran, and orator in the U.S. during the Golden Age of Freethought.⁶⁵ One of the most noted orators when oratory was entertainment, he spoke on many subjects, from Shakespeare and Reconstruction to the sanctity of the family. On intellectual liberty, Ingersoll said:

I do not know what inventions are in the brain of the future ... we are just on the edge of the great ocean of discovery. I do not know what is to be discovered; I do not know what science will do for us. I do not know that science did just take a handful of sand and make the telescope, and with it read all the starry leaves of heaven; I know that science stole a tear from the cheek of unpaid labor, converted it into steam, and created a giant that turns the tireless arms of countless wheels of toils; I know that science broke the chains from human limbs and gave us, instead, the forces of nature for our slaves; I know that we have made the attraction of gravitation work for us; we have made the lightnings our messengers; we have taken advantage of fire and flames and wind and sea; these slaves have no backs to be whipped; they have no hearts to be lacerated; they have to children to be stolen, no cradles to be violated. I know that science has given us better houses; I know it has given us better pictures and better books, I know it has given us better wives and better husbands, and more beautiful children. I know it has enriched, a thousand-fold, our lives, and for that reason I am in favor of intellectual liberty.⁶⁶

Do you understand Brad? That in the TDCJ, the RPD cut the cord to science in chaplaincy over 15 years ago, even gutted it! As part of the problem, in my advocacy of professionalizing chaplaincy over the last 15 years – not planned – but in the process, I documented numerous ethical improprieties, even sending such to your predecessor Gary Johnson 13 years ago. The *science* of chaplaincy has been essentially

⁶³ And Ortiz is a party to the cover up, if, as I suspect, Deputy Bryan Collier has passed to her all of my previous letters to Livingston, et al, and she, too, did nothing. Then she too rallied with Simmons, Alford, and Upshaw to cover up the exposures and also help protect their enchanting Chaplain David Collier. Be interested to see what OIG finds out there, if it looks that deeply.

⁶⁴ There is a huge volume of literature on Pastoral Care, CHEA accredited masters and doctors degrees given in it – I have one – and its literature has not been given the light of day in TDCJ, as if it were mere *recreation* the crisis counseling that chaplains and their volunteers give to prisoners during most *vulnerable* times of their young lives, as in the death of a family member. See www.PreciousHeart.net/chaplaincy/Chaplaincy_Bibliography.htm for 165 classic works and I have also posted a link with 5,000+ periodicals. One grand classic that deserves revisiting by chaplains as we revisit security each year in in-service is Seward Hiltner's *Pastoral Counseling: How Every Pastor Can Help People to Help Themselves* (Nashville: Abingdon Press, 1949; 291p.), perhaps one of the best statements, with many defining statements that have helped shape the very meaning of "pastoral care." See also Hiltner's *Religion and Health* (NY: Macmillan Co., 1943).

⁶⁵ Golden Age of Freethought from 1856 to the start of WWI can be summed in a line from "Clifford's Credo" by British mathematician and philosopher William Kingdon Clifford (1845-79): "It is wrong always, everywhere, and for anyone, to believe anything upon insufficient evidence." The Free Thought movement first organized in the U.S. as the "Free Press Association" in 1827 in defense of George Houston, publisher of *The Correspondent*, an early journal of Biblical criticism in an era when blasphemy convictions were still possible, and the movement spawned associations of Humanists, Secularists, and Agnostics.

⁶⁶ Melville D. Landon, *Kings of the Platform and Pulpit* (Chicago: Werner Co., 1900; 631p.), Ingersoll, 338.

neutered in TDCJ and not surprisingly in other state chaplaincy departments. And you know, someone tried to “zero budget” us in 2011 without so much as a droplet of study, and had it NOT been for my data – Michael Maness’ data – there would have been zero hard data on TDCJ chaplains’ heartfelt and statistically remarkable work. At the time, there was no data for thinking people on TDCJ chaplains anywhere *except* on my website. The TDCJ’s RPD shared *nothing* then to save chaplaincy and has to date published *zero* for anyone on the vast work of its chaplains.

At the least, you know that the RPD has not truly, thoughtfully, and articulately forwarded in any meaningful publication or even in any good-faith effort to encourage membership of chaplains in the American Association of Correctional Chaplains, first affiliate with ACA.

Bang for Taxpayer Buck. On RPD, from all of their publications, one would have a case to write a disciplinary for sub-standard duty in the near total lack of any kind of thoughtful study of any aspect of the broad spectrum of programs under the RPD’s oversight. I have a made a case that Chaplaincy does more bang for the tax-payer buck than any other program in the TDCJ’s RPD.⁶⁷

Furthermore, in the last ten years especially, much effort and not-too-good excuses have effectively pulled the Volunteer Services into a separate department away from Chaplaincy. Yet, for the last 50 years Chaplaincy has supervised 95% of all volunteers, and even most of those who volunteer in the other departments *volunteer* for religious reasons.⁶⁸ Brad, this is not even *science*, just basic math, with Maness the only chaplain in TDCJ history and the nation to post regularly statistics on prison chaplaincy, statistics that TDCJ itself has not publicly published in any meaningful publication in the last 30 years.⁶⁹

Faith-Based Housing? Now then, tie those to the only substantial white paper, incognito as a letter to you, Brad – a 50-page Faith-Based Housing Letter – on the failings, cover ups, and double-speak that have yet to be addressed in the Faith-Based Housing, a program that has had the most *unscientific* start of a statewide program in TDCJ and in Texas history; plus, just as the 50-page letter said, the program continued with not just *unscientific* tracking, but *zero* meaningful tracking.⁷⁰ Who cares *if* it succeeds, or *how* it succeeds? To date, the only thing anyone cares about is that *each prison have one* – silly. Two years after the exposures in the 50-page Faith-Based Letter – *white paper* – and still no statistics or tracking, just elementary-school-grade addition of numbers of prisons and participants. Worse, there has not even been a slight pretense of a meaningful consortium with the chaplains to brainstorm the 50-page Letter, their own problems, though most of the chaplains have masters degrees. Because of the “programs” taught by volunteers to the prisoner participants are the only truly good thing going on in the Faith-Based Housing, still, the foolery in the Faith-Based Housing is *nothing* compared to the fiasco at Polunsky.

In all, only a fool will believe those initiatives of mine played zero role in my dismissal recommendation, to say nothing of my exposures of the years-long security breaches.

H. TDCJ Needs Meaningful Input from Chaplains

No profession can survive without a network. That is why 15 years ago Carl Jefferies and now Madeline Ortiz have allowed their “managers” (or charged them) to hire only those with zero to little

⁶⁷ See www.PreciousHeart.net/chaplaincy and especially the docs in footnote 14 below.

⁶⁸ That percentage is only slightly facetious, as no one has actually attempted to run the exact numbers, except this lonely chaplain: see www.PreciousHeart.net/chaplaincy/FY2002_Chaplaincy.htm for some numbers on Chaplaincy that have NEVER been published anywhere. Furthermore, there is a lot more to the issue of volunteer supervision that will only distract here, including two Texas sponsored studies on volunteerism that left out the TDCJ, mostly, its chaplains’ supervision of volunteers; see them here www.PreciousHeart.net/chaplaincy.

⁶⁹ See www.PreciousHeart.net/chaplaincy for the largest collection of documents on prison chaplaincy anywhere, including links to the most documented effort to save a defunded chaplaincy in US history, successfully, a story still unfolding, www.PreciousHeart.net/Save_Chaplaincy.htm.

⁷⁰ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf, and it is shameful that all of the TDCJ senior chaplains, with masters degrees, have not been brought together to pool their collective experience and examine, criticize, and contribute to this white paper on farce called Faith-Based Housing. And it is a likewise shame that Alexander Volokh’s 50-page “Do Faith-Based Prisons Work?” (63:1 Alabama Law Review [2011], 43-95; www.PreciousHeart.net/Volokh-Article.pdf) has been ignored by TDCJ’s legal team, and further a shame that TDCJ’s legal team cannot consciously work together as peers on this monumental statewide decision with, thus far, zero tracking, zero meaningful comparisons, zero published stats, in essence, zero science!

experience. Because a “network” between the Chaplains threatens them. If Masters and Doctorate bearing Chaplains *really* got together, so the fear goes, they might shine too bright.

Instead, their unilateral meetings called “conferences” where, often, adults are assigned seats like so many children and the merely listen to often high-school grade lectures that could have been faxed. Except for the legal updates and access to TDCJ’s attorneys actively involved in the ever-present religious lawsuits, there is little deserving the cost of the “conferences” where little to zero real *conference* takes place with and among the Chaplains.

Lack of support for the American Correctional Chaplain Association is no surprise either, given Director of Chaplains Bill Pierce did not even qualify to be certified when he was promoted to Chief Chaplain over ten years ago, and to this day is not a member. And his successor, Michael Rutledge, currently deputy director, has not even been a prison chaplain according to his incomplete application obtained from an official Open Records request. If the leaders of Chaplains are not *leading* or interested in accomplishments or networking, what in the world are they interested in?

But that is precisely why they were hired, to continue the refinement of policy and have a figurehead to sit on the stands for lawsuits – but who really has no idea what chaplains go through, what they need, and – worse of all – how to progress the profession itself. Pitiful.

On example that has been repeatedly moaned, in quiet for fear of punishment by most, is the super-sill “cost” of sending out rosaries and like common religious property. It is truly the epitome of pitiful. Brad – though hardly worthy of your time – I have been complaining for 10 years how a simple 25-cent rosary costs TDCJ about \$50 each to process, while prisoners can purchase shoelaces in the commissary without any “tracking” at all. The rosary process is an area needing cleaned to allow chaplains more time for their higher duties – like counseling prisoners in crisis and even aid some overworked staff.

Just think, how utterly crazy it is, that “administrators” continue to make decisions without any meaningful input from the chaplains in the field. That, sir, is not only unscientific, but it is also part of the reason that gave rise to Polunsky’s violations; worse, while Polunsky chaplaincy was hailed as a model for those over it, Chaplain Collier receiving Chaplain of the Year and Simmons lastly receiving Administrator of the Year, all the while the Polunsky Chaplaincy Department held the most violations of TDCJ department in TDCJ history, perhaps in world history.

I. TDCJ Can Benefit when Chaplains Talk ... e.g. Polunsky!

It is the height of insecurity and the confirmation of bureaucratic sycophancy when the “manager” who *know* they have no education in religion, very little in-prison experience (to none), no experience as a prison Chaplain, and no experience as a Chaplain in the community with other religious professional, and no experience actually *working* with esteemed volunteer think – truly – they need no real time *with* the Chaplains one on one. And that is the easier step, the higher form of leadership is to truly seek and develop and “manage” a line of communication from the Chaplains that receives meaningful information on all aspects from them. Oh, but that would require trust.

Chaplains *need* to talk meaningfully with each other and participate in policy refinement. I’ve wrote a lot about that ten years ago.⁷¹ Chaplaincy deserves better. When speaking the truth is censored – God help us all.

Chaplaincy and the chaplains are often *alone* on the units, hearts of gold most of them, and they need good wardens. There are *many* good wardens. The TDCJ staff, officers and other employees have jobs to do, families to go home to, and careers to hold onto. The salvageable prisoners need good chaplains to guide and care for them in their crises, and the chaplains need all the time available to care *in crises* for the prisoners and to guide volunteers to help – no wholesale volunteer access like the volunteer director has been charged (who is always hired without any significant experience *with* volunteers). The chaplains need support for their PROFESSION, and freed from spending time for a 25-cent rosary that could be given away from the commissary, like tooth powder, the very mention of which is odious to you and me both.

⁷¹ See documents at www.PreciousHeart.net/chaplaincy and especially the 2001 proposal for a truly professional chaplaincy: www.PreciousHeart.net/chaplaincy/Chaplain_Equity/Chaplain_Equity_Proposal.htm.

J. Meaningful Pastoral Care – the Jewel of TDCJ Chaplaincy

The worst part of this may never be told, outside what true experts in pastoral care can see and apprehend between the painful lines in this and my previous letters. Now, even Deputy Director Bryan Collier is covering up, and it is *without* question that the Polunsky chapel had major problems for years and several mysteries *only* a Sherlock Holmes will be able to discover, and ought to discover. Yet, I am *begging all* to hear deep into their being: the **hardest part of all to determine**, uncover, and delineate with a clarity most can apprehend is **how the pastoral care went so far awry** while at the same time being seen as a model to RPD HQ.⁷² And the volunteers to this day think the whistle blower was strange, ruining “God’s work,” as even Warden Alford participated in that downplaying of my legitimate concerns about security.

God does not want anyone to play games with security.

Pastoral Care vs. Security. Part of the reason the pastoral care side is hard to see is that so very few are articulating any professional pastoral care inside of the prison. In comparison to the church pastoral care in all the major religions, and then compared to hospital chaplaincy, prison chaplaincy has virtually done no academic work at all.⁷³ Likewise, the “pastoral care” dynamics are comparable to group counseling dynamics, that has both religious and secular schools with master and PhD specialties in all the developed countries of the world. So we do have a solid academic backbone to base our assessments of the “pastoral care” involved in the Polunsky chapel security and safety violations, only it would take several professionals to fully articulate all of the dysfunction not already outlined in this and in my previous letters. Furthermore, the old prison mantra holds true here – *security comes first* – making it all the more important that the cover up end, so that the primary mission of TDCJ can look thoroughly at the “security dynamics,” and fully understand and articulate those security dynamics.

So, in addition to the chaplain’s signal mission of care of souls in integrity – and the great professional chaplain’s need here – the TDCJ’s primal and primary mission is rooted in security, and persons’ professional *lives* and even physical *lives* are at stake here.

End the cover up! Do the hard work, and study this thoroughly. TDCJ will win.

TDCJ Chaplaincy Stated Mission. As this unfolds the pastoral care, another problem has not been addressed, that we will only touch here. Some TDCJ official years ago wisely the terms “pastoral care” and “therapeutic community” within the TDCJ chaplaincy mission statement. Those terms are never used in any known TDCJ assessment document in the last 20 years of reports on chaplaincy, sadly enough. Moreover, for the last 20 years, “pastoral care” in TDCJ has merely meant “being kind hearted” by administrators instead of its professional meaning, to say nothing of the vast literature that has remained exempted from all TDCJ chaplaincy publications for the twenty years.

I point this out, because some of the following can only be understood as a *grievous violation* in terms of how callous several have been to that very TDCJ chaplaincy mission statement – dare I say, still an official part of TDCJ. At least Warden Helm at the Lewis Prison and certainly Wardens Simmons and Alford and then Reg. Dir. Upshaw have ignored the Chaplaincy mission statement. While an entire book can be written, and a form of which has been written in my previous letters and in this Sourcebook, we document portions of the conscious neglect to the good mission of Chaplaincy by the Lewis and Polunsky wardens.

Chaplaincy cares for the heart, and your Chaplains, Brad, need to be empowered to do that more, some of the tedious and time-wasting forms that serve no purpose need jettisoned. Chaplains have a holy

⁷² RPD – Rehabilitation Programs Division, and Polunsky was a chaplaincy model until Maness exposed, the partial substance of a previous letter.

⁷³ It should go without saying that Christianity started education in the U.S., as even Harvard and Yale hundreds of years ago *began* as religious schools first, and today “seminaries” are mostly graduate institutions, no major ones offering a specialization in prison chaplaincy. On the hospital side of pastoral care, see the Association for Clinical Pastoral Education, www.ACPE.edu, for one of the most sophisticated on standards in the country, and the leader in clinical pastoral education in hospitals. There are more. Even the ACA affiliate American Correctional Chaplaincy Association pales in comparison, with only a handful of online articles, very few even comparing to the kind of analysis taking place in clinical classes in a fully functional CPE program.

mission, are unique, and are the only staff member in TDCJ with a profession that requires them to sift their own “unique” self as they relate meaningfully with a downtrodden prisoner, staff, or volunteer. A caring Chaplain *properly* relating to staff and prisoners and volunteers yields more invisible benefits to every mission-critical function in the agency. And helping to streamline and free Chaplains from a overburden, and help them lead volunteers, will save money, too.





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VIII. Prisoners' Computer Control Center in the Dark – and Treason

A. Prisoners' Computer Control Center – Everyone Knew!

According to Alford's and Stephens' January and February 2013 IOCs – *the prisoners' own liberal unsupervised filming of fellow prisoners, staff, and volunteers* for years was no concern, zero, and furthermore – additionally – no one had any conversations about that for years either, not even a sneeze, whisper, or snicker. “Ahoy, mate, *someone* has jumped ship!”

While we *still* do not know today – November 2013 – what the prisoners were *capable* of doing inside of *their* dark Computer Control Center for years. We do know the prisoners were actually editing the photos and videos and voice recordings with high-end computer software. That was ... oh, hold on a minute ... let me stress that this has been my complaint since June 2012, and written in several letters, the reason I was forced to retire. *NO ONE* was doing a thing about it. We know the prisoners were editing photos and videos, and that sounds great – it is great – but they were doing it completely unsupervised! That is the problem, the *unsupervised* part! Now ... stress, highlight, star, emphasize ... sing from the mountain top ... the *only* report after my 21-page letter to Livingston, et al, was Alford's and Stephen's IOCs that covered up five-plus years of unsupervised prisoners' Computer Control Center video and photo editing in the DARK, and – what? – also covered up my exposure of that for an entire year, even to January 2014. What is that? Cover up for how long?

The IOCs from Alford and Stephens were not only cover ups, but were both intentionally *meant* to deflect and deceive and specially crafted to downplay, minimize, and hide the seriousness of the exposures, making the cover up worse, and raising to high heaven the seriousness of *why?* such high-level administrators would risk their jobs to cover up and protect Chaplain Collier and worse, to protect and hide so many years of security breaches by prisoners. All the cover up to keep OIG from investigating.

Though several prisoners had access to the Computer Control Center for years, the five main prisoners who used the computers and laptops every day, the top three using them 10-13 hours a day, six to seven days a week, the top two being the lead Computer Control Center managers.

Critical Juncture 3. Prisoners' Computer Control Center and Alford Promotions

Prisoners' Computer Control Center Directors

TDCJ#	Sentence	Crime	Effective Titles
0705004 – Ramy Hozaifeh	Life	Capital Murder	Senior Director
0740176 – Gilbert Cavasos	Life	just Murder	Deputy Director
0759465 – Jesse Hernandez	Life	Capital Murder	Office Manager
1033294 – Gabriel Esquivel	Life	Capital Murder	Did Own Thing, not SSI
1149025 – Chris Raya	2052	Four Sex Assaults	Asst. Office Manager

Richard Alford Promotions

05-1993 – 01-2000 progressing to Major at Eastham

Polunsky 11-2002 – 08-2008 – Asst. Warden – Polunsky – 5 years, 9 Months

09-2008 – Warden I – BA – 4 Months ... 01-2009 – CN – 1 Year, 8 Months

09-2010 – Senior Warden II – Stiles – 2 Years

Polunsky 09-2012 – 03-2013 – Senior Warden II – Polunsky – 6 Months

04-2013 – Reg. 1 Director – Promoted for the Longest Cover Up in TDCJ History

Chaplain David Collier at Polunsky

Polunsky 12-15-2006 to 11-30-2012 – Senior Chaplain at Polunsky – nearly 6 years

Now at the Walls Unit, in Charge of Executions, still Advising Polunsky Chaplaincy

Everyone at Polunsky knew the top three prisoners were the lead Chaplain helpers, and the top two were the de facto *Directors* of the Prisoners' Computer Control Center, including – hold your breath – about 700 Polunsky prisoners and all the major staff. It is no accident that despite my pleas no one has bothered to interview a single prisoner or volunteer or staff, because what happened was so public inside of Polunsky – Simmons, Upshaw, Alford, and Stephens (and perhaps Thaler, too⁷⁴) all knew that the moment the monumental fiasco was truly freed, it would mean their jobs and reputation. Sacrifice Chaplain Maness, except he took it to the top too soon and with too much fervor. But, still, how have they been so successful at covering it all up? And covering up Maness' exposures too? Not with simple felonious lying of two IOCS, but by one of two other persuasions, 1) the witting and knowing help in cover up by Dep. Dir. Collier, or, 2) the unwitting gullible bought-the-whole-hog-farm aid in cover up by Dep. Dir. Collier.

Critical Juncture 4. Nailing the Impossibility of Alford's Ignorance

Furthermore, at Polunsky it was an almost *daily sight* to see one of the five prisoners being escorted from A-Side to B-Side – passing the control desk and Officer Dining Room – and back again, as the prisoner carried *his* laptop to and fro, oh ... yes ... with a Volunteer Chaplain escort, *always* escorted by a Volunteer, but *never, ever, actually supervised* on what the prisoners were doing on their laptops or in the Prisoners' Computer Control Center ... for years. Again, in the Prisoners' Computer Control Center in the **DARK for YEARS**. And, of course – beating the horse, because it is not a dead horse yet, it is a *covered up* horse – please, for God and Country and the sake of Professional Chaplaincy, look at Warden Alford's IOC again: he said did *not* hear about the “potential” of the computer problems until my own Grievance Hearing! Of course, he is lying through his teeth, he was intimately aware of it all for his *five years* there (2002 to 2008), during the fateful time Polunsky Chaplain Rick Anderson (3-2008 to 10-2009) was there and was fired, while Anderson witnessed it all still a *novice* employee chaplain struggling with Chaplain Collier's violations and amazed at the computer genius of Prisoner Hozaifeh (Disk 1, Track 1). Yes, even if we *pretend* Alford was telling the truth in his IOC, that means we have a Senior Warden promoted to Region 1 Director who *could* not see what a novice Chaplain Anderson saw in 2009 while Alford was Asst. Warden for five years! **BULL_ _ _ !**⁷⁵ No sirs – no way –

Lies from the Pit of Hell itself !!!

And the pit covered up for five years now. When I arrived at Polunsky in May 2012, with Senior Warden Simmons imminent retirement in the planning for July 31, the lead Volunteer Chaplains Ed Reeves and Tommy Dill and staff Chaplain Collier (and others) were hoping and praying and longing and slobbering over the *prospect* of Warden Alford RETURNING, because of the support he gave, and fearing and trembling and gnawing at the teeth at the *prospect* of a Warden coming that did not support Chaplaincy and who may not “Support God's Work.” Why? Because all of the lead Volunteer Chaplains had been volunteering on many TDCJ prisons, and no other *real* prison in TDCJ was giving to their prisoners so much of “God's Work.”

God does NOT Bless Violations of Security

and I have *never* seen so many Volunteers so Taken

none at the Lewis Unit would ever concede to such, once pointed out

Region 1 Director Richard Alford lied, falsifying an official record that had been ordered as part of an infinitesimally small “investigation” into (Maness') reports of security violations – a felony, in the real

⁷⁴ At this point, I *cannot* see how Thaler failed to know, for he had *too much* experience in *in-prison* security supervision. Brad, I have watched wardens for two decades, and I have sincerely admired their eagle eyes, and have known many with top marks in integrity.

⁷⁵ Oh, I wavered back and forth on “**BULL_ _ _ !**” Even wrote a long paragraph ... but there is no better term. Ah, my adopted son, Wiley Cantrell, a long-haul trucker for Tyson Foods, backs me up, too. Fine, very *fine*! Strangely enough, ironic to the uttermost, the wardens herein indicted understand it well, too, *very well*!

world, and it would have been a felony if the IOC had been to an OIG investigator and afterward discovered to be what it actually is.

Alford's and Stephens' IOCs were cunning duplicitous cover up planned and carefully worded to *prevent* an OIG investigation, crafting language to skirt what would normally be an OIG investigation. The IOCs were crafted in full knowledge and cooperation with (now) Division Director Michael Upshaw, the "regional" line, as this sad tale of treason unfold. And, sadly, the cover up has been extended to the Dep. Exec. Dir. Bryan Collier's office, by certain virtue of Collier's either unwittingly or wittingly buying the whole hog farm so cunningly sold to him by his subordinates; and if wittingly Collier participated, then allowing him a resignation is far more merciful than they gave to me in running a dismissal hearing for my posting of photos of prisoners putting together Christmas packages that I had written permission to take and TDCJ lawyer-created Media Releases. Felony Falsification, in spirit and truth, that is what both Alford and Stephens are guilty of, and have gotten away with so far, and worse is yet to be detailed below.

Even in November 2013, there has not been any attempt at all to even find out how long that went on. Let's look closer as what we do, in fact, know for certain. That *everyone* at Polunsky *knew*, except – if you believe his IOC – the Senior Warden. Everyone knew, and it cannot be stressed too much – not only knew, but the Volunteers *bragged* about it all.

The high security prisoners, most with life sentences or 40-plus years, several with murder sentences, That is what they did most of the time, for the church, for the chapel, for the Christian community, for the Christian volunteers, and for Chaplain David Collier and for Division Director C. F. Hazlewood. And, of course, it never dawned on anyone – see the IOCs – that the prisoners' would never, ever, ever, ever, ever edit a photo of a staff or create a TDCJ state ID – they would never! But, though we do *not* know what the prisoners were fully capable of doing and thanks to Upshaw we will never now fully what they did do, one thing is absolutely certain: the prisoners in *their* office on essentially *their* unsupervised computers for *years* were actually and continuously and for 40-60 hours a week for years were EDITING PHOTOS AND VIDEOS! With no supervision! In the dark!

I hated that, complained about it, wrote an IOC about it in July 2012, tried to see Dep. Dir. Collier and Div. Dir. Thaler about it in July 2012, complained about it to majors and wardens, complained about it to Warden Alford. After Warden Alford had a Letter of Instruction written about me for being "lax" – with that – I filed a grievance, to get the idiocy on record, and filled my retirement papers, too, *knowing* this was a time bomb and that I was being set up to take Chaplain Collier's load of failures and years-long sponsorship of his multitude of policy violations. The Grievance Hearing, reading Alford's pitiful IOC, was pivotal to him, as it was the *beginning* of his discovery – lying – but for me, it was just a way to get the Letter of Instruction on a permanent record. There it is, a letter for being lax, as I tried and tried and tried to help, *before* I uncorked and let loose the longest series of cover ups of security breaches in TDCJ history. On October 29, I uncorked it all with a 21-page letter of exposure while still an employee, and ... well ... here is the Rest of the Story, told in a more direct fashion than the previous letters and with documents galore and even photographs and recorded testimony.

Now look at Slide #8 below, full page, outlining the Lamp On, Lamp Off fiasco, to name a few, including *years* of cork-board-in-the windows in perfect view of the Chaplain's Office and, of course, in perfect view of the high-resolution security cameras. Are you listening? The million-dollar Polunsky security cameras could see the cork board in the prisoners' Computer Control Center windows *clearly*, just as all of us Chaplains could see from the Chaplains' office.

Now, among the *lies* written by Alford in his January 2013 IOC, one can see him cover up several items at the same time: that is, Alford *lied* when he said the computer problems came by me at the Grievance Hearing, for he *knew* months before not only about those, but about the cork board on the inside of the windows of the Prisoners' Computer Control Center – unless, you believe that Alford *never* looked at the 3-Gym Chapel from the security monitor in his own office. Well, at least see what the prisoners see from their own filming and cameras, and then in this light, ask: what do you *now* think of the promotion of Polunsky's last Senior Warden Alford and his chiefs that – wow, let's saver this a moment, wow, wow, wow, another revelation from Maness a year after he left Polunsky – Alford and all of his staff still in January 2013 *never saw* what the *prisoners* themselves were recording.

It cannot be said any clearer ... **BULL_!!!**⁷⁶

⁷⁶ Ibid. *Hahaa ... who'd a thunk an "ibid" here. Merry Christmas! Too much technicality fogs, too.*

Photo 4: Slide #8 – Lamp On, Lamp Off – Lights Not ON Until 10-9-12!

Lamp, Lamp ... Where Art Thou Lamp?
Some Hours – Lamp ON **Most Days – Lamp OFF**

Polunsky Unit Work Order
 #105413002402
 Start 10-9-12 to 10-10-12 < took two days
 3 Gym lights out in media room
Rebuilt light fixture

After bugging – Alford finally ALLOWED me to turn lights ON ...
 I rushed Maintenance to FIX lights

They used lamps most of time ...
 Overhead lights not destroyed were used only when they "REWired" their computers!
 NO - they NEVER ASKED anyone when they "rewired" their computers ... for YEARS.

Inside Windows Covered with Cork Board?
 yah know - to pin their Sticky Notes to

NOTE TO SELF
 Check stock of Sticky Notes for prisoners!
 See if they need more color ink and DVDs?

some hours – Lamp ON
 still Dark with Lamp ON must Look AROUND Junk in widrow to see a ... prisoner?

most DAYS – Lamp OFF
 Lamp OFF – cannot see in at ALL!

Deficiency Noted
 3 Gym lights out in media room
 Rebuilt light fixture

Corrective Action Taken

Work Order Number	Start Date	Completed Date
105413002402	10/09/12	10/10/12

Polunsky PowerPoint #8

In other words, given these photos, the recorded testimony of four TDCJ Chaplains, the concurrence of many other staff and volunteers, it is impossible that Alford did not know. Years! Read Alford IOC – he not only lied, he covered up what I, myself, told him three times, and others told him too. And he covered up the 4-page IOC I wrote to Warden Muniz and I sent to personnel to be placed into my file in July 2012, too.

In still other words – every which way one looks at this – in Alford’s own words, therefore, given that Alford and his chiefs – all of them – **missed all of the following** for Alford’s **entire time** as Senior Warden of Polunsky. I will tell you what is impossible: it is utterly impossible that Alford did this by himself, all alone. Upshaw and Stephens were fully a part of it. Furthermore, that was why Alford was

sent to Polunsky, because Upshaw and Stephens *needed* Alford to help continue the cover up with Simmons and continue to protect Chaplain Collier.

What do you think of Alford's recent promotion *now*?

We have not gotten to it yet, but we will in the next chapter. Let it be questioned here, as a primer of sorts, and ask: What kind of enchantment did Chaplain Collier have over the Wardens and Directors to bring so many to their knees? Since I am the one exposing, let me say a short word of defense for Chaplain Collier, in spite of all of the mystery, I do kind of, sort of, by a fickle hair and toe nail – really have a hint that it was *NOT* because of any true cunning or master manipulation by Chaplain Collier. The Wardens and Directors themselves are masters of human kind, having dealt with prisoners for – what? – a cumulative of 100s of years. There was something else that brought the Wardens, et al, and through the Wardens' influence, to protect a naïve Chaplain Collier and allow him to believe “all was okay” a policy were violated ad nauseam. If anything, while certainly guilty of multiple violations every day, and worse ones than I was charged for, by a long stretch, the real guilt lies with Warden Alford who allowed the first chapel movement to the 4-Gym and the Chaplain Offices to 4-Gym *prior* Chaplain Collier's arrival in 2006 as a brand new staff chaplain, and from 2006 and for two more years the Chaplaincy under Alford and Chaplain Collier grew with more and more computers. All during Senior Warden Timothy Simmons' time, and the assistant Wardens like Alford and Muniz, none them, not one of them, *helping* Chaplain Collier. They even *sponsored* and *permitted* the move of the entire policy-violating mess from 4-Gym to 3-Gym, so they could move the Craftshop into 4-Gym, with its own host of safety violations. But in 3-Gym, it was business as usual.

If you see a hole in the prison fence, you fix it. They saw Chaplain Collier naively adding computers and printers, and they saw when the lights were turned out in the Prisoners' Computer Control Center and watched as prisoners placed cork board in the office windows, so the security cameras right above the chaplain's office could not see what the prisoners were doing in their office. However Chaplain Collier enchanted the Wardens and Directors, it was not all by his cunning or intention alone, and as will be clear later, nor was it by Wardens Simmons and Alford alone, for they had help.

But this is just the beginning. Let's look closer, for there are a LOT of photos.

Photo 5: Slide #9 – Prisoners See Staff BETTER than Staff Sees Prisoners


From Their Office the **PRISONERS** could **SEE STAFF BETTER** than Staff could see Prisoners – FOR YEARS . . . and Warden Alford Promoted oh ... well ... no one is looking at prisoners anyway ... for years

TDCJ Polunsky High-Resolution Security Cameras WATCH for YEARS – Cameras Can Read Inmate IDs – but **CANNOT** See Inmates in the Dark *behind cork board*

Look **REAL CLOSE** at door above, you'll see a **PRISONER** sitting with his **BACK** to the Chaplain's door.

Polunsky PowerPoint #9

Me – looking at it all in June 2012. Prisoners took very good photos of **everyone**, including officer to my left. *- from screen shot of a video -*



Really now, if you can believe that Alford just found out about this at my Grievance Hearing, I do have some ocean-front property in Arizona to sell you. Oh, Alford *bullied me*, he surely did, and, just as Stephens said, there were no witnesses. Why? Because Alford's bullying did not work: I would *not* bow down to

his demands to cover up, would *not* be intimidated by his rude behavior, and would *not* – no *sir!* – would *not* lie for him. He *demand*ed that I hammer Volunteer Bennett and I would *not* do it!⁷⁷ I refused to be his dog, and I paid for it, he and Upshaw made sure of it. Though I told Alford and repeatedly asked for help, Alford would not give it, just as Simmons and Muniz would not. Alford just shrugged of his shoulders in the beginning. Let him *shrug* this!

B. Livingston – Call Me and OIG – Treason Needs Its Day in Court!

Now then – Brad, sir, get Stephens, Upshaw, and Alford in your office and ask them about the above. See if they shrug their shoulders at you. They have made a fool of your office, lied about me, lied about Polunsky, lied about the seriousness, lied about covering up, and have covered up so much more to be revealed. The first ten pages in this Sourcebook should be enough to get them to sweating. But that is too easy, and the easy way out, just as your good Dep. Dir. Bryan Collier has taken the easy way out these last two years, as Bryan simply bought the entire hog farm.

Not so quick. Don't let Upshaw, Stephens, and Alford take the easy way out *again*. You should really see me first, Michael G. Maness, the only TDCJ employee courageous enough and loyal enough to do the hard work, and then also willing to work very hard to get the truth to you. And no . . . *NO SIR!* – you should *not* bring them into your office now. You should get OIG into your office and ask them to assemble a team led by their best OIG Sherlock Holmes to take this notebook and examine it and then proceed with a world-class investigation to truly *clean house*. For God is my witness, if only half of this Sourcebook is true, then many other former and current employees have been victims of these men's shenanigans as they played with people's lives in TDCJ to serve their own purposes.

No sir, you need to help the agency first, as TDCJ's mission is important. My reputation in TDCJ has to date been ruined. Why? My career was ruined so they could *hide* their cover ups of many security violations! Few things are as despicably traitorous. So, Brad, you and your Deputy need to truly find out how far the treason goes before you can fully discern the scale of what has taken place. For, can you hear me now? . . . this Sourcebook is the short story.

C. Infamy One – Polunsky Wardens Sing “Look Away, Look Away, Dixie Land”

The multitude of security and safety violations lead somewhere. **MOTIVE:** from the Critical Juncture 1 above and Photos 1-3 alone – and the rest of the Sourcebook – I, myself, cannot believe the wardens and majors were merely

1. Enchanted by Chaplain Collier's irresistible magnetism?
2. Lax – or did know – or all simply escaped notice, despite million-dollar cameras?
3. Chaplain Collier related to Governor Perry or to Deputy Director Bryan Collier?
4. Wardens' love for Christian service and trust in prisoners

Nor can I think of any other **motives**, though God knows I *wish* I could. I pray nothing truly evil happened, other than the treason so easily given above and the more atrocious treason given below. It is needful to stress the motives, as normal police work and how no one has looked at motives in my case. Somehow – as strange it may seem – Chaplain Collier is related to all of this in more ways than merely him having been responsible for getting all of the assets so foolishly given into the unsupervised prisoners' hands.

Regardless, the cover up of security violations was caused by a conscious motive in the wardens. Now, the year-long cover up of my exposure of five-plus years of major security violations is begging the question, put into a serious refrain:

⁷⁷ See Tab 6 and how Richard Alford *destroyed* the IOC Vol. Bennett and I wrote about the fiasco Alford himself contrived – yes, it was wrong – but not the volunteer's or my fault; see also Disk 1, Tracks 5-6, and the recorded testimony between Vol. Bennett and myself.

What could motivate WARDENS (and subordinates) to sing "Look Away, Look Away, Dixie Land" for years?



You may think that funny, but I am not laughing. Warden Alford especially, but several staff have committed many more serious violations than what was charged to me, and then Alford, et al, knowingly covered up much more. Sung "Look Away" they did, in quartets and choral arrangements. Prisoners took videos of the song and dance for years with *less* quality resolution than the Polunsky's own million-dollar security cameras.

Only OIG's best Sherlock Holmes will be able to find out what caused the wardens to commit treason, involve their senior staff, too, and then in the process protect Chaplain Collier for the entire ride. For years!

What happened? If it was a felony, or – God forbid – a murder of a prisoner that was covered up, and the family finds out later it was covered up – what is that? What does that do for TDCJ?

God knows, except for what has already happened, this is nearly as serious as an escape itself. What happened at Polunsky? What is still happening?

In the Dark – Insane! With Dep. Collier now becoming a party to the cover up – clearly – that inextricably pulls your office, Brad, into the cover up of years of too many security breaches to count, even a multitude unprecedented in TDCJ history. Really? Chaplain Collier and the all the wardens allowed UNSUPERVISED prisoners free access to \$1,000s of computers, cameras, color scanners and printers in the **dark!** Cough! For years! Cough, cough, choke. So stupid and insane, it buggers the imagination. Did you see the photos? See the video too on Disk 3.

Imagine how I felt, with 20 years under my belt and a disciplinary for *writing an email from home about a church-splitting volunteer* – and I sit in the lighted Polunsky Chaplaincy office 30 feet away looking at the dark Prisoners' Computer Control Center, *knowing* 2-3 prisoners were in there *looking at me* while I could not see them. *Knowing* they were **doing whatever they pleased** and I was responsible for them and unable to do anything about it. And the wardens and my fellow staff chaplain would not help me get supervision. But, oh, as Chaplain Collier and a dozen volunteer chaplains said – "Warden Simmons and EVERYBODY knows about it. We trust the prisoners." And at Polunsky, there are *three* high-resolution cameras in the 3-Gym chapel complex with at least two monitors to the million-dollar surveillance, one in Admin Control and one in the senior warden's office. I could not stand it, and so I stood up and said, "Enough!" But Chaplain Collier, Warden Alford, and several (not all) of the volunteers got *upset* at me for supporting policy, and the other wardens and majors would not help!

Deputy Bryan Collier and Div. Director Rick Thaler would not help.

ENOUGH!

Said that for an entire year.

Enough of the cover up – Brad, help me!!!

D. Brad Livingston's Honor – Unfolding Here, too

Brad, when are you going to say, "Enough!" They are playing your office, sir, for a fool. And you, sir, *knew nothing* about it until I told you, via that first 21-page fax! Yes, your honor, too, is unfolding.

You see, Brad, it is a TDCJ fact: no employee will survive going above their unit warden on *anything* negative. EEO is the only exception, given the teeth you have allowed it.

Epic Cover Up and Criminal Favoritism. Herein is not only a proven cover up of vast and epic proportions, but also an unethical and ugly and mysterious favoritism to Chaplain David Collier, at the least enchanting Stephens, Upshaw, Simmons, Alford, and that favoritism has bred contempt in not a few honorable TDCJ staff. Not the least of which were the four previous TDCJ Polunsky staff chaplains and

Polunsky Theme Song

"Look Away,
Look Away,
Dixie Land"
for years

Do you want the music?

We have the videos.

"Fear is the dungeon
of the soul."

Robert Ingersoll (1833-99)

other Polunsky staff. The favoritism to Chaplain Collier was made uglier and nastier – again – by the unheard of ignoring of security and safety in withholding equal treatment to four TDCJ chaplains in their complaints about security violations to Warden Simmons and other rank (listen to the interviews on Disk 1, Track 1-3). To cap all, Simmons retired with the Administrator of the Year award presented by Alan Polunsky himself. No investigation to date!

Ramifications Here – only Short Story. The rest of this Sourcebook outlines only a small portion of the ramifications of the 17 Tabs that follow. This is the short story, truly, for no one has yet to fully investigate and interview the volunteers and staff at the Polunsky Prison, many of which are still there, some of which were *knowingly* promoted who complied and were complicit with the cover up, some of which resigned or were fired (like Chaplain Anderson) for trying to be honorable. So, delicately but forthrightly, in the first section below, we give the “Heart of Treason” and the largest and most conspicuously obvious keys to opening up and dissecting the longest serious of major security breaches in TDCJ history and along with it the longest and most pervasive cover up in TDCJ history. By a chaplain . . . who was run off for trying to do his job, but this time with documents galore, and yet with a grand need for OIG’s Sherlock Holmes to gather about him a crack team of fearless officers to uncover all and lay bare the *Long Story* and help relieve the fear of current Polunsky employees, salvage the honor of employees already dishonored, and give warning to other staff promoted for their compromising skills instead of their loyalty to TDCJ’s policies and mission. This is the short story in need of help from OIG and others.



IX. Maness' Last Month at Polunsky – October 2012

This has been extremely hard, Brad. If you and whoever else might read this far, this seems to be the best place to sandwich the narrative chronicle of my last month at Polunsky. Some of the incidents related here dovetail with the larger exposure. But, at the heart, this narrative is emblazoned, even burned into the whole picture with the magnitude of the cover up and lies and betrayals. Perhaps this will give OIG an insight into who Alford has operated for many years. Some told me he had a reputation for fixing prisons. Well, here is how he “fixed” them, and not with any kind of honor at all. But that is not all, or even close. For the whole story will not be complete until one wades deep into the 20 Tabs the follow and, as a finale, read closely the dissection in the Epilogue of Director Mike Bell’s fateful and beautiful email to his ITD Tech on what to do with the Polunsky chapel computers.

What this narrative does is give you, Brad, my perspective of my last month, now with the benefit of having audited every conceivable document available to me. What is clear here, throughout my last month, is that Alford was not *fixing* Polunsky at all. He was fixing me, personally, who had done him no wrong, who actually had made more progress in bringing things into compliance than all the other chaplains, wardens, and majors before me. Most of those things are catalogued for you in Tab 2, Item 2, and verified again in the other Tabs with dated documents from the Polunsky Chaplain’s office OneNote Database and the Chaplain’s My Documents Folder, those date stamped on Disk 2, just for you and your analysts, if anyone really wants to dig deeper (they will not be made public; see caveat in Part Three).

Tools – Tab 5b – Wednesday, Oct. 3. See Tab 5b for this part of the fiasco. On Wednesday, October 3, Major Hutto has been charged to *finally* do something. He comes to the 3-Gym and roustabouts the prisoners electrical snake from their Computer Control Center to the prisoners’ Audio Cave. After being convinced by the prisoners that the “snake is hardwired” between the two places, he leaves that alone, and proceeds to demand the extension cords to be tagged. He also asked about the tools that every knew we had, and, showing him, said to get a shadow board made for the tools. See Tab 5b, Items 1 for the IOC we sent to him for him to sign, for maintenance to begin construction, Item 2 for the design by Prisoner 0705004 Ramy Hozaifeh that I had him construct on his computer in his Computer Control Center, unsupervised as usual, and see Item 3 for the Chapel Sensitive Tool Log and the *hours* of use by the prisoners.

Hutto comes back later in the day, saying, “Ah, I need to take all the tools.”

Letter of Instruction – Tab 5b – Tuesday, Oct. 9. I received a Letter of Instruction that Alford had Major Hutto write for the tools, again, that Hutto *knew* about for years and that had gone through several security audits, a feigned and ugly pretension of *mercy* as Alford condescended, knowing a third disciplinary would mean another mandatory dismissal for me. Alford was setting up the bogus paper trail to pretend himself a “fixer” in a few weeks or months. That was it for me, though. It was new low for Hutto, too, who I had seen in July and August, like I all the captains, about *their* view of the unsupervised prisoners on computers all day and other problems. No problem then, and – really – no problem now. Even as his Letter of Instruction was read, prisoners were in their Computer Control Center unsupervised, as they had been for years. What a ridiculous fiasco, the cover up getting clearer and clearer, and my demise, too, for not tolerating it.

Retirement and Letter to Livingston. When I got home, I initiated my retirement papers with ERS and began to piece together the 21-page letter that I would fax to you, Brad, at the end of the month, while still an employee.

Grievance – Tab 5b – Tuesday, Oct. 16. On Tuesday, October 16, I filed a grievance on Hutto to get that bogus Letter of Instruction into the good TDCJ’s machinery, to make that a record as permanent as Fort Knox for the length of the record retention schedule, for me later, and whatever my immediate future dealt me. That letter would *not* remain by its lonesome inside of the traitor’s desk. And, as with the IOC

CVCA Walter Bennett and I wrote earlier, that Warden Alford destroyed (Tab 7), there is just so much one can do when a rogue warden is let loose.

First Blood. Alford drew first blood when he arrived in August, it I had trouble seeing it, still – if you can believe it – wanting and fighting the clear signs of conspiracy and pleading and denying my own heart's eyes – I truly wanted to believe that retiring Timothy Simmons had been honorable. But as August flew by, and September trudged along, and then October 2012 dawned – it was clear. Alford's belligerence told me all I needed to know about my former friend and confidante Simmons. They were covering up, and – though I did not know it then – it is confirmed *now*, Alford and Stephens and likely Thaler, too, were all covering up the atrocious and dangerous violations under Chaplain Collier, having already supported him for years.

Grievance Hearing – Tab 5b – Friday, Oct. 19. At the fateful Grievance Hearing on Friday, October 19, the writing was on the wall and my retirement was confirmed. Of course, I *knew* Alford would not grant relief, and he was clear. He also knows what he did, and some things are not worth repeating here. But Alford betrayed more things than his job and family and future – he became a gutless wonder who protected the illegal, favored the incompetent, rewarded the compromisers, ramped up others to do his dirty work for him ... all to cover up his own responsibility and his failures for five years ... and he sent true justice and equality packing. I did not fully understand that, that Friday. But what I understood then, was a enough. I was sick of the sight of him, and took off the rest of the day.

Retirement Packet in Hand on October 19, notarized everything and sent off

Called In as Usual. As usual, I told his secretary and, I think Chaplain Collier.⁷⁸ This is important given what was to follow shortly. I sent the prisoners to their houses.

Given the September and October hiring, the retirements, adjustments in Chaplaincy protocol, the finagling and other juggling by Marvin Dunbar and only God knows who else – it was the ruination of Chaplaincy, as far as I was concerned. Many things I could not see or understand. Ironic to this day – chatter-box Chaplain Collier was a fund of information. He desired to become the Region 1 Chaplain or the Death Row Head Chaplain at the Walls. Most of the time he was a fun source of information. He did had connections in Huntsville, or so he claimed. His favor was a joke among the lead volunteer Chaplains, as one would call him the “silver-tongued devil” in a jovial and positive light. I paid it no mind early; a good Chaplain ought to be in favor after Six Years. Little did I know. In spite of all, though, he would not listen to *anything* about his prisoners and supervising them – just would not. He defended them and their lack of supervision, confident the wardens supported him. And they did like no other chaplain in the history of TDCJ.

Because of Alford's shenanigans, I was forced, *forced* to retire, to avoid another disciplinary. It was coming now. Several swirling winds above my head, and cards had been dealt, silken cloth passed around, and a whole lot of pats on the backs among a clique of traitors – it was a race to the clock now.

Last Days a Polunsky – Mon-Wed, October 21-24. My retirement locked into place, I told no one. I was quiet as a mouse and we were on lockdown, if I remember. Capt. Timothy Kirkpatrick and Lt. Wayne Grigsby came by and checked the computers. How about that? They were no experts and did not know any more than I did. It was Kirkpatrick's verdict, too, that none of the computers had internet access. That was all, finis, the end. No other word, not a thing. That is *not* what Alford's puts in his January IOC (Tab 5a, Item 3).

Wednesday, October 24, Retirement Acceptance Finalized. For Oct. 31, 2012.

Friday, October 26, Called in Sick. I had a bout of flu, too, but was sick of it all too. And I worked steadily on the 21-page letter to you, Brad, feverishly in more ways than I can imagine.

Monday, October 29, Called in Sick & Faxed. Chaplain Collier sounded concerned, and I told him I probably would not be better Tuesday. He understood. Brad, on this day I faxed to you and Bryan and Rick Thaler, a fax to each of you, my 21-page letter of exposure and shenanigans. I overnighted

⁷⁸ I have copies of my personnel screen for that month, and for my entire time at Polunsky, showing which days I took off early and which days I took off all day. I had over 400 hours of vacation time on the books, and I *always* called in, either to Chaplain Collier or to the warden's secretary, a sweet lady. No problem until my last day.

a hard copy of it to you three, too, with a DVD of data. I fully expected OIG would be called, so I lay low not doing a thing.

Tuesday, October 30, Called in – Muniz Writes Me Up. I called in sick again, and Chaplain Collier sounded concerned again, really pastoral. He had some nice airs quite often. Later in the day, I missed a call from Warden Muniz, and caught up with him later. To my surprise, he had written me a disciplinary for *not* calling him personally.⁷⁹ Really! Come now. Muniz also said that Warden Butcher would be handling the disciplinary on Friday, November 2. Hah! I was kind and did not say a word about the 21-page letter faxed on Monday. Given my wounded heart, and that disciplinary being my third, Muniz knowing full well, too, that it meant *another* mandatory dismissal just six months from my last – hah!

Truly sick of Muniz and Alford and the utterly low minds that forsook their loyalty to TDCJ and Texas' values – I had the privilege of informing Muniz in measured my words my retirement became effective on the morrow, Wednesday afternoon, October 31. Halloween. He seemed surprised and a bit tongued for a second or two, which was the only pleasure of that day, believing he had yet to find out about that 21-page letter to you, Brad.

Thursday, November 1, Tabitha Taylor called, said she had some final forms for me to fill out. I was not really wanting to come, but her professionalism had been without stain. I was adamant about not wanting to see Warden Alford, my emotions awry and all. So I drove to Polunsky and signed all the final papers, so glad I did, and I just had to ask, “What did you do with the 5-page IOC to Warden Muniz, the copy I wanted put in my folder.” She said she had read it, but could not put in my folder, as there were only certain things that could go there.

I left the prison, choked up, a very sad day, and not the way I wanted to leave or retire. No retirement party for me, after 20 years, and many accomplishments. And, with a secret, a 21-page letter to you, Brad, of the exposure of most of what I knew then. Just convinced that OIG would be on the case and I would hear something. Shook the hand of one of the finer newly minted lieutenants as I left. Why, oh God, did I have to see him on the way out? I really choked up. He saw, too, and asked what was up. I just bid him farewell, told him was I was retiring. And I wanted to say, “Watch your back,” but did not want to give a hint to anyone that OIG would certainly be here to check things out.

No OIG? God, why not? By June and July 2013, I had my answer. Stephens, Upshaw, and Alford had conspired together to cover up their snail-dung treason to TDCJ and Texas, to serve – what? – we don't know yet. But they have succeeded so far in dodging OIG's Sherlock Holmes, and to hope OIG has a Dirty Harry who will rough them up and find out when and how, and – by God's help – find out *why* that particular chapel was granted a freedom from all policies for years.



⁷⁹ Truly, I have copies of that disciplinary, too, but it is moot to this monster now. Yet, if I recollect right, I think I remember the date being Monday, October 29, though Muniz do *not* call until Tuesday. If that is right, Muniz wrote me up on Monday afternoon. The only point there worth a plugged nickel is that, true to form, he was *charged* by Alford, almost certainly, to write me up. I had not called the warden personally, except by accident, in the last 10 years. My regular hours at the Lewis Prison had been from Sunday to Thursday, and when I called in sick on Sunday, I just told the shift lieutenant, you know, to cancel the service if I had no replacement. Muniz was just being a nasty toad, almost certainly just following orders or pressure or intimidation from Alford, just exactly as Major Hutto had a few weeks earlier. The hard case here is not my calling in at all, but Muniz signing off on the prisoner supply train for so many years and being *the* assistant warden in charge – after this monster gets where it needs to, and where it should go, he should have a lot more explaining to do than why he capitulated to Alford's intimidation.



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X. Heart of Treason on the Half Shell

A. My 21-pg Letter Sent on Oct. 29, 2012 – Chaplain’s Dependence upon Prisoners

It was and is a matter of honor, TDCJ’s, yours and mine now. They – Stephens, Upshaw, Alford, and others unnamed – have laughed for the last time behind my back and to your Deputy Bryan Collier. Unless, your deputy is himself behind the cover up; if he was not, then he was unwittingly the victim of his own confidence in those below him; regardless, he has now become Stephens’, Upshaw’s, Alford’s, and Chaplain Collier’s greatest ally in the monumental cover up, worst in TDCJ history, and their protectors. Untold TDCJ employees suffer.

In this short section, we outline the mystery behind the treason, a mystery still unknown, and the ramifications of failure to solve that mystery. Though I have not challenged anyone before, I certainly do in this section. I am right, but – oh yes – if they are not cowardly bullies, let them prove themselves men of honor and address the facts.

Before showing more facts and how the 18 Tabs reveal a large portion of the extent of the violations of security, safety, and violations of common sense, we note that the 21-page letter first faxed on 10-29-12 was certified delivered by Deputy Bryan Collier in a letter to me dated 11-1-12. It was not intended to be a precedent, but it was written while I was still an employee and becomes now a foundational document. Nothing, nothing at all was done about the security breaches until receipt of that letter. With the hard copy was a DVD with a copy of the Microsoft OneNote database that the prisoners used on their wireless network for *years*. On that database sent to you, the Executive Director, et al, were several of the documents in these Tabs and were in your possession in late October 2012. That is, included again here on Disk 3, that database included documents on the actual operation of the Polunsky Chaplaincy Department by – hold your breath – the prisoner SSIs under the staff chaplain’s lazy supervision, even though no staff chaplain to date has really mastered the OneNote system.

That is, your staff had many pieces of this very notebook in late October 2012, but, such is also the extent of the cover up and more.

B. Reg. Dir. Richard Alford’s Farce of Treason

“Potential Concerns” wrote Alford. Maness had attempted to see Dep. Dir. Collier and Div. Dir. Thaler and wrote an IOC to Warden Muniz and had put in my personnel file in July 2012. TDCJ’s ITD techs created a laundry list of computers found in November 2012 (Tab 7). Prior to all that, Warden Muniz and predecessors approved in writing \$1,000s of Chaplain Collier’s **personal property** that the prisoners had been using, with *no one* knowing until Alford gets his farcical “potential concerns” *revealed* to him by Maness flippantly in Maness’ own grievance hearing? Really?

BULL_ _ _ !⁸⁰

How utterly stupid does Alford think everyone who reads his IOC are?

Reality! Alford is *dependent* upon no one checking *anything* he says out. And, hear this, that is the level of trust Alford’s high office *should* carry. When *any* employee Texas says *anything* in their official capacity, it ought to be truth. I remember a couple of months ago a Ford mechanic if he had put the top bolt *back* into an exceedingly hard to remove starter. He hesitated just a fraction of a second,

Lies – Alford lied in a big and criminal way here. What Alford said was not a mistake. Not an administrator flippantly and hurriedly trying to *write* an IOC so he could get back to work. No, not here. Here we have Alford with full and intentional felony falsification of a state record with the intention to deceive all readers and cover up years of violations in CONSULTATION with Region 1 Director Michael Upshaw.


Of all the things Alford mentions – of all the things – what kind of idiocy prompted Alford or coerced Alford or intimidated Alford to leave out ALL of the major items in my *allegations*. Goodness, either Upshaw

⁸⁰ Op. cit. fn. 75.

or Chaplain Collier must have some extraordinary power over Alford. He crafts his piece in the light of several letters that Maness wrote, essentially making Maness a complete idiot – believing that *no one* will check him out. Never mind that *no one* would write what I wrote just to concoct a story. But Alford and Upshaw forgot something very big and insurmountable. . . . Oops, no sir, they did *not* forget, but calculated to leave out the most important “allegations” I have addressed in all my letters. So Alford’s IOC is rock-solid proof of his felonious lying to cover up, for not only the lies he and Upshaw crafted, but for the what they both left out: Alford *forgets* to mention of **Prisoners unsupervised IN DARK**, that by Warden Simmons’ permission and according to ALL of the Volunteer Chaplains and Chaplain Collier.

Being that this IOC was not something simple, but was ordered by, likely, Div. Dir. Rick Thaler, in lieu of a full OIG investigation, that makes this IOC by Alford a felony falsification of a state record to intentionally deceive and lie and cheat and cover up *years* – not days, not weeks, not months – but *years* of prisoners doing what they please 10-13 hours a day, seven days a week, in their own Prisoners’ Computer Control Center, fully staffed by Chaplain Collier and his volunteers, with all of the \$1,000s of supplies signed off by Warden Muniz and others for years, through an *extra* Polunsky-specific mailroom clearance.

Photo 6: Richard Alford's Treason – IOC of Infamies



Texas Department of Criminal Justice

Brad Livingston
Executive Director

Texas Department of Criminal Justice
CORRECTIONAL INSTITUTIONS DIVISION

Inter-Office Communications

Date: January 15th, 2013

To: Michael Upshaw
Region I Director
Texas Department of Criminal Justice – Institutional Division

From: Richard Alford
Senior Warden Allan B. Polunsky Unit
Texas Department of Criminal Justice – Institutions

Subject: Chaplain Michael G. Maness Allegations

Tab 5
Item 3

A Fabrication by Chaplain Collier,
verified by Vol. Chaplain Walter
Bennet in IOC Alford destroyed
See Disk 1, Track 5 & 6

On Tuesday, October 2nd, 2012, I, Senior Warden Richard Alford, was monitoring hallway traffic near the General Population chow halls. I observed an unknown offender walking from B-side to A-side with a church volunteer. I questioned this offender as to where he lived, and he stated 7-building. It was discovered that this offender was a G3 custody offender that was out-of-place on A-side. This was a violation of policy and a severe security breach. Upon questioning Chaplain Maness concerning this incident, he stated that he had been approved to do this per prior Warden Simmons (which was verified to be a fabrication).

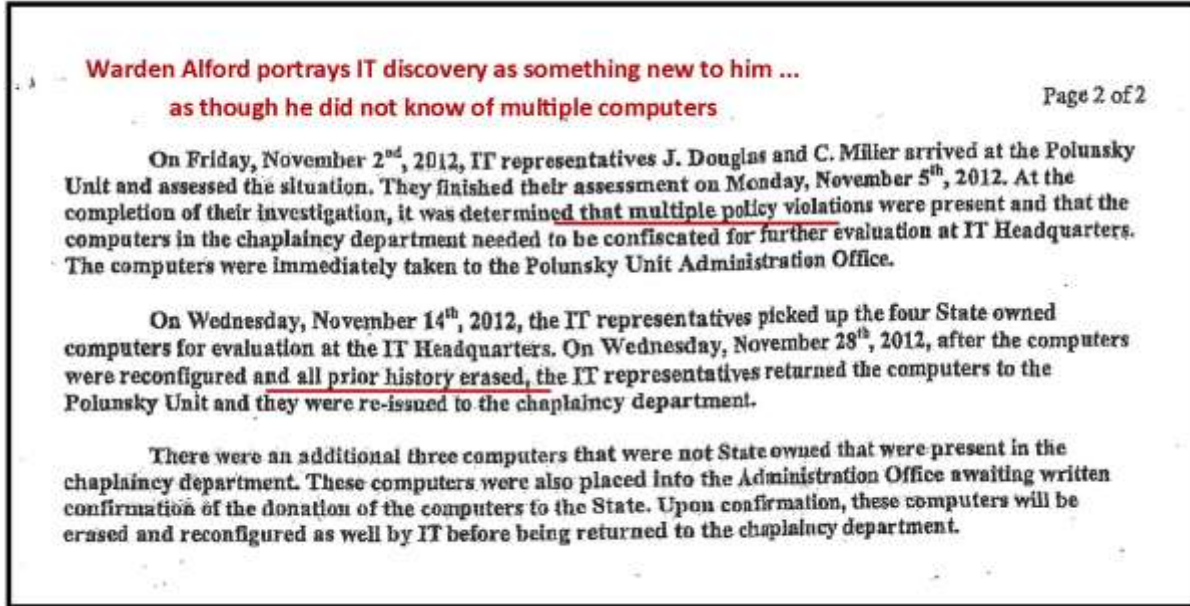
On Wednesday, October 3rd, 2012, I instructed Building Major Kenneth Hutto to do a walkthrough / visual inspection of the chaplaincy department to identify any security concerns. Major Hutto discovered multiple extension cords and sensitive tools that were not inventoried or tagged through the maintenance department and not in compliance with Agency Tool Control policy AD-03.19. Following the discovery of these items that posed a security risk to the facility, Major Hutto issued a Letter of Instruction to Chaplain Maness and Chaplain Collier addressing these issues. The Letter of Instructions were generated for a Level 2: 20.0 – Violation of Policy, due to the chaplains lack of attention to their department and the contraband and tool items that were present.

On Friday, October 19th, 2012, I conducted a grievance hearing with Chaplain Maness concerning his letter of instruction. During this hearing, Chaplain Maness expressed some potential concerns with the computers and technology that was present in the chaplaincy department that was accessible by offenders. Upon hearing these concerns, I instructed Captain Timothy Fitzpatrick and Lieutenant Wayne Grigsby, who both have knowledge of computer operating systems, to examine the computers in the chaplaincy department. Upon completion of their assessment, Captain Fitzpatrick reported that multiple flash drives were discovered, a network was discovered that was wirelessly connecting all the computers, and multiple folders were discovered on the computers that were password protected. The chaplaincy department claimed to have no knowledge of the passwords.

Having confirmed that there were indeed policy violations concerning the computers and the technology equipment present in the chaplaincy department, I conveyed these findings and expressed my concerns with regional chain-of-command. The Information Technology Department was notified and instructed to report to the facility to further assess these findings.

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Senior Warden Richard Alford
Allan B. Polunsky Unit



HEART of TREASON! – verifiable!

Alford is KEY to Years of Cover Up of Security Violations and Years of Protection of Chaplain Collier and Years of Promotions based upon Cover Up Compliance!

When (then) Dep. Director William Stephens goes to Polunsky and writes his IOC in February 2013, he and Upshaw and Alford all sits on their butts and crack jokes (Tab 5a). And they share a laugh, that Maness is finally out of their hair, and they laugh – can you hear them Mr. Livingston? – they *laugh* at the Executive Director and his deputy that will never truly know how TDCJ *really* operates. And they have gotten away with it for over a year, just as they have gotten away with it with other weaker, less articulate TDCJ employees.

Now, after my 30-minute conference call with Dep. Exec. Dir. Bryan Collier, with my faxed outline, we have another crystal dilemma: wittingly or unwittingly? – that is, either Bryan Collier was *wittingly* or *unwittingly* in complete collusion with Stephens and Upshaw and their pawn Alford. One or the other. If unwittingly, Bryan Collier is due a very big Sub-Standard Duty disciplinary, but if wittingly, then Collier needs to resign. Hope he is vested.

Had I not persisted. Listen and look at the history, for at *first*, there was nothing responsive to my requests for a copy of the “investigation” – nothing at all. Then I asked again, finding that inconceivable. And then I was told “No,” and had to appeal to the Texas Attorney General, with another letter, and then TDCJ relented and gave these to me. While ALL could have been confirmed in July 2012 if Bryan Collier and Rick Thaler had been astute, and all could have been verified in October 2012 if either had been astute then too. But, no, there is no interest in “years of cover up of major security violations” until I write another letter.

But all that was done – after my practical begging to keep this all “in house” and my own forced retirement to keep from getting another disciplinary – *all* that was done was a sloppy piece of TREASON above, a written work that is a felony, to cover up years of security breaches that *preceded* Alford and to help *protect* Chaplain Collier. Making a mockery of the Executive Director’s office in the process, and – what? – Alford, Upshaw, *and* Stephens are *all* promoted.

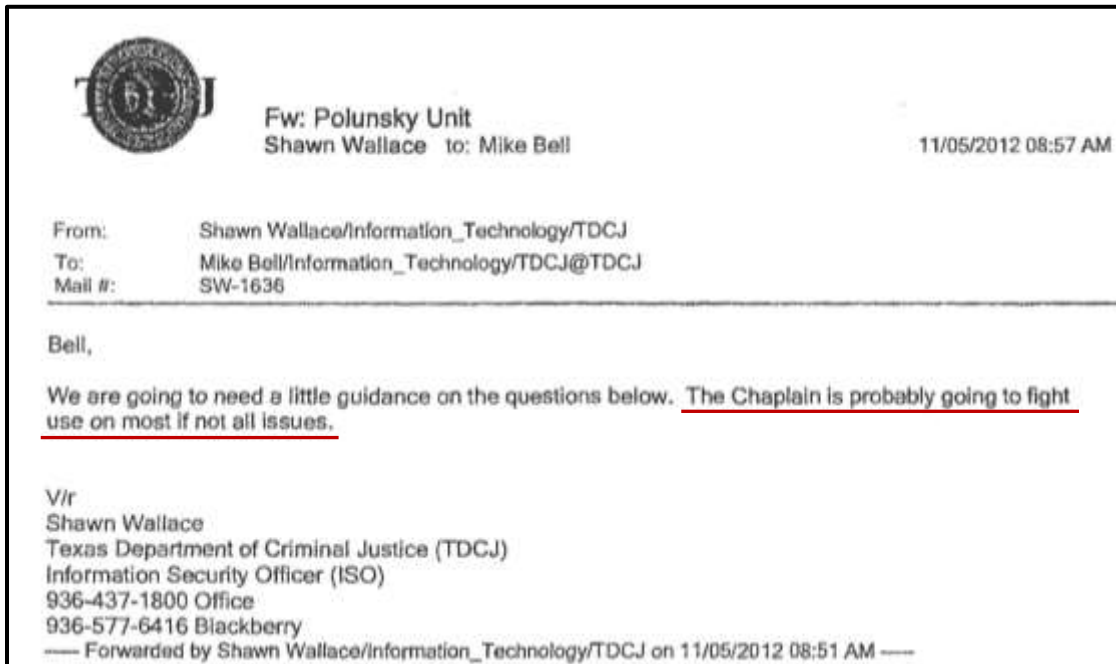
TREASON to TDCJ’s good polices and mission, TREASON to the Executive Director’ office, and TREASON to Chaplain Maness that *tried* to make corrections like no chaplain before him at Polunsky, and then in that late February IOC there is also TREASON to the now multiple attempt of exposures (Tab 2, Items 2-3).

The following explores more proof and further ramifications: namely, how the Polunsky fiasco was connected to my disciplinaries at the Lewis Prison, via (now) Div. Dir. Michael Upshaw, and perhaps his collusion with Madeline Ortiz, and their working together to make my miniscule and contrived violations much worse than they were. My first two disciplinaries were really about punishing me for my advocacy and for writing the 50-page Faith-Based Housing Letter to Exec. Dir. Livingston.

C. Chaplain Collier Testimony Against Alford! –

Courtesy of TDCJ Computer Expert

When TDCJ’s own computer ITD Techs do come, they felt it important to report something no one expected, and it appears strange and even innocuous at first blush. But, here it is, another objective testimony to the degree that Chaplain Collier felt and believed with all his heart that *all* was okay, including his total dependence on prisoners in the *running* of the chaplaincy department. But more important, even outstandingly **Critically Important** is how much Collier believed he had the wardens’ approval for *years*, years before I got there, including Warden Simmons’ and, of course – look at the date – Warden Alford’s approval. Yes, Mr. Shawn Wallace said, “The Chaplain is probably going to fight use of most if not all issues.” Thank God for another simple and honest statement.



An innocuous statement by an innocent TDCJ ITD Tech just following orders, and – clearly and also **Critically Important** – outside the Alford-Upshaw cover up loop *and* outside the Alford-Upshaw “protect Chaplain Collier” loop. In about three weeks from November 5, on November 29, Chaplaincy Manager Bill Pierce and (then) Senior Warden Richard Alford – on the same day – sign Chaplain Collier’s third good annual evaluation. Yet, there above is the *only* person in TDCJ (except Maness, me, and the three *previous* state chaplains) willing to say *anything* bad about Chaplain Collier. But, hold your breath, we have to ask, *must* ask – what is it that the Wallace said? Of all the things *not* said by so many, and of all the times to be saying it, and of all the things to be said, TDCJ’s *own* computer expert sent to shut down an obviously illegitimate Prisoners’ Computer Control Center says what? His written testimony, innocently and honestly, says “The Chaplain is probably going to fight use on most if not all issues.” What issues? God in heaven, “issues” about TDCJ’s own computer experts’ *longest* and *most detailed* four-week long reconfiguring of the most illegitimately procured and most abused and questionable and security-violating hoard of computers in TDCJ history.

Yet, much to do, the above just a bird dropping on top of the iceberg, the **Epilogue** cometh.

Would that we could have been a bird on the wall when Wallace first talked to Chaplain Collier, and *recorded* that conversation, that led to Wallace's statement above. That also backs up my testimony from June to October 2012 and backs up the testimony of the three previous TDCJ Chaplains who had a hell of a time with Chaplain Collier's security-policy-violating behavior. And that statement also comes against Alford's IOC, too, driving another nail in coven of Alford's clearly traitorous and intentional cover up *crafted* in his IOC, as Alford – I am certain – followed orders from Upshaw in their protection of their enchanting Chaplain Collier.

Whatever else can be discerned from that email from Wallace, the rest of the emails and inventory of illegitimate computers in Tab 6 only give a small indication of the depth of the violations. And, as we shall repeat at strategic places, not also from Tab 6 and from Disk 1, Track 8, Mr. Wallace's recorded testimony, that – yes – Upshaw did order all the hard drives "cleaned," including in the inventory the two gigabytes of *encrypted* data, so we shall *never* know just what those life-sentenced-for-murder prisoners did for the last five years, and – almost as bad – we will never know what the prisoners were *capable* of doing with the activated Blue Tooth capability the TDCJ experts found. I am sure many people are thanking Upshaw for the "cleaning" which covered up – oooops, wrong term – which *erased* and *destroyed* and *forever sent to oblivion* hard evidence of just the prisoners did.

I hate this, hate it, hate it, *hate it*. What Upshaw did was crooked through and through, for – to make a point – the two prisoners who were the de factor Directors of the Prisoners' Computer Control Center were life sentenced murderers. And I believe redeemed, too, and men *trying* to do good, most of the time, though I cannot see them being 100% angels for the last five years. Sure they made illegal copies from time to time, probably of some other prisoner's girlfriend, etc., but we do *not* know. And we should *always* know. And they could have been making TDCJ ID cards and Texas Driver's Licenses, or running an extortion ring. We do NOT know. **Critically Important:** Upshaw covered up his tracks and the tracks of Retired Warden Simmons and then Warden Alford, and only God knows what else, when Upshaw ordered the "cleaning" of those hard drives, as disgusting and so *unlike* a normal *law enforcement correctional official with decades of experience*, Upshaw erased and destroyed three sets of vital information:

1. Upshaw *erased* all of what the prisoners did do for the last five-plus years, including two equally important sets: a. erases all the bad and illegal, and erased all the good,
2. In *erasure and destruction of evidence* Upshaw prevented finding out two equally important sets of information: that the prisoners were a. Trustworthy, or b. Criminals in the chapel!
3. In *erasure and destruction of evidence* Upshaw prevented everyone for time immemorial from discovering and discerning what the prisoners were capable of doing.

So, it goes without saying, that Upshaw's orders were not just treasonous to TDCJ's good policies, his willful destruction of such data is a violation of every good sense of a high-level director expected to keep secure the prisons, and, of course, Polusny was not just *any* prison, it has been the highest profile Death Row in the history of the USA. And Upshaw's destruction of critical evidence also proves my point so very well, not as much as a full investigation and study of just what the prisoners did do and were capable of doing, but Upshaw proves clearly his part in the years-long cover up and his part in treason, for his *lack of interest* in such vital information. Oh, ooops again, not Upshaw's "lack of interest," but in Upshaw's determination to keep all of Maness' exposures to a minimum, and hide his continuing gridlock and vise-grip hold on subordinates, like Warden Bill Lewis who falsely charged me with an inappropriate relationship with an offender (Tab 17), and Upshaw's ugly support of Warden Helm's and Warden Hunter's violations of policy regarding their nasty firing of esteemed Volunteer Chaplain Melvin Bell (Tab 18).

And we have just begun this journey down treason row ... on Death Row.

D. Pretense of Supervision and Chapel Dependence on Prisoners – Today

Know this, unlike other departments (like Maintenance, Food Service, Laundry, Supply, and all of the many industries) that use SSI Clerks, only in the Polunsky Chaplaincy is the chaplain *wholly dependent* upon the SSI, as Chaplain Collier and Chaplain Vitela have never understood all of the OneNote database,

never had any training on it, had no desire to be trained in it, nor did they police or truly *manage* what the prisoners did – to say nothing of the Prisoners’ Computer Control Center. Nothing at all was good about how the Polunsky Chaplaincy turned over day-to-day operations to the prisoners, and it was made worse by the lack of supervision all the way around – not merely the absence of *viewing* prisoners typing – but worse in that no staff or volunteer truly *knew* the computer programs themselves.

Hard Drive Closets! Having noted that ad nauseam, another facet just came to me as I was editing this piece on November 2013, an entire year after TDCJ ITD techs started to investigate. That is, given that Upshaw ordered the computers and hard drives “cleaned” and that Upshaw and others did NOT heed my repeated warning – being, “We Did NOT Know What the Prisoners were Capable of Doing” – we will never know what the prisoners actually did, what they had stored, and – *new revelation* – how they stored or organized on the hard drives all that they did do. To say nothing about the fact that no one ever even looked at the folders on the hard drives – for years – something I only began to do in July 2012, which “annoyed” Chaplain Collier and the prisoners. Another huge, unconscionable, incredible, and to me unbearable security breach was not merely the non-supervised prisoners but also the total and complete and 100% lack of knowledge by anyone of just HOW the prisoners stored what they did do. Said in other words, just setting aside that we never knew then and will never know now what the prisoners were capable of doing or what they did store, no staff or volunteer knew where and how the hard drives were organized.

Direct Supervision Today? When? Furthermore, a year later there still has been no live video and sound feed put into the Prisoners’ Computer Control Center (as my sources tell me). I was trying to get *live video* with a monitor in the chaplain’s office in June and July 2012, so we chaplains could *approach* compliance. Security policy is clear: “directly supervise” prisoners on computers, especially when one does *not* know computers well and certainly when – take a deep breath – the chaplains and volunteers do *not* even know the computer programs as well as the prisoners know the computer programs. Yet, the chaplain and volunteers are *supposed* to be supervising.

Pretense of Supervision = Pretending to Supervise! What liability lies on the doorstep of Polunsky when those *supervising* do not even know what they are supervising, to say nothing of the role of *volunteers* in that supervising. That is bad enough. Whatever liability exists there, the precise or even approximate level of liability is dependent upon the volunteers actually and continually *watching* the prisoners’ computer screens, which rarely happened in the past and, then, only with the “pretense” of supervising. The reality was, prior to July 2012, there was not even the pretense of “supervising” prisoners. You must hear this – there is not even the pretense today! Just a “pretending” of the staff chaplain to occasionally look across the room to prisoners 15 feet away, often over a high-back chair, and volunteers just “pretending” to supervise as they eat chips and play solitaire on the computers (well, maybe, the solitaire was removed last November by the good TDCJ ITD techs).

There was no supervision in the Prisoners’ Computer Control Center – sick of saying so as all are sick of hearing it – yet, there was no supervision over ANY prisoners anywhere, only the pretense, including those prisoner SSI’s in the staff Chaplain’s office, only the *pretense* of supervision. And that is the same today, and you will *not* find out how I know that. Just a meandering OIG person, leisurely strolling into the 3-Gym and striking up a chat with the staff Chaplain in his office – over, say, the Cowboys’ game – and one can see the operations clearly. Every staff officer could see and see today. And there has never been the attempt by any staff or volunteer to take initiative in the organization of the computer folders and files, which means that the prisoners are in charge of organizing and maintaining the files and folders ... and one can go on and on here. With the non-supervision then and loose supervision now, and no staff or volunteer mastery of the computer programs, and no staff organization of the computer folders on the numerous hard drives – the basis of any supervision – how can one think there is any truly competent supervision going on today? An entire year and a half since I *began* to expose it!

Good-hearted Chaplain Vitela and the good volunteers really just “trust” that the prisoners are not creating any other documents than what they are expected. But not one staff member or volunteer really knows how one single computer hard drive “folder system” is organized, much less precisely what is on them. Sadly, the road to the same fiasco is being paved today.

Ocean-Front Property in Arizona. Brad, if you think the staff chaplains and volunteers are today in January 2014 **directly** monitoring the prisoners on the computers in the Polunsky Chaplaincy Prisoners' Computer Control Center – well then, I have some ocean-front property in Arizona to sell you. Even with pretending they actually know the computer programs, which they don't, still, the staff chaplain is not watching either. And which volunteer will sit and watch them *all the time*? Ain't happening! The volunteer might for a few minutes, but the lethargic atmosphere there and years of habit, even "indirect supervision" would not describe it well. And Polunsky's security cameras have been recording the "non-supervision" for years – recording it for *years*. **Monumental calculated deliberate indifference** by *several* wardens and majors for *years*, with Upshaw and Stephens conspiring to place at Polunsky only wardens that will continue the cover up.

What was I *disciplined* for? As I exposed, then Warden Alford has me written up for being lax, to *begin* his pretense of exposure, an ugly pretending to tie Chaplain Collier and me together on paper, a pretension of equality to use later to prove Alford was *doing* something, all the while the prisoners were still unsupervised in the Computer Control Center that did *not* begin to be addressed until after my 21-page letter arrived on 20-29-12. While Alford and Simmons and their chief security staff *supported* Chaplain Collier for the previous *years* before I got there – on paper and *preventing* security from doing anything as they watched on the Polunsky cameras – the volunteers "Praising God" every day!

E. Enchanting Chaplain Mystery – Critically Important – What Wardens Fear

For all future TDCJ employees who will read this and for all future persons and investigators who will read this – a looming question remains. Who was the highest ranking person above Warden Simmons and above (then) Region 1 Director Michael Upshaw that *knew* of the years of security breaches prior to July 2012 at Polunsky and did *nothing*? And how, how, *how*? did those wardens and those under them become enchanted by Chaplain Collier? How? Was it Collier's scruffy bearded magnetism? Or did he bribe them (which I doubt)? Or, is it something worse? Did Chaplain Collier *know* something he is covering up, too, that Simmons and Alford and Upshaw will do just about anything to keep covered up?

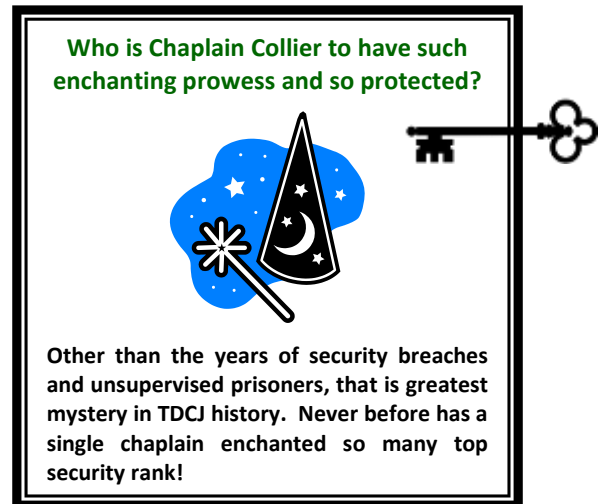
I do NOT know "who?" or "how?" and it will take OIG's Sherlock Holmes to find out.

The Executive Director ought to know. Will you help find the answers to those two questions? Your action, this day, will help me and others, too, see what kind of honor unfolds. Your honor is tied to this, in many ways, and especially before God, who sees all. Not just the facts presented here but also the testimony, literal and painful, sir – God have mercy – but the lives of four chaplains have hung in the balance with many other employees. If this can happen to me, the most vocal and prolific employee in his own defense in TDCJ history, then you *must* know that such has happened to several employees less able to articulate.

Though I do not know "who?" or "how?" – I know "why?" Why did this happen? Simmons, Upshaw, and Alford covered up for a reason, and it is usually the chaplain's job to alleviate this reason rather than cause more shame. Why? A portion of "why?" can be seen in a quote from Ingersoll – "Fear is the dungeon of the soul."⁸¹ Fear of *something*.

What is the motive? Basic Police Work 101. Why? It happened! Why? Motive?

Something frightened Simmons and Upshaw in the years prior to Simmons' retirement, forcing both to protect Chaplain Collier, especially after I began to do my job and expose the security breaches. I remind your Deputy Bryan Collier that I went to Huntsville and *tried* to personally see him or Div. Dir. Thaler in July 2012 before Simmons retired – **Critically Important**. Now, that *attempt* to expose it all, way back



⁸¹ Landon, *Kings of the Platform and Pulpit* (1900; 631p.), Ingersoll, 334.

then, has been covered up, too, for an entire year now. Like a child that hides behind the chair and thinks it has disappeared, several are trying to ignore the exposures, in the hopes that I will tire out – and tired I am – before someone really gets this, understands this, and gets OIG to NAIL their yin-yang to the floor board. Sickening cover up.

Who was the highest ranking person to know of the violations in July 2012?

I pray it was not Byran Collier, still, at this point, even you as Executive Director are involved. All are supposed to expose security breaches all the time, every time!

Now – what? – after all this both Alford and Upshaw are promoted? No! The treason has gone far enough, and professional chaplaincy has suffered too much.

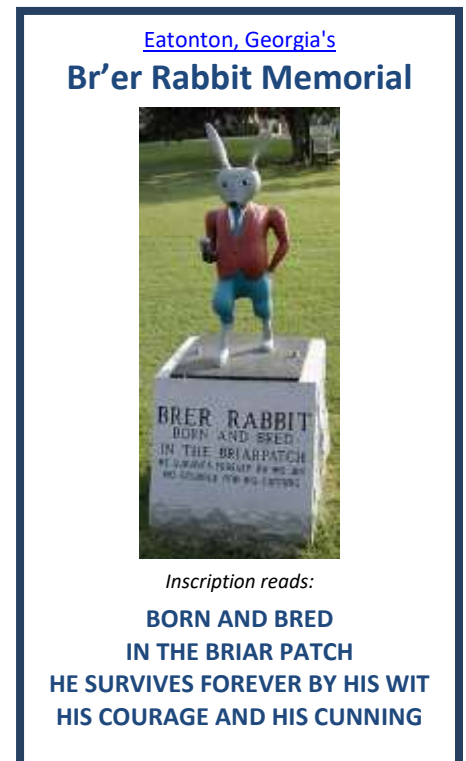
Chaplain David Collier is so enchanting that the wardens fell over themselves to protect him. How does one get that kind of Secret Service Protection? **Critically Important:** for of all the things within these 18 Tabs that are crystal clear, and many are, this is also crystal clear and pivotal and upon which a key to all hangs – Chaplain Collier was *protected* and *shielded* and given *favor* like no other employee has ever been protected in TDCJ history; the documents themselves make that clear, the recorded testimonies make that clear, and now the scurrying like Br'er Rabbit to keep Chaplain Collier protected make that clear and – powerfully – how much several top administrators have minimized the magnitude of my exposures actually says much more about Alford, Upshaw and others. I know not who else or to what extent – but OIG needs to find out the “much more” that the Br'er Rabbiting scurrying reveals.

Br'er was cunning, and it will take cunning to solve this!

I believed back then, though it is fading now, but still have an inclination that Chaplain Collier truly just wanted to be a “chaplain” and a “good guy,” and his heart was broken, too, as he – I want to believe – he just did not understand after years of protection. If he was not a co-conspirator, he and several volunteers were just broken that their policy-violating has mostly come to an end. The farther I am away, the scary it becomes, for he and his lead Volunteer Chaplains truly *loved* their carefree *trust* in *their* high security prisoners, as fully dependent upon them they all were, in a dangerously blind manner. Even to the extent that Chaplaincy HQ was hoodwinked into *thinking* his Chaplaincy Department merited a Chaplain of the Year Award, and he was (I was there) accessed by HQ as a “model” of volunteer chaplain management, the reality totally obscure. And his heartbrokenness also reveals to high heaven his own perception of the full support he enjoyed of all the wardens and majors. An enchantment that *only* OIG can solve.

Inculcating now and weaving another thread – make no mistake, the selfish goals are only surface in nature, for the deeper things will only come out *after* OIG’s Sherlock Holmes discovers the enchantment that Chaplain Collier had over the wardens, who by virtue of their authority coerced other employees for *years* to turn a blind eye to the chaplaincy fiascos.

Gordian Knot. This “enchantment” is Gordian Knot that may not be untied, will never be fully unraveled, much less will anyone *ever* figure wholly how it came to be. Worse, there is no hope of wholly and gingerly untying all of it, none whatsoever, for too many staff and not a few volunteers have been wittingly and unwittingly brought into its entanglement, and Upshaw did order the “cleaning” of the prisoners’ hard drives, the “cleaning” of a load of evidence to further hide any further analysis of whatever the prisoners had done ... or were capable of doing ... hid forever. The way of getting past it, is to not worry too much about untying it at all, and getting some outstanding OIG to do precisely what Alexander the Great did, and bypass the tangle altogether and slice it with his sword of truth, and cutting it off. That is, one man needs to break, Alford, Upshaw, Stephens, or Chaplain Collier, or since they have nothing further to lose in their retirement and with the documents herein, perhaps Timothy Simmons will give up his skeletons upon promise of immunity (or, big



if, perhaps Rick Thaler, as he did retire *while* my exposures were unfolding). I have every reason to believe that Dep. Dir. Byran Collier did not read most of the letters sent, and though his attitude was aloof, I want to believe his part was simply an unwitting belief in subordinates, like Stephens who either knowingly covered up (more likely) or was simply lazy in believing (then) Senior Warden Alford.

But I am being more merciful here than they were to me.

Only an intrepidly thorough investigation will cut the Gordian Knot surrounding Chaplain Collier's protected enchantment and reveal the key to the wardens' impotence toward him. Only OIG's best Sherlock Holmes will discover the key that unravels Chaplain Collier's Secret Service protection.

F. TDCJ Employees Deserve Fairness – Stop Comprises!

There are others, like myself, who have suffered and lost their jobs because of the Alford's and Upshaw's fearful protection of their enchanted Chaplain Collier, other employees slammed with unethically manipulated disciplinaries, and some **employees are today working in fear** because of the ongoing business-by-ego rather than by TDCJ honor and policy. For those *fellow* employees, as well as the recovery of my honor and profession, I fight on, alone if necessary.

Knowing that others have been similarly treated – I have the phone number of one employee I am 99% certain was given the shaft – *knowing this*, and having seen my exposures covered up for an entire year, what can I do? The mystery of Chaplain Collier's enchantment and his Secret Service Protection is TDCJ business, Brad, *your* business more so now than ever, for no one else has taken any initiative on it. I cannot do all of the work alone. For the sake of the Chaplaincy profession that was so distorted at Polunsky, and for my honor that was criminally traduced and for other employees who were and are victims, we need to let the horse of justice out of the barn. I've done all I can do ... nearly.

Over a year now, since my first attempts to see Dep. Dir. Collier and Div. Dir. Thaler in July 2012 ... and Collier allowing a 30-minute conference call confirming his support of cover up ... and still no OIG investigation!

So many have "looked the other way" from *years* of violations at Polunsky, one would think that it would not take six letters of exposures over an entire year before justice would prevail.

Galileo's Telescope and Treason. When Galileo made his telescope, did you know that some of the divines of the day *refused* to look through the telescope? Did you know that a few that did look refused to acknowledge what they saw with their own eyes? Ignoring security breaches for years – how so?

Worse, insanity ensues when exposures of violations in *writing* were not fixed for *months*, even as late as June 2013.⁸² What doubles up the treason to TDCJ's good mission is that so much can **still be verified**. Yet, the longer it goes, though, the number verifications decrease, precisely what Upshaw and Alford desire.

When men like Upshaw and Alford and Stephens feel themselves above the law and not obligated to fair treatment in any institution, that is bad enough. But in TDCJ, administrators have near total control over prisoners. Dare they treat Texas like that? Employees try to make an honorable living, and some prisoners just try to finish their sentence and go home. TDCJ administrators ought to possess the highest integrity.

Chaplaincy! It should be the cleanest. The most honest and compliant and honorable. It represents God! Instead of the profession concerned with the soul, at Polunsky, it became a prisoner play thing as the wardens watched. Yet, shock! **No one KNOWS** what the prisoners actually did *all day every day for years*, nor the unthinkable either, as **no one KNOWS to this day** what the prisoners were capable of doing.⁸³

⁸² See Tab 8 and the Texas Fire Marshal's investigation dated July 2013 that I initiated and the safety and fire violations that I had reported in July to September to Wardens Alford and Muniz, and then wrote in that 21-page exposure to Brad Livingston, Bryan Collier, and Rick Thaler on October 29, 2012.

⁸³ Remember Tab 13, Items 1-3, and the vast inventories and how then Reg. Director Michael Upshaw *ordered* the cleaning of all the hard drives, forever erasing evidence and forever covering up and forever removing any further ability to diagnose just [continued from previous page ...]

In the dark! – What MOTIVE allows that?



I am sick in my heart that I have had to fight and work tremendously hard just to get the truth to come of out a box that Alford and Upshaw and *numerous others* have tried to keep shut, now with even Deputy Dir. Bryan Collier's aid in cover up, wittingly or unwittingly.

Maybe that is why Rick Thaler *retired*.

G. Call the FBI or Study! Prove Me Wrong or Right – then, Relax or Get a Rope

Study is a nasty word in most of TDCJ, especially regarding chaplaincy. Herein are many answers, but a thorough FBI-quality investigation is needed. No one will find all the employees beguiled by Upshaw and Alford. But we need to identify the in-prison social factors that led to their terrible tactics. What set their integrity aside for so very long? If we do not find the social factors, then the tactics will continue, and other staff will continue to suffer!

With a thorough study, one of three things will be discovered:



- ✦ **One** - Upshaw and Alford's being cleared of all this and they enjoy raises,
- ✦ **Two** - At least we learn how ranking persons became enchanted Chaplain Collier, or
- ✦ **Three** - At most we learn *Two* and HOW they saw or committed a crime that Chaplain Collier witnessed, and therefore how much they *needed* him in some way.

But given the facts so far, if Upshaw and Alford are innocent, then we have to know *how* they are innocent with so many obvious security violations for so many years, which I deem impossible. Excluding the latter, then whatever they are covering up in their global protection of scruffy Chaplain Collier, all the more the need grows for Sherlock Holmes to solve.

It's messy, but cover up only helps the cancer spread.

Simply revealed in my 2012 October 21-page letter – **there be traitors on board!**

How Many Others? Be assured at this point, just as they were promoted, Upshaw and Alford have promoted others based upon those staffers' loyalty to themselves in early September 2013 – aiding in cover up – instead of loyalty to the TDCJ's mission and to policy. And, certainly, as others have been promoted within the Upshaw-Alford cabal, then others have been demoted, abused, or fired. That is the last part of my exposure.

Texas and the TDCJ are better than that. Brad, your honor is tied up in this, too, and unfolding.

Herein is my nearly conclusive exposure, buttressed from the following 18 Tabs.



what was going on in Polunsky Prisoners' Computer Office or what his prisoners were *capable of doing*. Ridiculous and shameful – Upshaw not only protects Chaplain Collier now, but Upshaw protects the prisoners while continuing to cover up more today, and he is promoted to Division Director.

How do I get favor and immunity like that? Why cannot all employees be treated equal?



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XI. Threading Infamies between Lewis Prison and Polunsky Prison

Listen, they stole my rice bowl and dishonored my name and reputation in TDCJ, covered up years of security violations, ran me off for exposing them, and they – Wardens Simmons, Hunter, Helm, Reg. Dir. Alford, and Div. Dir. Upshaw – how? And it appears that the circle includes Madeline Ortiz and others. But who knows? The full extent of that circle is less important than narrowing in upon the immediate circle around Alford and Upshaw and resetting the course to prevent this from *ever* happening again.

At the top of a pyramid of policy-security violations – again – the most glaring of all and now proven absolutely with recorded testimony and written documentation subject to further verification by 50 staff and many top security rank that were *promoted* from Polunsky during Warden Simmons' reign is this: **the years-long unsupervised prisoners in a fortified room with \$1,000s of computer equipment, cameras, scanners, and color laser printers ... ah ... in the dark!** Where the staff restroom is located! Unthinkable, even alien-like, for *years!* Then Chaplain Maness is alienated while enchanting Chaplain Collier escapes Polunsky with impunity and zero responsibility for his own years of lack of supervision and his years of *supporting* a vast array of security violations. And Deputy Bryan Collier is a party to the cover up now, wittingly or unwittingly, for believing without verification those under him, rather than investigate.

All of this could have been verified in July 2012 when I first came to Huntsville to see Collier and Thaler, but they would not see me; or, perhaps, they *knew* what I was bringing to them. Regardless, verification in October 2012 after I faxed the 21-page letter of exposures could have been secured with simple interviews of staff, volunteers, and prisoners. But cover up has continued for an entire year.

Interviews Myself. I did interviews myself, recorded for posterity, and those recordings add to the documentation herein. Then, after sharing the interviews – still – cover up continues.

Critical Puzzle. Only Simmons, Alford, and Upshaw – and Sherlock Holmes – can tell who else was fully on board with them. Yet, all of this has uncovered another critical puzzle, a mindboggling and unprecedented puzzle. Without Simmons', Alford's, and Upshaw's confession and willing revelation of all, discovery of a solution to this critical puzzle will take a true Sherlock Holmes to unravel how they became **enchanted by Chaplain David Collier**, the nice old fellow who had trouble with the truth as witnessed by *four* previous TDCJ Chaplains. Yet, Chaplain Collier was given carte blanche to ignore almost any policy with the wardens' full knowledge – unbelievable and yet made worse in that it was a common practice.

Why Are **Four** Previous TDCJ Polunsky Chaplains Ignored?

Are not ALL Employees Deserving of Equal Treatment?

Yes, they are – *all* employees deserve equal treatment.

TDCJ is supposed to fair, a simple concept, but some staff like myself were sidelined and ignored. Four TDCJ staff Chaplains had trouble with Chaplain Collier and were *ignored*, as though Warden Simmons and his staff were enchanted. While Chaplain Collier was given a cushy favoritism unlike any other employee in the history of U.S. prisons.

Then – hold your breath – Alford and Upshaw are *both* promoted? Come now.

Prisoners Providing Security?? One thing became frightfully clear. The Polunsky chapel prisoners themselves were protecting the chapel and Chaplain Collier. The prisoners *were* producing and aiding worship services, within the context of a sacred trust that – in the dark – the prisoners were trusted to *only* be doing church work. The *only* reason nothing happened was because the prisoners themselves were protecting their little piece of wonderland. The prisoners themselves *knew* that Chaplain Collier and the volunteers were violating many security policies that all of the other departments had to obey scrupulously! So then – hold your breath – the security of the chapel was in the Christian prisoners' hands.

Not in staff hands. And Warden Simmons, Warden Alford, Warden Muniz, and Reg. Dir. Upshaw, et al, *knew* this for years.

This *was* a prisoner-run chapel, not a TDCJ-run chapel, and – **Critically Important!** – not because of Chaplain Collier alone, as no chaplain could do such *alone*, it was prisoner-run *because* the Wardens allowed it, and after all this, *because* TDCJ Directors allowed it.

Be afraid, be very afraid. There is no way around this, and it is as ugly as can be, and far worse than if anyone of them or even if several of them had embezzled \$35,000,000 from the TDCJ coffers. This is about many TDCJ employees' lives who had to turn away, for fear of the Wardens, of all people. This is about an ugly favoritism to a yet-to-be-figured enchanting Chaplain Collier, and the total opposite of the Chaplaincy goals, where prisoners were allowed to think circumventing TDCJ policy "for God" was okay.

Here is the story threaded through several documents accessible to all the world as well as confirmed by Open Record requests that confirm the *absence* of documents that should have been kept, but were – yes – destroyed.

Volunteers Locked in with Prisoners and No Staff! Cover up *always* adds to the infamy, yet these cover ups also increase the DANGER to others. How long were volunteer chaplains allowed to supervise 30-40 prisoners while *locked* into 3-Gym with *no* staff present? Even after several Open Record requests, the answer to that Polunsky-specific policy is still a mystery. There is no written Polunsky-specific policy, but that was the Polunsky Chaplaincy policy for years and appears to *still* be chapel policy – unbelievable.⁸⁴ So many things were going on at Polunsky outside of any policy and without any written approval in the Chaplaincy Department, many things a normal audit would overlook.

Because Gib Lewis Prison Volunteer Chaplain Melvin Bell and I are in this together, I include his case here in the hopes to show more of the infamy that is inextricably tied to and threaded between the Lewis Prison and the Polunsky Prison. Yes, then Reg. Director Michael Upshaw (perhaps in collusion with Thaler and with knowledge by Div. Dir. Ortiz), Upshaw manipulated policy to cover up what he and Warden Simmons knew of Polunsky's massive violations, for reasons yet to be discovered by Sherlock Holmes.

At the Lewis Prison, the infamy regarding Warden Frank Helm's firing of Vol. Bell is monumental in itself, but Helm's double-infamy pales in comparison to the infamy bubbling over for years in the violations at the Polunsky Prison. And it all encompasses many employees in the longest lived series of security breaches and cover ups in TDCJ history.⁸⁵

Fishy Tactics. TDCJ strives to be honest, and Brad Livingston writes a serious EEO letter every year. Goodness, the Texas Parks and Wildlife game wardens *investigated* for an **entire year Fish Fraud**, but the mighty TDCJ cannot investigate a years-long series of major security violations at the Polunsky Prison housing its Texas Death Row.⁸⁶

We can do better. We ought to do better.

Money – Millions. If we do get to the bottom of this, we will save TDCJ millions of dollars. How so? Whatever the attrition rate of officers, we will KEEP more officers in an institution where *honor* is truly valued. And the prisoners, like the chapel prisoners, that saw all that went on at Polunsky, will also learn what is truly honorable,



⁸⁴ I did several Open Record requests for the written policy on allowing Volunteer Chaplains to be in 3-Gym chapel with up to 30-40 prisoners with NO STAFF present, no officer and no staff chaplain. That went on for years, and the answer to my several OR requests was, "No information responsive." Terrible – danger to volunteers with no warden signature. If anything *ever* happened ... what a huge liability. And it continues.

⁸⁵ Likely, Warden Helm was not a part of the larger infamies surrounding Polunsky and Warden Simmons, Warden Alford's, and Michael Upshaw's covering up of their knowing allowance of a the multiple violations.

⁸⁶ See www.BeaumontEnterprise.com/default/article/Jailed-fishing-tournament-director-a-first-for-4792176.php.

decrease their own games, and give rehabilitative programs a more honest shot at *true* rehabilitation and decrease recidivism. But, in Chaplaincy, Manager III Marvin Dunbar made it clear to me that these things do *not* “cost” – which is another part of the problem system wide and especially at Polunsky.⁸⁷



⁸⁷ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf for a start, where Manager III Marvin Dunbar said there would be no “cost” in such a statewide initiative. Hard on the ears, that was. Everything costs!



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XII. Exponential Infamy from Maness to Helm to Polunsky Prison Violations

A. Evaluating Levels of Infamy – How Does One Calculate Infamy’s Increase?

Here is the exponential gravity of infamy on the half-shell ... monumental indeed:

Maness’ Three Disciplinarys: **1st – Sub-standard Duty** for email sent from my home, finally overturned, but with many inherent problems documented all along the way; **2nd – Insubordination** for letter to Bryan Collier on Marvin Dunbar’s humiliation of my work, a letter that is all the more credible now, but recovers credibility now, given the Polunsky fiasco; **3rd – two – 1) Inappropriate Relationship, 2) Disobey SOP**, both for photos of prisoners putting together X-mas cards posted upon Facebook, though I had written permission and authenticate TDCJ Media Releases (first dropped, second led to Dismissal Recommendation).⁸⁸

Warden Helm’s First Firing of Vol. Bell 25x worse, violating the spirit, the letter, and intent of several policies, and then Helm’s Second Firing makes the whole **50x worse** than all three of Maness’ disciplinarys together

Polunsky Violations and Cover Ups

This is not rocket science. What I got disciplined for is *nothing* compared to Warden Helm’s firing of Volunteer Chaplain Melvin Bell, and then – sinking and stinking down farther – mine were less than nothing compared to Polunsky’s multitude of violations. Said in another way, the degree of seriousness of violations increasing exponentially in infamy, in immorality, and in odious treason to TDCJ’s mission and policies and good people. Warden Alford and others *cover up* years of violations and *covered up* my exposures too. To estimate or gauge the increase in infamy, Warden Helm’s violations were 25x then 50x worse than Maness’ – and Polunsky’s violations were 50x worse than Helm’s, making Polunsky’s violations at least 100x worse than Maness’ on many levels. The cover up making Polunsky’s 500x worse than Maness’ – or more, for we have yet to find the full extent.

Where is equality here? Equality is not even a ghost here. We do not even know how long it went along, much less all involved.

How does one calculate estimates on ethical infamy? Yes, these are estimates of real-world labor relation nightmares. And portions of my previous and a couple of emails letters have been sent to the Texas Board of Criminal Justice Chairman Oliver Bell, who in private practice is a respected expert on labor relations, and who has yet to weigh in on these things.⁸⁹ This is Texas, not some playground – there is no play slide out front of the Executive

this needs a thorough investigation
Polunsky 30+ Violations a Day for years! – oh yes, is 100x worse
for repeated cover up 500x worse
Then – LYING to the Executive Director’s Office!



⁸⁸ Those do not even look very bad here, but in the light of my documentation on them, the three disciplinarys were insignificant compared to real violations of policy. And the last, why in God’s name was the OIG *not* pulled in when an “Inappropriate Relationship” was *discovered* by Warden Bill Lewis in my Facebook photos? Because there never was one, Lewis was almost certainly *instructed* by then Reg. Dir. Upshaw to *create something*. At court, Warden Hunter *immediately* drops the Inappropriate Relationship charge, in a ruse for mercy, but in a false sense of self-righteousness, Warden Hunter “fires” me for posting the photos of prisoners on Facebook. The rest is my appeals.

⁸⁹ See www.OliverBell.com, ironically, Maness was a charter member of his consortium, too, and he was sent this www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf.

Director's office – and certainly not some venue for selfish administrators to create their own worlds. I don't know how one can truly calculate the escalation in infamy, but an escalation in infamy is here and grows every day TDCJ ignores it.

When one calculates all of the cover up in both of Helm's firings of Vol. Bell and in the cover up of Polunsky's multitude of violations, that might elevate the infamy of Polunsky's violations to 10,000x over mine. How does one calculate the escalation of infamy? Such is rarely attempted in formal ethics, but an escalation is easy to see. What do you think? And then, what is the escalation when wardens lie and cover up to *hide* the exposure of these violations?

Let's just ask it simply:

What is the LEVEL OF infamy for cover up of violations for years?

Monumental! Epic! Just clear out-of-this-world crazy! Maybe the infamy is 10,000x greater than my charges. The utter lack of interest in studying employee disciplinaries contributes zero to the refinement in human relations, and lends administrators using the disciplinary process for means other than truly *discipline* – ah, but who knows?⁹⁰

Of course, to see this escalation fully, one would need to read through all my written responses in all of my appeals to my first two disciplinaries, as the third pushed me into dismissal mediation.⁹¹ While no one will, let me tell you – this Sourcebook being the credential – my disciplinaries had many contrived elements that I documented, but here almost become irrelevant compared to the infamy. The third and last disciplinary was simply bogus regarding the posting photos on Facebook, for I had written permission to take the photos – *dog gone it* – as I had for 20 years and signed TDCJ lawyer-created Media Releases!

This exponential difference in infamy from my miniscule (contrived) violations, to Helm's violations, then to Polunsky's multitude of violations – goodness – that exponential increase is already proven and will here be illustrated with more documents in 18 Tabs and Disks 1-4 of interviews, videos, and other documents.

B. Players in Infamy – Full Knowledge of Violations for Years and Cover Up

Warden Simmons, Warden Alford, and Dir. Upshaw were in full knowledge of the years of security violations and had crossed over to defend prisoner violations against their staff, even preventing their staff from doing their jobs. Chaplain Maness made slow progress (see Tab 2). Alford purposely and further retarded Maness' progress, refusing to help, and Alford allowed violations to continue. Then early in 2013, Alford lied in his report to Stephens; what Alford writes is a notorious outrage to honor in his two-page farce, denying all and totally covering up all – lying for Simmons and Upshaw and furthermore attempting to hide the security violations.

Warden Hunter? The slush pool of irregularities were documented in my appeals, but the last disciplinary resulted in my being “fired,” which was Warden Hunter's precise term, instead of “recommend dismissal.” A ragweed would have had more sensitivity. Given everything else, it seems likely Hunter used that term “fired” before, to de-motivate a less informed or weaker employee from pursuing mediation too. There is more, and only a good OIG Sherlock Holmes will find out about Hunter and his role at Polunsky after all this, which has all the impressions of a calculated plan in – at least – an Alford-Upshaw cabal to cover up.⁹²

⁹⁰ Open Record requests for all “reports” on employee disciplinaries yielded a real surprise – there were none, but of the 80,000-plus in the two huge Excel files sent, it did not take long to run a couple of statistics.

⁹¹ TDCJ does not allow “appeals” per se, but allows for a person to “grieve” a disciplinary, which is the same as an appeal, is in fact an appeal, but has the unfortunate connotation of feeling *hostile*, as one has to *grieve*, rather than to *appeal* to a higher, more objective – as the hope goes – more knowledgeable authority.

⁹² Another study on Hunter's disciplinary “firings” and others in this light might lead down another trail of infamy hitherto yet to be discovered. And Hunter said in the presence of Reg. Chaplain S. Ulmer that he “fired” me because he felt I had posted the photos of prisoners packaging X-mas cards on my Facebook page in order to “help sell my books.” Photos I had TDCJ lawyer-created Media Releases for. I was floored, given the absurdity of that statement, for in the real world photos of prisoners would be like throwing mud on a new Cadillac one was trying to sell. There is much more there, for a truly good investigator.

Another reason to ferret out all of the simpler security items, with Sherlock Holmes doing his part, is to *correct* injustices to many more employees past and present. Upshaw, Alford, Hunter, and only God knows who else are *senior* administrators, and it is a forgone conclusion they have done this for years, maybe even decades.

C. Redirecting Infamy into a New Status Quo

In the course of investigating, learning, and correcting, TDCJ sets a new status quo and gives a heavy warning to all those promoted from Polunsky while under the influence of Simmons, Alford, and Upshaw. While it should be obvious, instruction to all of TDCJ's senior staff is needed in this huge case – as in all good clinical analyses – so that other up-and-coming administrators can learn that they, too, and all employees are equally subject to the TDCJ's policy and moral equity.

For God's sake, *never* again should a warden cover up security policy violations.

And, Chaplain David Collier is now at the Walls Prison, having escaped with protection, and a protection that many Polunsky Prison employees saw and feared. There are *many* Polunsky employees wondering at that chaplain's protection. Dare anyone *not* address that?

Persecution of Maness? I cannot prove persecution was because of that 50-page Faith-Based Housing Letter sent in late 2011 or prove that it was because of my legislative advocacy – no one was dumb enough to say such, except Marvin Dunbar who humiliated the very concept of “cost” and the other “issues” in my 50-page Faith-Based Housing Letter. But the documents prove – thank God in a sad way – the Polunsky chapel was and still is a pastoral care and policy-violating quagmire. Vastly more compliant after my corrections, but so many things were still awry and in violation even as Warden Richard Alford was promoted to Region 1 Director, for after his promotion, the Texas Fire Marshal's inspection revealed that several safety violations reported my Maness, that Maness could not get corrected, were still a hazard in June 2013.

At the Lewis Prison, Warden Helm's hostility to chaplaincy, outlined in previous letters, and Helm's utter sense of immunity now come full circle.⁹³ Especially how Helm treated Vol. Bell, into which we shall dive deep in a moment. Because of Upshaw's favor to Helm, Upshaw refused simple justice and becomes guilty of worse, which will also be detailed later.

Hard to Appreciate. The following may be difficult to grapple with as a stand-alone paper by those with little in-prison TDCJ employee experience and especially hard by those not familiar with the principal persons. And TDCJ's policies have a sophistication all their own. But if one truly cares about justice and TDCJ's noble mission, and hates injustice, then one will find a self-serving aimlessness to the Lewis Prison and Polunsky Prison shenanigans toward chaplaincy.

May God grant those reading this the power to recover honor and justice in one of the largest departments of criminal justice in the history of the world.



⁹³ Namely, Warden Helm's treatment of the Gib Lewis Faith-Based Housing as mentioned in pages 19-25 of the 35-page exposure letter dated February 19, 2013. No volunteer was called then, either.



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XIII. Six Ominous Questions – Keys to the Whole Truth

1. How much have Simmons, Alford, Upshaw, Stephens, et al, gotten away with?
2. Who else is involved in *knowing* the security violations? Thaler? Byran Collier?
3. Who was the highest ranking person involved? – asked for the perhaps the eighth time in a year! Who above Warden Simmons in July 2012 *knew* about all of the Polunsky violations and *aided* and *backed* Simmons in cover up? Who was the highest ranking person that *knew* and has kept silent for years?
4. **Worse, if they can treat a senior staffer like myself with such infamy, then who are the other staffers that were treated ill?**
5. Worst, what have they done to the least of these, the *prisoners*? If they have allowed *staff* to violate policy and treated staff with unfair hostility (me and others) or with favor (like Chaplain Collier), then, by God’s wrath, the prisoners would be easier to mistreat. This too is hard on the mind and ears to contemplate, but a foregone conclusion.
6. What does Chaplain Collier have on the wardens and division directors and perhaps even on Deputy Executive Director Byran Collier, if, as we suspect, it was not Chaplain Collier’s enchanting magnetism that beguiled a load of senior administrators?

Now think about this, still novice Chaplain Collier who was over the most policy-violating chaplaincy department in TDCJ history is now over Death Row, and both Alford and Upshaw have been – what? – promoted!

**Who in Their Right Mind Finds THIS Right?
TDCJ and Texas Are Better than This ... much better.**

Within these six still unanswered questions, there are three more “sicknesses,” for lack of a better term, to describe the heinous infamy interwoven in the cover up.

Interwoven Sickness #1 – Catering to Warden Helm’s Vindictiveness. When Warden Helm fired Bell for the second time, that piece of infamy was the least of concerns in the last year. Helm’s vindictive nature and Helm’s second-time-around refusal to follow policy unfolds here in a horrible but enlightening contrast, where two prisons merely 30 miles apart, are still a million miles apart with regard to policy and chaplaincy. And denying after reversing his Dismissal Recommendation, Maness’ the ability to return to the Lewis Prison – after 20 years of faithful policy-compliant behavior – makes then Reg. Dir. Upshaw all the more absurd and clearly biased in his unethical catering to Helm’s vindictiveness and, yes, just flat out bigotry to a fellow subordinate.

Interwoven Sickness #2 – Vol. Bell’s Innocence and Chaplaincy Traduced. At the Lewis Prison, there were no security breaches in my chapel, and even the one alleged to Bell is of no consequence compared to how chaplains normally handle crisis calls – Bell had been authorized to make decisions for years. The nature of Warden Helm’s harassment of Bell was other worldly, treating Bell as a child, though Bell was Helm’s senior by two decades, a war veteran responsible for nuclear missiles and a former full-time police officer. The idea that Bell could not monitor a call for a prisoner in the death of the prisoner’s family is nothing other than Helm’s adolescent-like harassment of the chaplaincy department.

At Polunsky, 14 volunteer chaplains made regular crisis calls for prisoners in *exactly* the same manner as Bell did, without a single warden or major even asking to look at a single worksheet for *years*. Did so last week!

Goodness, those good calls by volunteer chaplains were the least of the concerns in the last two years of radical exposures. Helm simply slew a good man’s ministry, Vol. Bell – I still hate that, and the larger ramifications of that have not even been touched by anyone to date. No humanity in that at all, to say nothing of TDCJ Policy and the TDCJ Chaplaincy Mission.

Interwoven Sickness #3 – Warden Hunter Moved Quickly. Shortly after Maness is gone from the Polunsky Prison, in record time, Warden Hunter is moved to the Polunsky Prison, strange at least, given that most Senior Wardens stay for years.⁹⁴ Or was there something else? I have some privileged information that Hunter was moved to the Lewis Prison just to cater to Warden Helm’s desire to fire Bell and to aid in the demise of Chaplain Maness’ career (though Hunter will retire before that is verified or proven wrong). When Hunter goes to the Polunsky Prison, after he is made aware of my exposures (and not the Polunsky chaplain), it *still* takes the Texas Fire Marshal (called by Maness) to have to *write up* Polunsky in June 2013 for the *same* violations Maness reported a year earlier (Tab 8). Hunter is part of the cover up of Polunsky’s fiascos now – no doubt – yet finding out his full role is vastly less important than OIG’s Sherlock Holmes discovering the nature and pervasiveness of Chaplain Collier’s enchantment of Wardens Simmons, Alford, and Upshaw, and their cover up for years.

Now then, with these six questions and three interwoven sicknesses outlined, let us put some meat upon the bones of the multi-layered infamy and treason to TDCJ’s mission.



⁹⁴ Another study here, while appearing very minor, would be to actually cull all the tenures of Senior Wardens and see how long they have been posted at major facilities. At the Lewis Prison, for the last twenty years, asst. wardens have always changed more than the Senior Wardens, and that has been my informal observation. Yet at the Lewis Prison, and perhaps *only* at the Lewis Prison, we have several majors who have moved right up to assistant warden, Helm doing a quick stint at Goodman as a major to come back to the Lewis Prison as asst. warden. And the major from Polunsky that came to the Lewis Prison years ago, yes, was made Asst. Warden right there, in a recent change in the usual policy of only promoting a major to another unit as asst. warden. Moot? – someone might say, but in the light of all the above, strange as the Outer Limits. We really, really need to find out what Chaplain Collier had on those wardens, as the rest of this piece will unveil in certain terms.

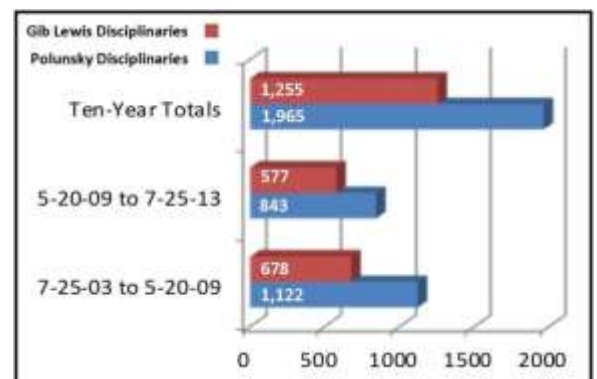
XIV. TDCJ Disciplinary and Chaplain Collier's Chaplaincy Department

A. Employees Disciplinary at Polunsky vs. Lewis Prisons

I am distressed here. An OR request for the last ten years of TDCJ disciplinarys showed that over 86,000 were written!⁹⁵ Entirely too many. Worse, in that same OR request I asked for any analyses or summaries, and there were none. The trends in these would be invaluable to training, especially trends in particular offices. The overwhelmingly vast majority were against correctional officers. For the 55 rules in Personnel Directive 22 (PD 22), four rules (3, 7, 18C, 20) had 5,000+ violators, and four (1, 3, 13, 14A) that had between 1-2,000 violators. There are many implications for another time.

For both the Polunsky and Gib Lewis prisons, there was a significant increase between the first and the last five years. See the chart at the right. Hmm? There are implications when for the last ten years there are 32-40% *less* disciplinarys for the Lewis Prison versus the Polunsky Prison, though they are nearly the same size. Over ten years, Polunsky had 63% more staff disciplinarys. Hmm?

For the last five years, only 41 wardens (9 senior) were disciplined. Including Warden Simmons, who violated Rule 37 *while* at Polunsky on 11-24-09. Two other wardens were also charged and found guilty for Rule 37. A total 345 employees violated Rule 37, with 322 found guilty. Violation 37 is Misconduct, "prohibited from engaging in any activity that would have an adverse impact upon the integrity or productivity of the employee or the Agency" (Level 4). Makes one wonder, back in November 2009, just one month after novice Polunsky Chaplain Rick Anderson was fired for taking a letter from Death Row Prisoner Tabler out of the prison and mailing it, just what precisely then Senior Warden Simmons did. That is a little too close for comfort, but, who is really investigating these things?



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B. Maness Completes First Employee Disciplinary Analysis in TDCJ

Just how ironic is it, truly awfully ironic, that the first study of TDCJ employee disciplinarys was done by a chaplain?⁹⁶ And that "study" just happened to be on Polunsky, with the most policy-violating Chaplaincy Department in the history of TDCJ, too. History making at every turn in the bend.

C. No Analyses of TDCJ Disciplinarys – An Utter Shame!

Why Collect Data and NOT Analyze? This is such a stupid question for a multi-billion-dollar *prison*. Why does TDCJ collect data on these and NOT analyze them? For the same reason, apparently, that none of the chaplaincy data are analyzed, ever. Though "analysis" is a part of the job descriptions of those over both chaplaincy and disciplinary – "Why analyze?" becomes a gigantic question, when I was given a case for insubordination for a letter to Bryan Collier calling that very thing into question, that Manager Dunbar – of no fault of his own – just did not have the expertise or experience to "analyze" what needed to be studied. And nothing, absolutely *nothing* had been analyzed *prior* to my exposures at Polunsky. Irony does not find a clearer definition, than in my be disciplined for such minor things, like charges in a letter that turned out to be far milder than the fiasco at Polunsky that those in Chaplaincy HQ

⁹⁵ The OR request was in two huge MS Excel worksheets: part one from 7-25-03 to 5-20-09 saw 43,383 disciplinarys, and part two from 5-20-9 to 7-25-13 saw 43,390, for a ten-year total of 86,773. And, according to the official respondents, there has been reports or analyses of employee disciplinarys, ever.

⁹⁶ Ibid.

praised to high heaven, even awarding Chaplain Collier “Chaplain of the Year” at the height of his policy violating.

Employees LESS Important than prisoners? Here is another exposure that needs the light of day. I have seen prisoner disciplinary statistics, so TDCJ ... well, someone else needs to look at why prisoner violations deserve more attention in analysis than staff.

C. TDCJ Disciplinaries – What About Shielded Chaplain Collier?

Furthermore, of the 41 wardens charged with violations, 25 or 61% of them were for charged with violating Rule 18C, with only 4 or 16% found guilty. Compare the 78 chaplains charged with violations, with 36 or 46% violating Rule 18C, with only 11 or 14% found guilty. Interestingly, Rule 18C is among the top ten of TDCJ rules violated, with 5,200 charged in the TDCJ, yet only 1,081 were found guilty.⁹⁷ Violation 18c is “Possession of any Contraband Other than Those Items Listed in Rule No. 18a” (Level 2).

Chaplain Collier came to Polunsky in 2006 and has not gotten a single disciplinary. That is not unusual as most chaplains and employees do not get disciplinaries. But given how many persons at Polunsky *did* get disciplinaries, in abundance, while Chaplain Collier got off free for more violations in his department than any department head in TDCJ history, all under the wardens’ protective eye – now then, *that* is worthy of a study for the ages.

So many awards for *Worst, Most, Smallest, and Favored* “in TDCJ history” are given at Polunsky, it is most ironic that the discoverer of these awards and exposor of them has to be a chaplain, but it is fitting, and of all people – and ironic too – that the both the exposure and awards were given by the one who led more legislative efforts than any single chaplain in TDCJ history, bringing more unbudgeted funds into chaplaincy than any other single chaplain in TDCJ history.⁹⁸ And, being the most prolific in TDCJ history, his work was the covered up in TDCJ history.

Chaplaincy is precious, so very precious, as it seeks to console the broken hearted, even all this is not enough, for there should be 100 Chaplains in arms defending TDCJ’s good mission and helping the prisoners with the true meaning of honor and loyalty and goodness.



⁹⁷ What a waste to process 4,000 “not guilty” charges. There is so much to learn, and perhaps a way to not only educate but to refine our personnel policies and administrators, or administration, to help the *employees*.

⁹⁸ See the three efforts that Maness led, hard and full of sacrifice: 1) led and organized [Chaplain Professional Equity](#) that secured for all chaplains (TDCJ, TYC, and MHMR) their first pay-group raise in 40+ years in 2001 - working hard for equal pay for equal qualifications for those who care for souls in crisis in Texas; 2) Spearheaded the [Successful Return of 25 TDCJ Chaplains](#) to 2007 Texas budget, wanted 50, given the cuts in previous years, but - again - fought for equality and restoration; and 3) was a Key Leader [Save Prison Chaplaincy 2011](#) (someone deleted prison chaplains from the budget for the first time in Texas history! Imagine - a prison without a full-time chaplain! I helped lead the effort that restored ALL TDCJ chaplains to the 2011 Texas budget. We fought hard and won a glorious victory for good hearted people, with, I am proud to add, the mighty help of my friend and honorable [Texas State Representative Dr. James White](#). Full address below.

1. [www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 1 Proposal 2000.pdf](http://www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_1_Proposal_2000.pdf)
2. [www.PreciousHeart.net/Letter McReynolds.jpg](http://www.PreciousHeart.net/Letter_McReynolds.jpg)
3. www.PreciousHeart.net/Save_Chaplaincy.htm
4. www.House.state.tx.us/members/member-page/?district=19

XV. Helm's First Infamy Award = Worst Volunteer Firing in TDCJ History

The full set of documents in Tab 17 was retrieved after an appeal to the Texas AG's office that helped TDCJ rescind its request to withhold. Just two weeks after Warden Hunter officially arrived at the Lewis Prison (03-01-12), on Monday, March 12, Warden Helm had Vol. Chaplain Melvin Bell wait in the administration lobby for over a 45 minutes and for reasons no one knew then. Just a rude *order* by Helm, because he was *the warden*. I entered the prison and asked what was up, and no one knew. A few minutes later, Bell phones me that Helm had kicked him off the unit. When I asked Helm, he simply told me Bell was fired because of Bell's previous help of a prisoner. It's a mystery firing! It was ridiculous.

See TDCJ's full Volunteer and Mentor Policies in effect during the Ides of March at the Gib Lewis Prison:

www.PreciousHeart.net/chaplaincy/TDCJ-Volunteer-Policy-2012.pdf

A whole set of violations takes place here, and more, if one adds the TDCJ on Duel Supervision and the more general assumptions under TDCJ's published mission, Ethics Policy, and more. But there are higher laws, the laws of nature and of nature's God that include that demands of good honor and civility and humane treatment. Do we need to say that former was *constructed* upon the latter? That the laws of nature and God and human morals inform more unilaterally to the construction of the TDCJ's awesome mission and its vast and sophisticated array of policies? Do we need to say that? Yes, by God, we do! For Chaplain Bell and I were in God's business most of all, trying to help some of the troubled men in the world – TDCJ prisoners – and Warden Helm with the sure and certain support of his several of his supervisors, including Warden Hunter and Region 1 Director Michael Upshaw.

They together and individually violated many more policies and violated those many policies more severally than *all* of Maness' disciplinaries combined, and they got away without so much a frowning-face email – TDCJ and the Executive Director's Office are supposed to help enforce equality all the time, and help defend all.

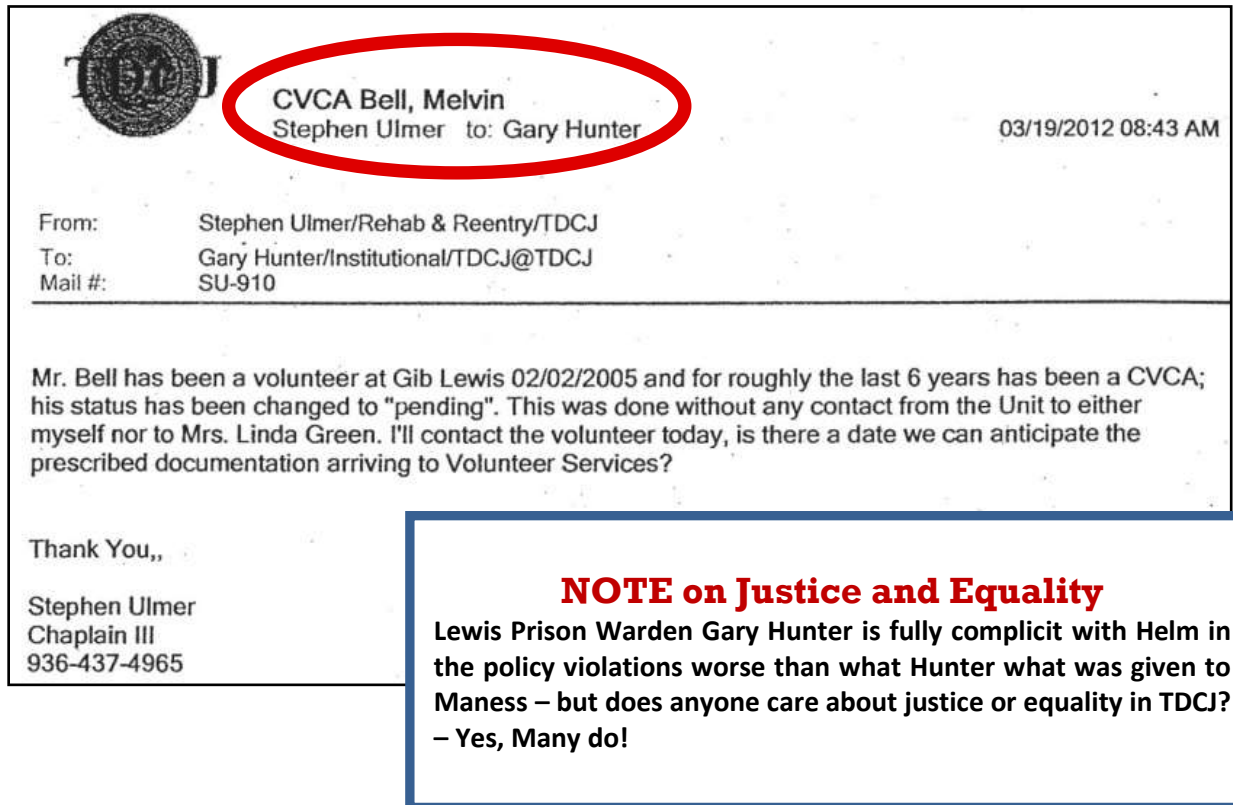
Five years earlier, as Vol. Bell was mentoring Prisoner Kris Napier, Vol. Bell, Warden Roesler and I consulted policy, talked with Huntsville, and got a concurrence with Senior Warden Greg Dawson. Bell would stop volunteering, easy, and then there was no violation of the policy as written then. Napier paroled to Bell's home as planned.⁹⁹


Helm was a major. He did not like the decision process in early 2008, or the reconsideration in late 2009 that allowed Bell to return, after Bell satisfied both Wardens Roesler and Dawson that the prisoner no longer lived with Bell. It was not even Helm's business in 2008.

Yet, after the entire tenure of Senior Warden Cody Ginsel (10-2009 to 3-2012 – 2.5 years), the week after Hunter's physical arrival to the prison, the Ides of March 2012 betrayed both TDCJ's mission and policy in a big way. Warden Helm fired Vol. Bell for a five-year-old incident that was not even Helm's business five whole years earlier – simple malice and violation of policy over 50x worse than all of Maness' charges together. Equality was not allowed in the door here, not at all, and only a fool will think it has not happened to others.

⁹⁹ From about July 2008 to March 2009 in amicable and full consultation with previous Asst. Warden Michael Roesler toward the end of 2007 and early 2008.

Photo 7: Email – Regional Chaplain Ulmer 3-19-12



 CVCA Bell, Melvin
Stephen Ulmer to: Gary Hunter 03/19/2012 08:43 AM

From: Stephen Ulmer/Rehab & Reentry/TDCJ
To: Gary Hunter/Institutional/TDCJ@TDCJ
Mail #: SU-910

Mr. Bell has been a volunteer at Gib Lewis 02/02/2005 and for roughly the last 6 years has been a CVCA; his status has been changed to "pending". This was done without any contact from the Unit to either myself nor to Mrs. Linda Green. I'll contact the volunteer today, is there a date we can anticipate the prescribed documentation arriving to Volunteer Services?

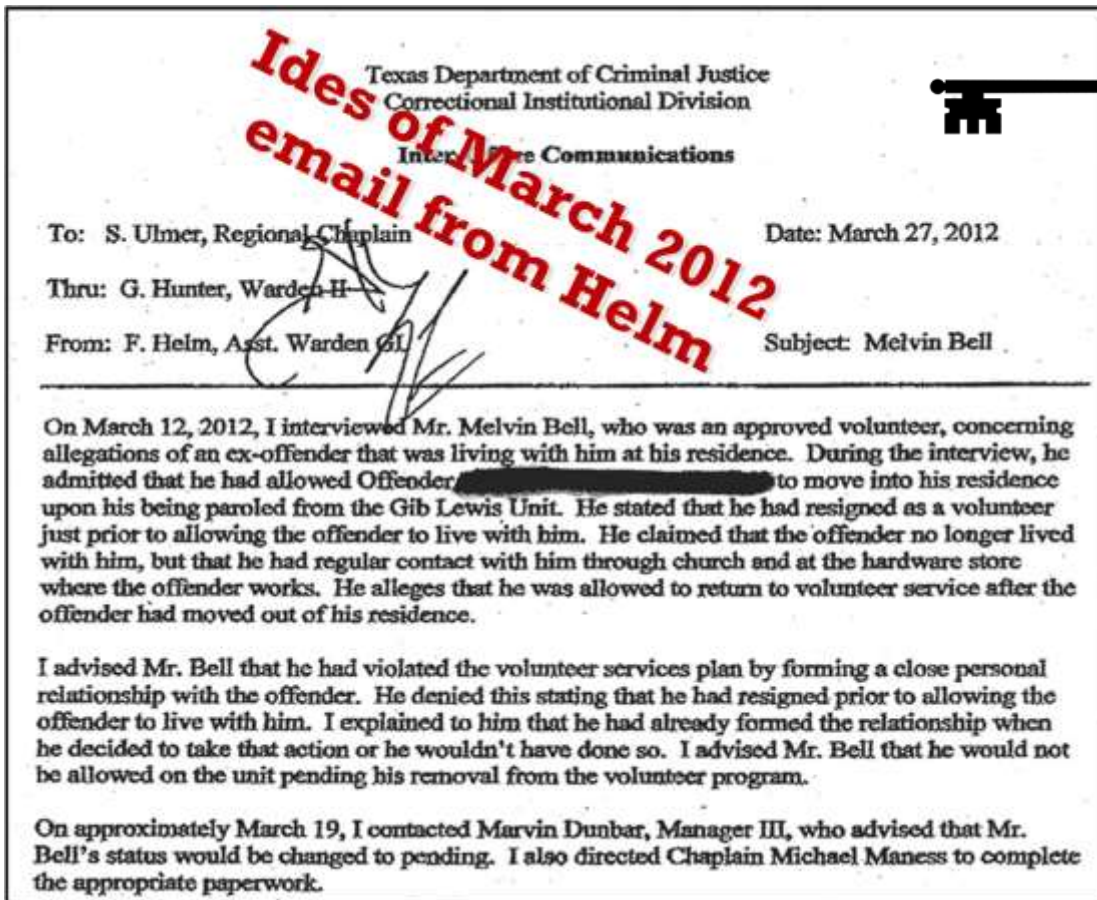
Thank You,,
Stephen Ulmer
Chaplain III
936-437-4965

NOTE on Justice and Equality
Lewis Prison Warden Gary Hunter is fully complicit with Helm in the policy violations worse than what Hunter what was given to Maness – but does anyone care about justice or equality in TDCJ?
– Yes, Many do!

See the email above dated 03-19-12 from Reg. Chaplain Steve Ulmer. Pretty clear, that is. Helm told Senior Warden Hunter, so Hunter, too, was in full compliance on this risky venture in policy violations. And Helm had not the professional courtesy or the human loyalty enough to tell me, the Staff Chaplain with whom Helm had worked for the last 19 years, much less the common sense to inform my supervisor or volunteer services. The personal betrayal in professional loyalty, alone, in human terms, was for the record books.

Now, let's see what happens *after* the policy violation by Warden Helm in firing Vol. Bell was uncovered. The only one doing his duty was Region 1 Chaplain Steve Ulmer, and instead of merely responding, Ulmer has to go on a hunt-and-search operation to get all the information. Warden Helm will *not* give the information that should have *preceded*, that is, *came before*, that should have been *discussed* before Vol. Bell was fired.

Photo 8: Email – Warden Helm 3-27-12



It was just nasty. Nasty then, and, now, with all the data in, and the larger history – whew, it just gets nastier.

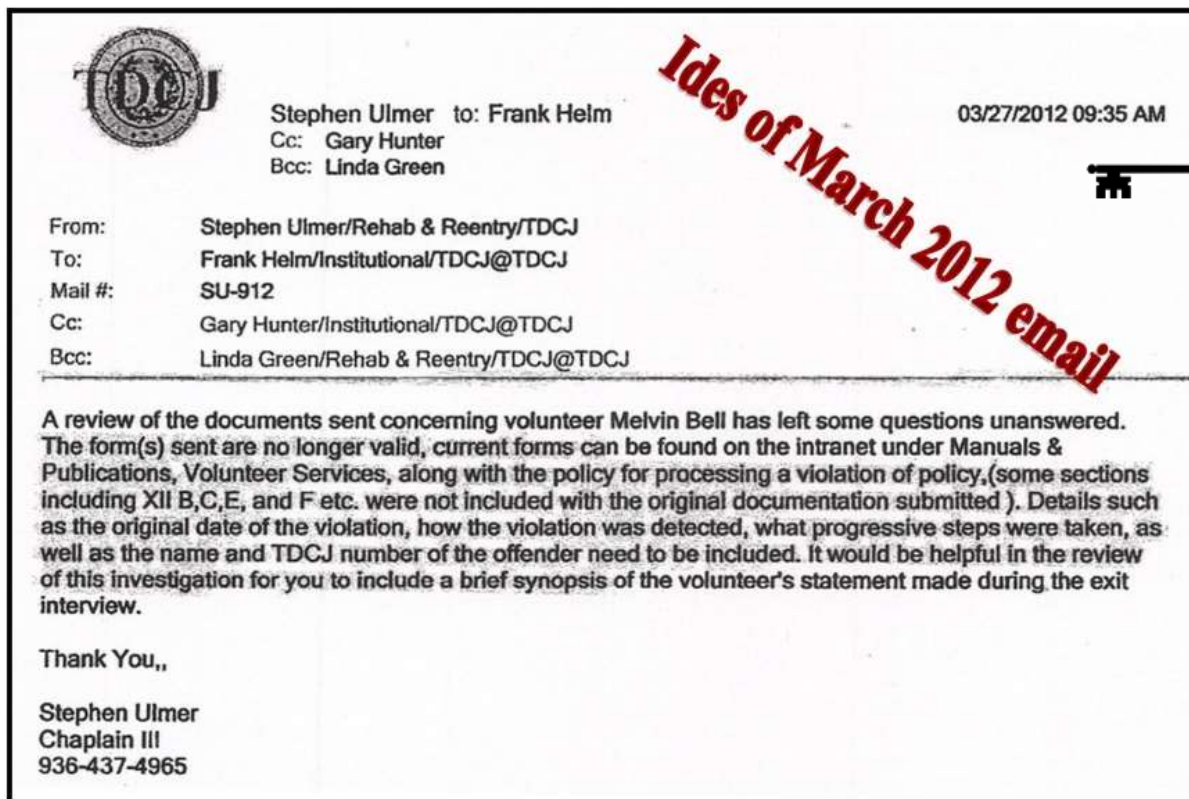
I filled out the paperwork I was supposed to and called Reg. Chaplain Steve Ulmer. Helm thought he got away with everything, but Ulmer was dutiful and serious. It took a *week* before Ulmer could get Helm to do his job and *write* something justifying his actions, seen above in Helm's Ides of March email dated 3-27-12.¹⁰⁰ Through Senior Warden Hunter, Helm retells what he did. By its lonesome, Helm's email looks like Vol. Bell allowed the prisoner to parole to his home *while* he was volunteering in 2012. Look at it. Helm had not the courtesy to inform anyone, other than Hunter. Of course, it is not a "lie" to leave out the five-year distance between his firing and Bell's action.

Let's be clear, Helm was *supported* in his first firing by Warden Hunter and Reg. Dir. Upshaw. The implications get more profound as Upshaw's actions unfold about the Polunsky Prison fiasco. In the full light, *treason*, for it was calculated and not reactionary at all. Treason, by several, against a *volunteer* that I supported.

Now see Ulmer's email response to Helm, 3-27-12, outlining the need for Helm to *really* do his job and fill in the reasonable and obvious concerns. Anyone can see what is happening – games. Helm is doing the absolutely LESS he has to do, and to hell with policy and normal professional channels. Ulmer knows this, his 27-plus years informing and documents his concern.

¹⁰⁰ In Tab 17, Item 3a.

Photo 9: Email – Regional Chaplain Stephen Ulmer 3-27-12



Critical – What Violation? At this time, Vol. Bell had committed *no violation whatsoever!* Everyone saw that, including the volunteers and some Lewis Prison staff. And Helm was fully supported by (then) Senior Warden Hunter and (then) Region 1 Dir. Upshaw.

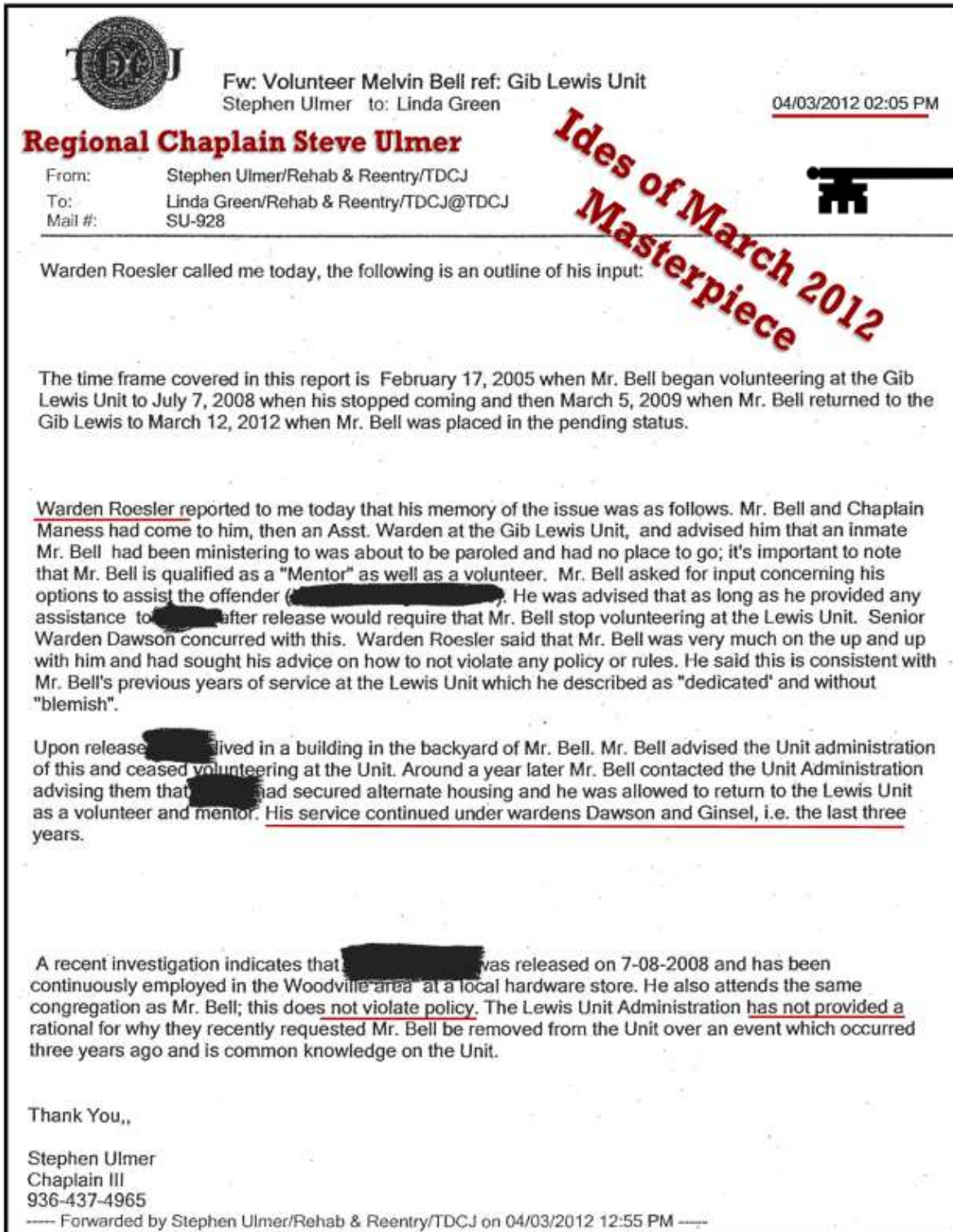
Regional Chaplain Stephen Ulmer goes to work, working harder than he should have to work, because of Warden Helm's refusal to truly cooperate. Helm knew most of the history between Volunteer Chaplain Melvin Bell and Helm's own previous supervisor now Senior Warden Michael Roesler, and Helm did not just forget to write that history in the first report. Ulmer knows that, but has to go and find Roesler anyway. Look at Helm's "investigation" and Ulmer's response.

Part of this Sourcebook and my previous letters exposing violations at both the Polunsky Prison and the Lewis Prison were – really – to retrieve my honor. Little did I know that I would find a pathway to my exoneration – as I hoped – because TDCJ was supposed to be honest and truly fair. Certainly, once the powers that be find out about violations, and doubly certain, once they found out that others were committing worse violations, I would be forgiven. Firm and Fair, the TDCJ mantra, meant something to me. But it was not to be, and the "worse" violations by others turned out to be not only "worse" but exceedingly exponentially more worse than anything I had done.

In the Helm's March 27, 2012, Ides of March email – with just one line of the whole story, Helm's email turns out to be vastly worse than Sub-Standard Duty, it turns out to be calculated maliciousness and worse. That one line of history known to all parties, most important, and left out by Helm was this: the incident was five years earlier, under Helm's previous supervisor (Roesler), and was not even Helm's business then, and Helm did not even bother to call Roesler.

Now the, let's look at a true investigator, Stephen Ulmer and his Ides of March Masterpiece shines like a lighthouse on the rocky Isles of Cover-Up Archipelago, where the pirates hide their canoes and creaky longboats.

Photo 10: Email – Ides of March Masterpiece –
Reg. Chaplain Stephen Ulmer 4-2-12



Ides of March Masterpiece. Now then, the above should have been enough. But look at the report that Regional Chaplain Ulmer finishes. In the dark days of the Ides of March for the Gib Lewis Chaplaincy, under Helm's clearly selfish punishment, Ulmer does his job and creates a masterpiece. He calls and

consults with Sen. Warden Michael Roesler. Read it and weep.¹⁰¹ And it reflected precisely my understanding, too, *magnificently*, and – in the light of the last two years – it says more. Read the rest of the documents in Tab 17, and anyone will see that – what?! – this masterpiece of clear and verified history, confirmed by then Senior Warden Dawson too, was NOT given attention.¹⁰² Rather, as seen in Tab 17, Vol. Dir. Linda Green capitulated to Hunter and Helm, and to then Reg. Dir. Upshaw, to *continue* to ban Vol. Bell from the Lewis Prison. I am sure Green was in a pickle and did what she thought best regarding those powerful men, yet not truly according to policy or even the spirit of the policy.

Yet – read the documents – Vol. Bell had done *nothing* wrong! But Ulmer had to fight and claw and work hard ... for simple justice. Volunteers visit a lot, are tax payers who actually fund TDCJ, and are valuable. And then Bell is *still* banned. Is anyone home? Can someone please answer the door? The doorbell is ringing, Helm *violates* policy and slaps normal professional protocols and *disrespects* an entire department’s mission within the TDCJ’s mission, and Vol. Bell gets banned. Helm is supported by Hunter, Upshaw, and Green. And Ulmer’s IOC supports Bell, tells the truth buttressed by Senior Warden Roesler, and finds no policy violation. There is no documentation contrary to Ulmer’s Ides of March Masterpiece. What is this?

It is a catering to Warden Helm’s hidden vendetta. Helm could have better supported the ousting of Vol. Bell if he has just told the truth, that he had personal problems with Bell, simply tell everyone concerned the real reason. As the facts remain, Helm is working hard, too, only against Regional Chaplain Ulmer and against TDCJ’s mission and policies.

Helm had disrespected three policies: 1) volunteer policy, 2) duel supervision policy, and 3) the TDCJ mission (and more). And Helm dishonored Vol. Bell’s good service and slammed the Gib Lewis Chaplaincy too. Furthermore, in this light, Helm disrespected TDCJ itself, for the volunteers are mostly retired super-achievers *and* community leaders, and the volunteers knew what Helm was doing. Several of the volunteers *knew*, too, something as painful to watch as anything. Nearly all of the volunteers were retired, many of them from high-level positions, and saw the *administration* by Helm from their own greater experience in administration. One can hide motives, to a degree, but one cannot hide such cold-hearted actions. And the seasoned staff at the Lewis Prison saw it too. Many watched TDCJ integrity take a nose dive because of Helm and those who supported him. And it continues today – December 2013 – for no one has bothered to compare the how the volunteers are treated among the prisons, much less after all these exposures, and investigation at the Lewis Prison either.¹⁰³

Helm a disciplinary? Are you kidding? Not even an email with a frowning face. Open Record requests revealed there were no Sub-Standard Duty disciplinaries given to Warden Helm or Warden Hunter for this *same class* of violation that I was given a few months earlier, only with this difference. In my case, clearly, Helm’s firing of Bell was indeed 25x worse than the “Sub-Standard Duty” disciplinary given to me for an email to Vol. Valentine.

Helm’s firing is 25x worse than my email
Two standards for disciplinaries are ILLEGAL in Texas

All I did, in good conscience, was challenge the legitimacy of Vol. David Valentine’s program in an *email*, because (as pastor) he split historic First Baptist Church, Huntsville, and I felt that disqualified him to *teach* church-starting to prisoners. I challenged Vol. Valentine with an *email* while Helm *KILLED* Bell’s ministry for something five years old that was not even Helm’s business five years prior.

Double Standard Clear. What unmitigated *favor* and *protection* and *unfair labor* practices are these where two employees (in the same institution with nearly the same tenure within months of each

¹⁰¹ In Tab 17, see the accompanying email in which Roesler confirms Ulmer’s recapitulation of the history.

¹⁰² A “masterpiece” compared to what now now Reg. Dir. Richard Alford and Div. Dir. William Stephens wrote about their “investigation” of Polunsky’s *years* of violations, seen in Tab 5, Items 2 and 3. Let me emphasize this, Ulmer actually *called* and talked with someone, whereas Alford *and* Stephens just talked with each other.

¹⁰³ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf with a proprietary access code “Love-Honor,” and the 35-page letter sent on February 18, 2013, revealing violations at the Lewis Prison.

other) are treated with two standards miles apart: Helm can *kill* a volunteer's service without a slap, but when Maness with good reason *questions* a volunteer with an email, and Maness is disciplined.

Double standards in TDCJ need to end!

Can anyone see how shocking that was to me, the chaplain, whose job it was to care for people and to develop good relationships with volunteers, and – in this case – who worked side-by-side with Vol. Bell three to four days a week for years. Knowing that Helm knew that, then Helm's action reveals even more about Helm's callousness to fellow employees and his insubordinate attitude to TDCJ's mission.

Helm's First Infamy Award – Worst Volunteer Firing in TDCJ History. In the Ides of March 2012, it was the most unethical and cold-hearted firing of any volunteer in TDCJ history.¹⁰⁴ In clearer words, "remedial" did not enter into Helm's mind, which reveals much of his insubordinate state of mind toward the TDCJ mission and its policies on chaplaincy. Truly and not facetiously, it should be studied thoroughly to determine if there ever was in the history of TDCJ a more disrespectful volunteer firing. I mean, I was grilled and given a disciplinary for an "email" that was mild in tone merely questioning the church-state ramifications, and Warden Helm coldly runs off a volunteer for no current violation at all, but for a five-year-old incident not even Helm's business, and Helm does that without any consideration to *many* policies, persons, and TDCJ's mission and received not even a slap on the hand. And Upshaw and Hunter knew this, supported this, and protected Warden Helm, just as they protected *their* Chaplain Collier for many years.

Let's Highlight This – but it in **bold** and center it

**Worst Volunteer Firing in all of TDCJ and in U.S. History
but No Disciplinary! ... well then ... Why?**

Just like the favor, bias, and splendid protected status of enchanting Chaplain Collier, likewise – the clearest example of Administration by Bias-over-Honor. This is nothing other than sheer corrupt use of the TDCJ policy and procedures to feed Warden Helm's own bias and vindictive needs, and Senior Warden Hunter knew all about it. Herein we have a highly favored, protected, and sheltered *warden*. That's not all that is revealed of Helm's favor.

How many times has this happened before? How many? How come no one has any idea about "how many?"?

The clarity here is like crystal: two employees in the same prison – Helm and Maness – nearly the same length of years, nearly the same pay grade, both responsible for volunteers, except – for God and County and Texas – mine was an "email from home," and Helm's was "kick out of prison," and my rationale was "volunteer's church-splitting odious in my faith" and Helm's rationale was "something five years earlier." Is there a clearer way? Is anyone interested in the obvious inequity seen here?

My disciplinary was *nothing* of the infamy of Helm's, and still Helm got off without even a frowning face email. And – ponder this – as infamous a Helms's first firing was, Helm's junk does not get close to the horrendously ugly infamy in the years of security and safety violations by several Polunsky wardens and those under them.

By any stretch of justice, jury, or common sense – *yes sirs* – that first firing of Vol. Bell was 25x worse than my home-email I sent to a volunteer. Indeed and truth, Helm's first firing of Vol. Bell earns Helm his

¹⁰⁴ Real studies would help all. I base these "worst in TDCJ history" items based upon my own extensive research. I have been, bar none, the most curious on chaplaincy affairs in TDCJ history, and that from my own Open Record requests for the last 12 years, and from an OR request on all the OR requests made to TDCJ. And at www.PreciousHeart.net/chaplaincy one can the only place in the U.S. where any ongoing chaplain work measure data have been published in the last 15 years. Having said that, I am more qualified than most to declare from experience "worst in TDCJ history" items, and herein is the crunch, a need exists for a cataloguing of such data.

First Infamy Award, for its historical value alone, as the worst volunteer firing in TDCJ history, perhaps in U.S. history.¹⁰⁵

Interlude – Helm Violations HARMLESS Compared to Polunsky Wardens’

Were the Lewis Prison and Polunsky Prison administrators connected to Maness’ fate? Yes, but not as clear on paper, and not without more scrutiny. It is clear that Lewis Prison Wardens Helm and Hunter got away with (“got away with” the operative word here) firing Vol. Bell for no real reason, yet that does not compare to the shameful infamy of what the Polunsky wardens, majors, and captains got away with for *years*. Even without any in-depth knowledge of the policies, the Lewis Prison volunteers and a few staff saw that Hunter simply supported Helm in Helm’s nixing of Vol. Bell for old junk. A little deeper – if connected – ones sees Helm not fully aware of the Polunsky’s exposures or Maness’ activism, for the load of exposures at Polunsky would have held Helm back. Helm’s sense of impunity and his feeling of freedom to “nix” Vol. Bell, in a way, suggests Helm was not fully aware of Polunsky’s fiasco. Just a guess there. Regardless of how much Hunter and Helm were initially connected to Polunsky, it was Hunter that was transferred to Polunsky, and several serious safety violations Maness reported in October 2012 had not been addressed by July 2013, after Maness got the Texas Fire Marshal to help, sadly enough. And so Senior Warden Gary Hunter, formerly at the Lewis Prison, and now at the Polunsky Prison – who will retire soon – is clearly connected to the cover up, still, in ways only OIG’s Sherlock Holmes can figure out.

One point here, in these sections, is to compare the exponentially increasing infamy of the miniscule violations that Maness was disciplined for, with Helm and Hunter’s joint violations in the case of Vol. Bell, and then with the multitude of violations by many wardens over years at Polunsky. Herein, history is made again. For the policies violated by Helm and Hunter were few and relatively *harmless* to security compared to the multitude of *major* security and safety policies violated by several Polunsky wardens (and those under them) and in full knowledge of then Regional Director Upshaw and – today – Division Directors Stephens and Upshaw.

Another gauge of infamy is seen in the difference between policies that actually affect the security of the prison. Kicking a volunteer off is rather harmless to allowing prisoners to run an entire chapel and to allowing prisoners to be locked in a building with zero staff, to say nothing more on the prisoners unsupervised in the dark. Back on task, for us to get to the full measure, we have to pass by Warden Helm’s Second Infamy Award.



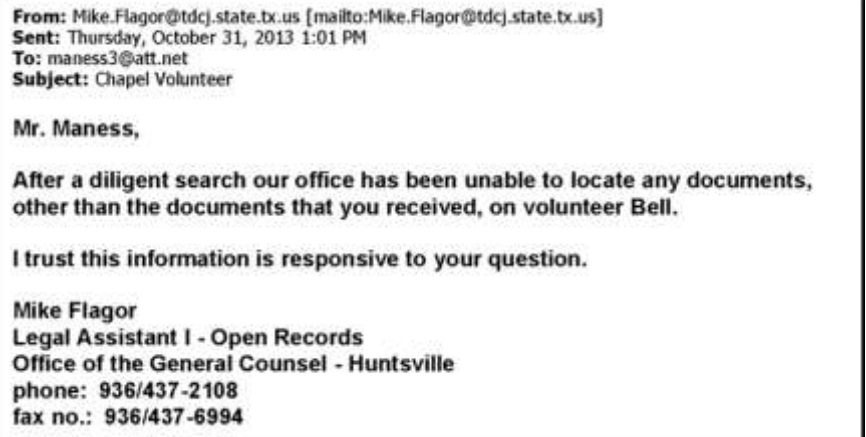
¹⁰⁵ Either it was “worst in TDCJ history” or not. Bear in mind there are no studies whatsoever, no tracking, no historical record. This “worst in TDCJ history” is not merely my extensive experience, it is also based on talks with other chaplains. At the August 2012 conference, Manager III Marvin Dunbar gave hope to the chaplains in relating a vignette of how a warden had kicked a volunteer off for a simple mistake; Dunbar intervened and saved that volunteer’s ministry. So Dunbar, too, has personal experience with the callousness. The point is simple: a chaplain, me, was slammed for something mild while a warden doing worse gets off free a bird, the inequity plain as day and also as plain as the lack of concern for that inequity. Some wardens are privileged. Still, as bad as Helm was, it was still less infamy than the Polunsky wardens’ ignoring security violations for *years*.

XVI. Lewis Prison Wardens Overruled – Vol. Bell Allowed Back

Surprise, mercy from on high – Volunteer Chaplain Melvin Bell is allowed back to the Lewis Prison! Somehow, that Ides of March Masterpiece from Regional Chaplain Ulmer’s interview with Senior Warden Michael Roesler found its way up the administrative hill (I assume). Volunteer Chaplain Melvin Bell was allowed to come back to the Lewis Prison. For Ulmer told me that Helm and Hunter were overruled, something like this, “The decision to allow Bell back came from above Reg. Dir. Upshaw.” So the Lewis Prison wardens were *ordered* to allow Vol. Bell back. Good news to me.

Still a bit of a mystery, and after double dipping and asking twice, I could not find any documents, other than what Ulmer told me. Not the best of worlds, and the lack of documentation here means little, except that someone saw the light and saw the right thing to do. The wheels of justice rolled, uphill and over bumps, but still prevailed. Thank God.

Photo 11: No Other Documents



on Vol. Melvin Bell

Later, at my final appeal for my disciplinary before Dep. Dir. Bryan Collier, as we discussed Vol. Bell’s situation, Collier told me, “See, the system worked,” in that Bell was allowed to return. Maybe it *appeared* to work to Collier, but I could not debate what I then suspected. As it turned out, the “system” had not worked, but only got worse at the Lewis Prison, as Helm refused to aid any aspect of Chaplaincy and stopped all the plans previously approved by Warden Cody Ginsel – snip, snip, cut, cut – and even Captain MacFarland was dressed down in an ugly fashion by Helm for doing what Ginsel had told him to do, in helping.¹⁰⁶

Wardens’ Feelings and Duty. How wardens can be forced to have a specific volunteer is the one side of the coin of prison Chaplaincy, the other side being that wardens used to be able to restrict with an almost absolute authority, even at their leisure. So there is compensation now, to alleviate the individual prison chaplain from having to fight all of the battles for volunteers. Would there was a happy median in which the Wardens and Chaplains could agree and retain unit-based authority, for they truly know best the chapel dynamics and their concurrence to the TDCJ mission – I can dream anyway.

One thing should be clear, by now, and that is the Polunsky free-for-all was part of its downfall and still part of its difficulty, where too many volunteers run outside the veil of informed supervision. Not that *good* volunteers need micro-supervision, many being retired experts from a host of professional fields, still, of Polunsky’s vast array of violations were caused by catering to volunteer concerns. If anything is accomplished here, it should be noted that the sheer number of Polunsky violations listed here – tragic ones as well as dangerous ones – were not solely the wardens’ and Chaplain Collier’s fault, but were also in part due to the overburden of volunteer expectations that squeezed past so many protocols and formulated many one-of-a-kind Polunsky-unique *modifications* (the mailroom being one, seen in Tab 15, Items 3-5). And

¹⁰⁶ Op. cit., fn. 28, where in the 35-page letter in that compilation contained several pages on the Warden Helm’s treatment of the Faith-Based Housing ran by Volunteer Chaplain Virginia Haynes. But, as usual, no one inspected or investigated or even called Vol. Haynes or Vol. Keith Bellamy. Everyone is protecting Warden Helm, just as the protected Chaplain Collier. Neat, very neat to have such Secret Service Protection and immunity.

staffers also know right well, one cannot explain *over-identification* to a volunteer caught up in it! And, likewise, it is impossible to fully describe to someone – like a Huntville person – who has not had years of in-prison experience; over-identification is a serious, delicate, and complicated psychological process hard to distinguish between just good friendly professional relationships. So, as in Warden Frank Helm’s case, more wardens than the Executive Director can discern do prefer no meaningful relationship at all with prisoners ... and we stop here. Part of Polunsky’s fiasco was the overburden of over-identification at the expense of quality pastoral care, one of the clearest examples being the photo of Volunteer Chaplain David March being dragged across the floor as he engaged in “strength” contests with prisoners – just a sad day for the meaning of chaplaincy. Supported to this very day in December 2013, over a year after its exposure.





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**XVII. Helm's Second Infamy Award =
Smallest Vol. Firing Reason in TDCJ History
. . . and the Race Up Mole-Hill Mountain**

A. Helm's Second Firing – Still No Comparison to Polunskys' Dixie Land

Nine months later, right on schedule, another infamy was born illegitimate, rattled with STDs too.¹⁰⁷ This second firing of Vol. Bell had more of the “correct” documents, but several of the same problems as before, the most glaring being this: What did Vol. Bell do? Given the fiasco the first time around in the Ides of March, if Warden Helm had been given even the smallest slap on the wrist, a wise warden would have given, at least, the pretense of “remedial” action.

What is remarkable here is that Helm *documents* alright, and – look at it – if ever there was a mountain made out of a mole hill, this is it. That anyone would minimize these precious connections, as Hunter and Upshaw did, is nearly criminal in “human” terms. Though both Hunter and Upshaw knew, the harder and harsher reality of this sham by them, is that I do seriously doubt that either of them gave either of Helm's two IOCs more than a glance, reiterating the inhumane concern by both Upshaw and Hunter to Vol. Bell's feelings and worse to the TDCJ's written Chaplaincy Mission, to say nothing of the simple and more basic elements of professional relations. Many books have been written on this paragraph, by the way, but who is really interested in *real* leadership and the meaning of good relationships.¹⁰⁸ Yet I see only shrugs at the thought of a “book” that might inform *them* on human relations, but we only begin to describe the infamy. If Helm, Hunter, and Upshaw's actions to Volunteer Chaplain Bell are *any* indication at all of many other wardens, then – well – what would Exec. Dir. Livingston and Dep. Dir. Collier say to these actions and the kinds of words word written by Helm and supported by Hunter and Upshaw and more.

And, look closely, for Hunter is then transferred to Polunsky, and Hunter does *not* carry with him to Polunsky the *same* type of scrutiny he allowed Helm at the Lewis Prison. But let us stay focused, for this second firing of Bell is truly the race up Mole-Hill Mountain, supported again by Helm's supervisors – just like before in the Ides of March, but with this difference: this time Helm does not have any experienced staff defending the esteemed Vol. Bell. Of course, we are talking about “volunteering,” something grilled

¹⁰⁷ STD – Slow To Document, cute ah?

¹⁰⁸ James M. Kouzes and Barry Z. Posner's *The Leadership Challenge: How to Keep Getting Extraordinary Things Done in Organizations* (2nd ed.; San Francisco: Jossey-Bass, 1995; 405p.) and Thomas J. Peters and Robert H. Waterman's *In Search of Excellence: Lessons from America's Best-run Companies* (NY: Harper & Row, 1982; 360p. – and see www.TomPeters.com), just to name the best of the best in actual leadership; with regard to actual behavior, see Christopher Peterson and Martin E. P. Seligman's massive *Character Strengths and Virtues: A Handbook and Classification* (Oxford: Oxford Univ. Press, 2004; 816p.), Ronald B. Adler and George Rodman's *Understanding Human Communication* (NY: Holt, Rinehart and Winston, 1988), Peter David Blanck's *Interpersonal Expectations: Theory, Research, and Applications* (Cambridge: Cambridge University Press, 1993), Jeffrey S. Bormaster and Carol Lou's *Building Interpersonal Relationships Through Talking, Listening, Communicating* (Austin, TX: PRO-ED, 1994), C.W. Brister's *Caring for the Caregivers* (Nashville: Broadman Press, 1985), Robert Carkhuff's *Helping and Human Relations* (NY: Holt, Rinehart and Winston, 1969) and his *The Art of Helping VII* (Amherst, MA: Human Resources Development Press, 1993), Elie A. Cohen's *Human Behavior in the Concentration Camp* (Trans. M. H. Braaksma. London, England: Free Association Books, 1988), Steve Duck, D. F. Hay, S. E. Hobfoll, W. Ickes, and B. M. Montgomery's massive *Handbook of Personal Relationships* (Chichester: Wiley, 1988), Gerard Egan's *The Skilled Helper: A Problem-Management Approach to Helping* (5th ed. Pacific Grove, CA: Brooks/Cole Publishing, 1994), Nancy Eisenberg and Janet Strayer's *Empathy and Its Development* (Cambridge: Cambridge University Press, 1987), Viktor E. Frankl's seminal *Man's Search for Meaning* (NY: Clarion, 1970), Gerald A. Goldstein's classic *Empathy and Counseling: Explorations in Theory and Research* (NY: Springer-Verlag, 1987), M. J. Lillyquist's *Understanding and Changing Criminal Behavior* (Englewood Cliffs, NJ: Prentice-Hall, 1980), D. Lipton, R. Martinson, and J. Wilks' historic and pivotal *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies* (NY: Praeger, 1975), Joseph E. McKelvey's *American Prisons: A History of Good Intentions* (Montclair, NJ: Patterson Smith, 1977), Carl R. Rogers's classic *Client-Centered Therapy* (1951), Hans Toch's *Mosaic of Despair: Human Breakdowns in Prison* (Washington, DC: American Psychological Association, 1992, 1st 1975), and, of course, *The Holy Bible* (NIV; Grand Rapids: Zondervan, 1988).

to us chaplains, as though we need “grilled,” when the reality is we chaplains *love* volunteers, and where to the contrary some wardens like Helm are actually supported by their senior security supervisors in treating volunteers like so many head of cattle. Moo! That is precisely what Helm and Hunter did to Vol. Bell, nearly getting away with it the first time, and look see, they *did* get away with it the second time.

This time Helm fired Bell for a policy Helm himself had contrived. Helm inadvertently gives a hint in his own words, when Helm said in his 12-3-2012 email “Knowing that no chaplain was on the unit.” This was calculation, and many Lewis Prison staff and volunteers knew it was calculation too. Many times Helm acted like the volunteers were simple-minded dunces, all too often, oblivious to the volunteers’ actual and greater experience in life, in management, and in world affairs. Knowing Helm’s spite for Bell for years, it is to Bell’s credit and courage and love of the ministry that Bell continued to volunteer under such hostility and eagle-eyed Mole-Hill Mountain vigilance. Look at Helm’s fine example of treason below.

Photo 13: Warden Helm 12-03-12 Email – Entire Reason for First Firing Vol. Bell

Race to Mole-Hill Mountain

Texas Department of Criminal Justice
Correctional Institutional Division

Inter-Office Communications

*Merry Christmas, Chaplain
... with the same
ABSENCE of Documentation!*

Helm Dec. 2012 email

To: G. Hunter, Warden
Date: December 3, 2012

From: F. Helm, Asst. Warden
Subject: Volunteer M. Bell

On December 3, 2012 at approximately 1100 hours, I passed the Chaplain’s office and observed CVC Melvin Bell in the office with an offender. Mr. Bell was on the telephone and it appeared that he was attempting to make a telephone call for the offender. **1**

Knowing that no Chaplain was on the unit, I excused the offender and questioned Mr. Bell on his activities. He admitted that he was allowing the offender to make a call due to a critical illness in his family. I asked him if this had been verified and he stated no. I asked him who authorized the telephone call and he stated that they had always done it this way. I checked the form and the illness had not been verified. I sent the offender away and advised Mr. Bell to verify the illness and to get with me for approval before allowing any telephone calls. I later checked back and he had left the unit. The form still showed no verification and the telephone log had not been completed in accordance with policy. **2**

Mr. Bell has a history of circumventing policy and procedure when he does not agree with it and is a security risk to the unit. I am requesting his removal from volunteer status at the Gib Lewis Unit.

1. Yes, “appeared” and “attempting” = nixed = Smallest Firing Reason in TDCJ History

2. A “history”? - either Falsification of Record or Sub-Standard Duty - take your pick!

We must reiterate. Helm found Bell *wrong* for helping a prisoner with a monitored call to his family in a death of the prisoner's family! That is the *worst* thing Helm could find, and Helm had to contrive that as a violation, being that was why we have Volunteer Chaplains and how many volunteer chaplains made calls. Nasty.

A 25+ year-veteran Warden Helm is searching like an Indian scout for a violation, any hair of violation, watching the chaplaincy office and Vol. Bell as he walks in, where Bell is at, sniffing to and fro for any whiff of an error.

What does Helm find?

Interjection: if it had not been for Texas Attorney General, this would not be here – is anybody listening – for I had to write an appeal to the Texas AG for TDCJ to *release* the truth!

What does Helm find?

There above is Warden Helm's Christmas present to the Gib Lewis Prison. Look at what Helm wrote above: Bell was *trying, attempting, "it appeared"* that Bell was *"attempting"* to help a prisoner with a call in a death.

Call Vol. Chaplain Melvin Bell (409-429-3289), and he will share his side, as he told me in October 2013. I showed Bell what Helm had written; nobody else *investigated* by any stretch of the term "investigate." Bell said he had not yet connected the prisoner with his family, but Bell was calling to verify the death. But Helm did not care. There was no Reg. Chaplain to investigate, and the new Volunteer Coordinator was, well, *new*. Perfect timing for Warden Helm, and as disgusting as it can get.

Warden Helm Defense – a small defense? Let us interject an odd defense of Helm to highlight the escalated infamy at Polunsky. As bad as Helm's firing of Bell was, the first being the worst in TDCJ history, at least this second time around Helm was *looking* for something wrong to write up. Hear this well, for it too is **Critically Important:** Helm was *looking for something wrong*. It is a major *prison* after all, and the wardens are *supposed* to look for things wrong and are *supposed* to be ever vigilant for security and safety breaches; heck fire, the wardens of all people are *supposed* to be the on-the-property experts in security and safety. In the light of vigilance, Helm's infamy in firing Bell was nothing, *nada*, compared to the multitude of violations in the Polunsky Chaplaincy. At Polunsky, the royal fiasco was that *no staff were looking for violations* until I *started* to expose the worst. Ponder that for a few minutes.

B. Volunteer Bell's Medal of Honor

Stand up and take notice: comparatively speaking, Helm *fired* Bell for a miniscule contrived "violation," and Helm articulated very well his race up Mole-Hill Mountain. Two points for that. This will not help my cause here: in part, Helm wrote as he did *because* Helm was – usually – by nature a truthful person. Comparing what Helm did to what I as Chaplain did – well – this is about TDCJ's honor and my honor too. Fair treatment and equality should be rule, not the exception, and the degree of protectiveness around Warden Helm and Chaplain Collier, like a Star Wars force field, shielded them both violations far worse than I did, and in Collier's case, his violations were by the 1,000s over years, witnessed by 100s.

Photo 14. Texas Medal of Honor

Hear this and highlight it! Bell volunteered under a warden bent upon the volunteer's destruction. Warden Helm was not trying to "help" Vol. Bell, not in the least. Instead, Bell volunteered *anyway* because the ministry was more important than Helm's five-year-old seething anger over something not even Helm's business. Bell came *knowing* Helm was on the edge of his seat, a very powerful seat, as warden, with hundreds of officers and eyeballs watching.

This is one of Volunteer Chaplain Bell's finest hour, his Longest Day, and even Bell's Texas Medal of Honor for extraordinary gallantry and courage *under attack!* And Warden Helm won, killing a good man's ministry, after hunting him down after all the "official" defenders had



retired – with the full support of Senior Warden Hunter and Regional Director Upshaw. Not TDCJ’s finest hour, that much I’ll tell you and the world.

Now then, as bad as that kind of treason is, let’s look to some infamy of greater proportions, exponentially worse for the multitude and the seriousness of so many security violations at Polunsky.

C. Polunsky Wardens Sing . . .

“Look Away, Look Away, Dixie Land”

The difference between the Lewis Prison – that Warden Alford called the “B-Team” – and the Polunsky Prison is otherworldly. For 35 miles down the road, at Polunsky, the wardens for *years* were singing the refrain to the 150-year-old Dixie Land, “Look away! Look away! Look away! Dixie Land,” ignoring a multitude of security and safety violations. Never, ever has so many *knowingly looked away* from so many security violations. And the cover up continues! In other words, what Helm did was bad enough, infamous, and the worst *firing* of a volunteer in TDCJ history, compounded by a second firing, but – hear ye, hear ye – what Helm did was *nothing* compared to Simmons, Alford, Upshaw and Stephens singing Dixie Land. And doubtlessly out of tune, too.

Exponential Infamy at Polunsky. Helm’s infamy pales in comparison to the Polunsky fiasco. Yet to date – listen to Div. Dir. Stephens, Div. Dir. Upshaw, and Regional Dir. Alford – for they are speaking loudly and clearly and only a fool will fail to hear them: in their silence, they are telling the world that they are above the rules, above TDCJ policy, and beyond the dignity of professional relationships where “Fair” and “Equal” treatment has taken flight before them, kicked out the door. For all those involved – look closely – from the level of my debatable violations to the Lewis Prison Wardens Helm’s and Hunter’s violations and then to how far and high and wide

Polunsky’s Infamy ESCALATES Exponentially unlike Anything in TDCJ History!

And covering up increases infamy, solves nothing and costs TDCJ more. Goodness, we need to study this and examine it to the marrow. Back to Warden Helm then.

D. Remedial Actions? – Where?

A very studious researcher might want to go deeper and ask for a boat load of Open Records from Volunteer Services. What do *all* of the volunteer Violation of Policy Forms (VOP Forms) have to say? Though the Texas AG’s office might just support TDCJ’s claim of confidentiality on those, the good TDCJ should know, and it is a shameful farce of professional and sociological values that no one, not one, has any idea at all. Another utter shame, but, also, a state secret revealed here for the first time in TDCJ history, by a Chaplain ousted for other revelations, and – just as quick – what will be shrugged and reviled by those actually charged by their own job descriptions to *cherish* and *study* these very things.

Still, given the decades of resistance to any kind of study of Chaplaincy and the Chaplains’ extraordinary work with and for volunteers, verified by my own Open Records requests for such in the last 15 years – ***nothing has been produced in the last fifteen years*** – therefore, the decades of resistance and utter denial of, literally, any kind of study or analyses, has helped those like Upshaw and Alford exemplify their own rule over that of policy at Polunsky and regarding me at both the Polunsky and Lewis Prisons. We’ll be making that clearer, as a sub-plot throughout.

Still, despite all, the researcher’s interest in the whole truth is still something to be considered normative in institutions where R & D for real progress is crucial.¹⁰⁹ And TDCJ ought to be interested too. We already know that no real analysis has been done in years, nothing substantial since the Volunteer

¹⁰⁹ R & D = Research and Development, a concept foreign to TDCJ and outlawed in Rehabilitation Programs Division: e.g., I did get slammed for the 50-page Faith-Based Housing Letter, aka *white paper*, that two years later, still, 95% of the problems therein remain: www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf. And no meaningful comparison or study, to say nothing of a colloquium for the chaplains to *honestly* talk shop.

Services was pulled from Chaplaincy.¹¹⁰ Here’s an applicable question: of all of the VOP Forms filled out, what percentage contained “remedial action”? Brad, it would be super-simple and prudent if Volunteer Services compiled in a simple Excel database all of the social data on those forms. What, a hundred a year? What were *all* of the reasons and, yes, what were all of the “remedial actions” taken. As it is, there is no data of any kind, zero, for analysis and *real* decision making and training. So, what use are the forms?

In the case of Vol. Chaplain Bell, the forms were useless, merely shuffled from desk to folder to await destruction after the pitiful record retention schedule assigns them to the shredder, and we forever after lose the precious data therein. Foolish, in these cases the entire Volunteer Services is a waste of time and of tax payer money.

Photo 15: Violation of Policy Form Remedial Action – What Is That?

What is remedial action? I taught the Volunteer Training for years and knew the manual thoroughly, and there was nothing substantial on “remedial action” because the good TDCJ *presumed* compliance with its ethics policy, dual supervision, and a genuine respect for the TDCJ Chaplaincy Department mission. No one who truly cared about TDCJ’s mission and about volunteers, and had any authority in the staffing of the Volunteer Policy ever dreamed that a Warden would do what Helm did, who boldly and with a clear sense of immunity sought the destruction of a Volunteer’s service and clearly and intentionally purposed to overlook *remedial*. In the rather dry language of the Volunteer Manual, incidentally, the term “remedial” has no significant guidance and carries with it the intent to “kindly guide first” the valued volunteer. Unlike how Warden Helm *used* the Volunteer Manual to hunt and destroy a Volunteer’s ministry, supported by Warden Hunter and (then) Reg. Dir. Upshaw, the actual purpose of the Volunteer Policy and Manual were by their words designed to support and guide Volunteers with the ulterior motives that they are valuable.

My experience as a 20-year insider says that, likely, about 80-90% of the VOP Forms had no remedial action at all. And the reason is not what an up-line or top administrator like the executive director would think. You see, truly caring chaplains and wardens will do the *remedial* thing one-on-one, day to day, and – the *reality* Brad – very few will bother with paperwork for the more humane and professional interaction.

Look at Helm’s “violation” made *through* Warden Hunter and see the same problems that Reg. Chaplain Ulmer wrote about in his Ides of March 2012 email: no exit interview and no remedial action. Helm did not believe in *remedial* action for an esteemed member of the Tyler County community. Simple. No rocket scientist is needed to perceive from Helm’s treatment of Bell what Helm believes about *remedial* actions for prisoners and the general missions of both TDCJ and its chaplaincy department. Atrocious.

Falsification of Record? or Sub-Standard Duty? No matter how you look at it, the double standard between Warden Helm and myself just lights up with infamy; moreover, even as I was being disciplined, Helm’s more heinous violations were passed by the same administrators as so much left over stew. Look easily and glance over Helm’s email above – no need to *close* look – just lay your eyes softly

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Volunteer Services
VIOLATION OF POLICY FORM

Volunteer's Name: Bell, Melvin
Last First MI

Driver's License (State/No.): [Redacted] Date of Violation: December 3, 2012

Beginning date of service: November 2004 Most recent training date: November 2009

Date divisional volunteer authority was contacted to place the volunteer in pending status while investigation is being conducted: December 3, 2012 (Lisa Langley)

Facility where violation occurred: Gib Lewis

Describe violation(s) (attach additional pages as necessary): Making telephone calls for offenders which had not been verified nor approved

Check action(s) taken:

Letter of instruction Verbal Reprimand Services declined

Require re-training Volunteer resigned

Change volunteer's responsibility (explain) _____

Restrict from facility(s) (designate unit) Gib Lewis

Transfer volunteer to another office/unit (explain) _____

Temporary suspension (explain) _____

Was the volunteer notified of violation/action taken? Yes No By whom? S. Wood

Method of contact: Phone Letter Email In Person Date: 12/18/12 - SW

Submitted by: F. Helm, not used (Name/Title) Date: 12/6/12

Facility Administrator: S. Wood (Name/Title) Date: 12/6/12

Regional Program Supervisor: [Redacted] (Name/Title) Date: _____

Director of Volunteer Services: S. Wood (Name/Title) Date: 12/14/12

Attach the following documents:
* Volunteer Assignment Description form
* Supporting documentation (i.e., statement(s) from witness; related correspondence; trust fund account information; violation list; letter of instruction, etc.).

Volunteer Service Plan Appendix G (revised March 2010) Original to be maintained in the volunteer's permanent file.

¹¹⁰ I know this, because I have made a few requests over the years for any and all analyses, through Open Record requests, and – you’ve guessed it – there has been none. Nada.

upon it. What did Helm mean when he said, “Mr. Bell has a history of circumventing policy and procedures when he does not agree with it and is a security risk to the unit.” If that was a lie, then Helm deliberately falsified a state document, which is an actual felony crime; if Helm did not lie, then Helm is guilty of Sub-Standard Duty, at least, and – herein, *again* – of a Sub-Standard Duty disciplinary worse than I committed in my measly email comment about Vol. Valentine’s splitting of his church (an odious thing in my faith).

What does it take to get protection like Helm enjoyed? Helm should have documented the “history of circumventing” or said nothing. Helm’s freedom and sense of immunity betrays both Hunter’s and Upshaw’s support, too, or Helm would have never dared to touch Vol. Bell. And it is noteworthy that Helm did *nothing* during the entire time that Warden Cody Ginsel was over the Gib Lewis Prison, for reasons no one has bothered to discern, but in the light of all, perhaps it is time to ask Helm, himself, why he *waited* so long before attacking Volunteer Bell.

Note in the Violation of Policy Form, too, that there is no regional signature, and, from the Open Records collection sent to me, there was no investigation worth a plugged nickel. There is nothing at all, not even a whisper, and nothing approaching the kind of investigation that Regional Chaplain Ulmer did in the Ides of March. Given the horrendous treatment and Helm being overruled in March, then this second firing of Vol. Bell should have fostered greater study and an even greater investigation than the first – instead of nothing!

Is Helm’s calculated indifference clear here? And his support on high is as clear. And if Dep. Director Bryan Collier was serious with me, and if he reflected any kind of the concern for volunteers that Brad Livingston and the board have expressed, then there is also seen a gap between the Executive Director’s office and some of those actually running the prisons.

Pastoral Care and “Remedial” – Bah ... Humbug. Just like he planned the first time, Warden Helm planned the second firing of Vol. Bell, only the second time Helm put a tad more cunning into his efforts, knowing there was no experienced staff chaplain on the Lewis Prison, consciously and intentionally, also knowing that all three of us, Maness, Linda Green in Volunteer Services, and Reg. Chaplain Ulmer had retired. Nasty. Helm did that without a care in the world to the *pastoral care* needs at the Lewis Chaplaincy Department I had helped to build for 20 years – hurt my heart. And for what? Because of a phone call to help verify a prisoner in the death of the prisoner’s family! And then no one, not Helm or anyone cared enough to even ask for the name of the prisoner or retain a copy of the Death/Critical Illness Worksheet – nothing. No retention of evidence at all. Atrocious!

Prisoners in their crises deserve a little respect, and often these are among the prisoners’ most vulnerable times. A confident and trustworthy chaplain, like Vol. Bell, who has training and is able to gain the trust of the prisoner in the prisoners’ most vulnerable hours of grief is of tremendous value to chaplaincy and to the mission of TDCJ, the written mission anyway.

Yet, since Helm cannot even respect the meaning of “remedial” for an esteemed citizen, then one cannot expect much for Helm’s regard for prisoners, or the TDCJ mission statement.

E. Deputy Collier’s Fire Pit – Is it an Equal-Opportunity Pit?

If Dep. Dir. Bryan Collier was serious with me (as I believed then, but seriously doubt now) about my violation in “Sub-Standard Duty” for not giving enough support for Vol. David Valentine – as Collier rather stringently griped me out – then hear this from the top of Mole-Hill Mountain! Dep. Collier owes Maness a whopping apology and a roasting of Warden Helm over a pit fire. In reality, it *appears* to me that Dep. Collier meant well, though he just did not know how some prison administrators actually treat the staff chaplains and volunteers. If Collier was sincerely trying to defend TDCJ’s mission, then his *heated comments* need to be raised a hundredfold in temperature to Warden Frank Helm for the terribly rotten low-down selfishly vindictive way in which Helm not only *fired twice* a good and valuable man to the pastoral care of the Lewis Prison, but Collier needs to rip Helm for the calculated fashion in which he threw a nasty wrench in the pastoral care at the absolutely worst time imaginable for the Gib Lewis Chaplaincy.

Time will tell, as the honor of several are unfolding. Regardless, we’ll see if Deputy Collier has an Equal-Opportunity pit fire or not. Though I suspect the latter.

F. Helm's Second Infamy Award, aka, the Mole-Hill Mountain Award

Helm receives his Second Infamy Award here for his race up Mole-Hill Mountain, which turns on him, and reveals the extent Helm went to – worked hard at – in order to dump, nix, and oust Vol. Bell. We also need to clarify that it was not a “discovery” by Helm, but the result of Helm’s search and destroy mission. This Second Infamy Award also reveals how little super-experienced Warden Helm could find. Look at it again – really, Bell is fired for the second time because Bell “appeared” to be “attempting” to make a call for a prisoner. Mole-Hill Mountain, and another for the history archives. That is, Helm fired a volunteer for the smallest conceivable reason imaginable in the history of TDCJ. Here is Helm’s record to date:

- ✦ **Helm's First Infamy Award – Worst Volunteer Firing in TDCJ History, hands down**
- ✦ **Helm's Second Infamy Award – Smallest Conceivable Reason for Volunteer Firing in TDCJ History, aka, the Mole-Hill Mountain Award**

Helm’s two firings of Vol. Bell were nasty, and then, just like Polunsky, these infamous actions were covered up, especially the last, nearly forgotten, in spite of the paperwork. The paperwork trail meant little, especially the second time around. In other words, what use was there in writing anything at all, for Helm’s IOC that Vol. Bell “appeared” to be “attempting” was no reason at all; with no reason, well, there was *no* reason. Did anyone see “appeared” as Helm’s reason for his second firing of Vol. Bell? I doubt anyone even saw that much. The point here – critical to the chaplaincy profession – is that non-chaplains *over* chaplains can scarcely see or care with anything close to the kind of scrutiny that *seasoned-experienced* Regional Chaplain Stephen Ulmer gave in the Ides of March. In still other words, Helm could have fired Bell the second time around and written nothing, for there was no one to review and no one who cared to review, and worse, there was no one to follow up or even investigate. Yes, Helm’s Second Infamy Award is for the smallest conceivable reason for firing a volunteer in TDCJ history, and it is also a firing with the smallest amount of administration review, too.

In Helm’s second firing, Volunteer Services is merely an archive for paper that is shoveled from one file to another; then, in a records retention schedule, it is destroyed. No one is looking. From an Open Records request for a list of ALL the OR requests from the TDCJ, no one else but Maness has asked for anything on volunteers or their data.

Warden Helm *earned* these last two infamy awards, and *how* he earned them is bad enough. Looking closer, outside of looking at real data, Helm is likely the only warden in TDCJ to get two record-breaking infamy awards, “worst in TDCJ history” and “smallest reason in TDCJ history.” Real history in the making here. And Helm has another third infamy award coming, but he did not earn the third alone.

Yet, **Critically Important** – so much worse than what I got grilled for, exponentially worse, still, as bad as Helm’s infamy awards were, what Helm did was far LESS serious than the years-in-the-making choral productions of the Polunsky wardens’ quartets and sextets and choirs singing, “Look Away, Look Away, Look Away, Dixie Land.”

Brad, it is time for the song and dance to end! So, let’s finish this.



XVIII. Lewis Prison Exposure – Warden Helm Crushes Faith-Based Program and More

Introduction – 10-Page Cull & Edit of Previous 35-Page Letter

This chapter is 10 *edited* pages from the 35-page letter sent on February 19, 2013, as the unethical cover up continued and I continued to appeal to TDCJ, mostly on the Lewis Prison.¹¹¹ Most of this has not been addressed or covered elsewhere, but is certainly part of the whole story of continued cover up, unethical policy-violating behavior that would make a skunk run for some Febreze coupons.¹¹² Still believing the best, thinking honor would prevail, I was allowed to re-apply, but *knew* without my Purple Heart for exposures at Polunsky, there would be no rehire. Little did I know that nothing would be done at all about *anything*, though my letters were shared with the guilty parties and not shared with the chaplains, the exposures revealed to the perpetrators and not to the new chaplains responsible.

Here are four primary exposures regarding the Lewis Prison.

- A. Lewis Exposure – PART ONE – Application Deadline Extension and More
- B. Lewis Exposure – PART TWO – Faith-Based Housing Crushed!
- C. Lewis Exposure – PART THREE – Lewis Unit Religious Services Cancelled
- C. Lewis Exposure – PART FOUR – Chapel Project Cancelled
- E. Lewis Exposure – PART FIVE – Volunteers Locked Out of Classrooms!
- F. Lewis Exposure – PART SIX – Compare Polunsky and Lewis Prisons – and
Marvin Dunbar Several Pay Grades above Competence

A. Lewis Exposure – PART ONE – Application Deadline Extension and More

1. Lewis Unit Application Deadline Extension

First, gentleman, bear with me on this, for a dual relevancy will unfold, I assure you. This extension of the application deadline went as follows. Last Friday the 8th, a message was left on my phone that an interview was set up for 10:10, Thursday, the 14th, at the Gib Lewis Unit. On Monday, I was told the time was 1:10 PM, Thursday. Since I had a wedding to perform at the Lions Club on that day and hour, I asked if the interview could be moved before lunch or forward to 2 PM. The young lady thought it possible, but called me back and said, “**No, the warden had a full schedule that day.**” So I confirmed the interview time, and my good friend ☺ adjusted his wedding so I could perform it.

No big deal to bother you gentlemen about, on face value, but since I likely will not be rehired anyway, because at this point it very much appears like you all have NOT shared my Purple Heart with the Lewis Unit wardens, I am impelled then to tell you all about Lewis Unit Warden Frank Helm, who will blockade me, if he has any inkling of what I am exposing here.

Regardless, without my Purple Heart and Letter of Commendation for the exposure of the longest lasting security breach in TDCJ history – you know, to add to my resume and all – then I certainly will not be rehired by Warden Hunter.

My qualifications are second only to Vance Drum in TDCJ, and second to none for the Lewis Unit because of my experience and job description requirement regarding my connections in the community, including coordinator of the Tyler County Ministerial Alliance for 15 years, active member of several civic groups, and more. Currently, to my knowledge, Drum and I are the ONLY “Certified Correctional Chaplains” by the American Correctional Chaplains Association, first affiliate in the ACA. Moreover, gentlemen, ALL the major volunteers and CVCA’s will give me a good reference, since I recruited and trained most of them, but, really, because I have been friends and fellow Christians with most of them for

¹¹¹ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf for the full text of the 35-page letter and others.

¹¹² See www.Febreze.com for some real coupons on this great air freshener. Going to need some after this.

20 years! Yet, Warden Helm does not care about my connections and history, and I'll tell you more in a moment.

Gentlemen, on Tuesday the 12th, the HR lady called me back. She was sweet and said, “**The application deadline has been extended.** They did not have enough applicants. You, sir, are still in the pool and qualified and all. Just, they could not hardly hold a board with so few. So you can go ahead with your wedding.” Great for the wedding, but not so much for me.

You can see my point, reading between the lines, surely. So, let me tell you more of what you ought to know about BOTH the Polunsky Unit and Lewis Unit, and either seal my fate or endear myself more fully to you all. Regardless, the Polunsky wardens continue to avoid fixing security violations – what will you do about that? And what do you do about a chaplain that has been maligned for *continuing* to defend and help lift the security of TDCJ into mere code compliance?

2. Corollary in Suspension of Region 1 Chaplain Application Deadline

There was more unethical behavior surrounding the final hiring of my old friend Dr. Vance Drum, for whom the deadline was extended as Marvin Dunbar unethically nixed the applicants and unfairly catered to Drum; if Drum would “apply,” Dunbar would extend the application to Drum could “interview” – here is the rest of the story on that and the Lewis Prison. Consider this, most of this would not have happened if Drum had been rightly hired in 2001, instead of the vastly unqualified Bill Pierce, and today, a similar catering took place to hire as Pierce’s Deputy Michael Rutledge, a man who had little interest in professional Chaplaincy, had no experience of in-prison Chaplaincy, and who – like Pierce and the others merely applied for a raise – were hired *because* of their lack of experience.

There is a corollary with the extended application deadline for the Region 1 Chaplain position. Having seen the applications, only Vance shined like the North Star. My friend Dr. Vance Drum had not applied, for reasons I can share with you in private. They extended the Region 1 chaplain application deadline and came and ***talked to Vance and ASKED him to apply.*** Is that ethical? Not fully. Private companies can do anything, but not so much TDCJ.

Gentlemen, you were not at the top of TDCJ when Bill Pierce applied for the chief chaplain position in January of 2000. Several of us talked to Gary Johnson. I did not apply, because I had been involved in exposure of other unethical “tweaking” of chaplaincy applications, a tweaking that has not ended, it appears. Moreover, I knew I could not complain if I had applied in 2000 and was denied. Though they have destroyed Pierce’s 2000 application through records retention, yet, I found a copy I had asked for in 2000. Now then, this is relevant: Vance only included about 60% of his credentials with his application a couple of months ago, compared to what Vance included in 2000. Yet, how did Dunbar know if Vance was credentialed or wanted the position? No a big secret, that, but an agency of the great state of Texas has standards.

You should have seen Dr. Vance Drum’s 2000 application – a half inch thick with the best credentials any agency could hope for in the U.S. I have it, too, somewhere in my garage.

Do you want to know why Vance did *not* apply this time? Ask me to come and see you.

Drum App – www.PreciousHeart.net/OIG/Drum-2012-TDCJ-Application.pdf > 35 pages, shorter than his 2000 application for the Director of Chaplains job, and one of the best resumes in the history of prison chaplaincy.

Pierce App – www.PreciousHeart.net/OIG/Pierce-2000-TDCJ-Application.pdf > I exposed this in 2000, while the process, how all the other applications were better, by far (I did not apply), and Vance Drum’s was the best TDCJ had ever seen, 75-plus pages; Pierce was the lowest qualified Chief of Chaplains in the history of TDCJ and even US prisons. Several applicants grieved that and went to see Executive Dir. Gary Johnson. Pierce did not even have an accredited bachelor’s degree, a basic job description item that was *overlooked* on purpose then, and other than the CPE mandatory for a TDCJ raise, he had sought no other training or education since 1974 prior to 2000. He was hired in 2000 *because* he was the less qualified and *because* he was the *least* networked of all. Unethical history outlined in 2002.¹¹³

¹¹³ See www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 2 Timeline 2001.pdf (pgs 54-65 esp. on timeline of unethical hiring practices throughout 2002.

[continued from previous page ...]

Rutledge App – www.PreciousHeart.net/OIG/Rutledge-2012-TDCJ-Application.pdf > Michael Rutledge Application for Region 1 Chaplaincy, Incomplete, Inexperienced, but *hired* as Dep. Director of Chaplains, *repeating* Pierce’s – *why?* – because Dunbar want someone else *not connected* to chaplains or profession.

So what do we have here? It is the dumbing down of the Chaplaincy profession, if not the planned dumbing down. Three times in a row, the Director of Chaplains was hired *not* based upon experience as a prison Chaplain or in the profession or upon networking or upon the applicant’s self-improvement in the profession for the last 20 years.

3. Solicitation of Dr. Vance Drum’s Application – Is that Really Ethical?

Anyways, upon solicitation, Vance applied and got the position at the same time I wrote you all about the exposures at Polunsky in October 2012, retiring in insure and lock in place that I get the credit for the exposure! Here is a question only you all have the ability to find the answer to, if you all are inclined. Did Dunbar solicit *before* or *after* he extended the deadline? If *before* the extension, then Dunbar’s solicitation was all the more unethical. Gentlemen, *before* is where I’d bet \$50.¹¹⁴ Regardless, if *after* the extension, then Dunbar’s solicitation was still unethical since Dunbar did *not* solicit others as fairly. Dunbar as the signal interviewer has to at least *pretend* to be fair. This is a Texas agency, not a private outfit! Maybe that does not matter to most people. But this applies to my own application deadline extension, in a crazy way. It is, in all, just another of dozens of examples in the last decade of unprofessional and unethical playing with chaplaincy positions.

4. The Rev. Dr. Vance Drum’s Application vis-à-vis Pierce’s Application in 2000 – Difference Between Wedding Cake and a Twinkie

Gentlemen, you do not have to like, and, in fact, you all should very much despise it. But it happened, was shameful, and was certainly swept under the rug. And it is still happening.

Perhaps Dunbar listened when I said to him in our first meeting a year ago, when Dunbar humiliated me for that 50-page Faith-Based Letter – and gave me a disciplinary for sub-standard duty in a disciplinary that he wrote so sub-standardly it was thrown out – and listened to me when I told him that I had written a 70-page exposure about the tweaking of the job descriptions for head chaplain from 1990 to 2000 (with documented timeline) from which Gary Johnson initiated an internal affairs investigation.¹¹⁵ I had told Johnson in 2000 that Vance Drum’s application was like a “wedding cake compared to Bill Pierce’s Twinkie.” I was not disciplined for that, then; it is not flattering, but the God’s honest truth. And, Pierce, being naïve then, did not know why he was hired; you may think I am merely complaining, but, truly, Don Keil hired Pierce because Pierce *was NOT connected, not networked, and because Pierce was out of the loop*; Keil hired Pierce because Pierce was not informed! Gentlemen, this is an unpleasant fact. Pierce did not even have an accredited Bachelor’s degree, which, when exposed, was not addressed. Furthermore, HR had NOT discerned the non-accredited degree which was a basic requirement of the Head Chaplain, and, worse, did *nothing* about it after that was exposed.

Gentlemen, Pierce is a good man just trying to make it, but at the time, in 2000, this was the state affairs in TDCJ:

**Pierce was the least qualified head chaplain of a major agency in U.S. history, and
Dr. Vance Drum was *the most* qualified applicant in TDCJ history**

See Pierce’s application attached, and **handle with care**, for his application is not pleasant to look at. It betrays a very sad story of a man who failed at pastoring churches, who started his non-accredited college with A-B’s and ended with C-D’s. It is a clear story of a man who had lost his religious initiative decades

See www.PreciousHeart.net/OIG/2002-09-22_Johnson-Letter-26pgs.pdf for detailed exposure of unethical practices continued, and request for moratorium.

¹¹⁴ You all will have to ask some delicate and tactical questions to discern that, and therefore fully discern the level of unethical behavior there.

¹¹⁵ I still have those letters and documents, btw.

before applying to TDCJ. See for yourself. Pierce did not add a single piece of training since 1974 to his resume.¹¹⁶ Be gentle. His was the poorest application in the bunch. Pierce was hired by Don Keil, simply, because Keil *knew* Pierce would and could not do any leadership whatsoever. Pierce was a bureaucratic pawn, purposely promoted to further slow the progress and dumb down professional chaplaincy, under orders then from Debbie Roberts or Carl Jefferies, or both – all *against* the best principles of TDCJ.¹¹⁷

You do not have to like that, and since my work in 2000 and the exposures of unethical treatment of chaplaincy then, the single Chaplain III position – head chaplain – was boosted up to Manager I, and that story is too long to include here.¹¹⁸

Where TDCJ Chaplaincy would be today if Dr. Vance Drum had been chosen in 2000?

Now then, if you are still reading, let me say it is **about time Vance was promoted**. For the first time perhaps since Emmett Solomon, though certainly in an ethically borderline manner, still, a super-highly qualified chaplain was chosen to supervise Unit Chaplains. Yippee.

Drum App – www.PreciousHeart.net/OIG/Drum-2012-TDCJ-Application.pdf > 35 pages, shorter than his 2000 app.

Pierce App – www.PreciousHeart.net/OIG/Pierce-2000-TDCJ-Application.pdf > exposed in 2000.

Continuing this kind of behavior helps no one and further degrades the profession. Almost certainly the intent is mold Rutledge into another who *will* not and *cannot* advocate for chaplains on any real level of empathy with the Prison Unit Chaplains. That is not the worst cover up, as this treatise exposes.

5. Lewis Unit Senior Warden will not Rehire Maness without Purple Heart

So, when I heard that they extended the application deadline for the Lewis Unit, forgive me, but I have to believe you all did NOT share with the Lewis Unit Wardens about my Purple Heart and the harrowing adventure that led to my exposure of the Polunsky shenanigans. That you all did not share with the Lewis Unit wardens how much you valued my exposure, so then, I am compelled to tell all about the Polunsky Unit and the Lewis Unit, and finish the story. Perhaps then you all will help me recover honor in this. Or insure that I will never be rehired again.

Gentlemen, I need my Purple Heart and Letter of Commendation, and it communicated clearly to Warden Hunter, if I am to have a fair hearing. More than that, I am still exposing to you other things, here, that further helps TDCJ.

Brad, Bryan, and Rick, in sum, what I was disciplined for was nothing, *nothing*, compared to what several Polunsky and Lewis prison wardens have done. TDCJ is fair, is it not?

B. Lewis Exposure – PART TWO – Faith-Based Housing Crushed!

1. Primer on “Order” to Start Faith-Based Housing at Lewis Unit

Byran, you have to admit, *without* your order or “desire to see all units” start Faith-Based Housing, many of the wardens would not have allowed it. Again, Warden Ginsel was clear too – as Rick Thaler will doubtlessly confirm of many wardens – that the Lewis Unit was not going to have a Faith-Based Housing UNTIL ordered to do so. Of course, I did not have a problem with following our warden on waiting. I was *not* in a rush and did write that 50-page Faith-Based Letter informing of oddities no one was taking into consideration, including the subtly voiced concerned of the wardens and staff chaplains. The “order” came and Chaplain Maness obeyed, and got the ONLY volunteer willing and truly capable, CVCA Ms. Virginia Haynes, and you all ought to go to her web site and see the quality of person the Lewis Unit had.¹¹⁹

¹¹⁶ Except for two units of clinical pastoral education in 1997 in order to be promoted to Chaplain II.

¹¹⁷ Several documents indicate that at www.PreciousHeart.net/chaplaincy, but I did not post the 70-page letter with timeline that I personally gave to Gary Johnson, and from he ordered an internal affairs investigation.

¹¹⁸ But includes hundreds of other pages, some of which is online at www.PreciousHeart.net/chaplaincy. The story of boosting the head chaplain’s position from Chaplain III to Manager I included the revelation that MHMR had 16 of its 26 chaplains were Chaplain IIIs, with several IIIs at several steps above the TDCJ Head Chaplain III.

¹¹⁹ CVCA Virginia Haynes’ web site www.LydiasPorch.com.

Interjection – My Defense of Wardens for 20 Years

Warden Frank Helm was catered to like few. I thought highly of him for most of the 20 years we worked together as he rose from Lt. to Major. Reg. Dir. Upshaw allowed Helm to go to the Goodman Unit as a Major, so that Helm could be promoted a few months later to Asst. Warden back at the Lewis Unit. To Helm's credit, he did not want to move his family to promote – I applauded him on that. But most of that changed when Warden Hunter arrived; they must have served time together in the ancient past. Regardless, when Hunter arrived, Helm became a different person. Most of the Faith-Based hard-wrought plans for the housing wing that Warden Ginsel had approved were delayed by Helm, and then cancelled by Helm when Hunter arrived. There is nothing on the wing for the men of the Faith-Based Housing – nothing.

2. Real Meat of Faith-Based Housing Is Programs, Not Housing

The real meat of the Faith-Based Housing is *not* the housing, certainly not in TDCJ at this time, given that no two operate alike enough to make a real study of effects. The real meat is in the programming that could happen without the problems of housing articulated in the 50-page Faith-Based Letter and now added to with the revelations here, in the vast differences between the Polunsky and Lewis Faith-Based Housing programs. Moreover, to date, no one in Texas is considering what will prove to be a landmark legal analysis by **Alexander Volokh in his “Do Faith-Based Prisons Work?”** in the Alabama Law Review, a 50-page work complementing mine exquisitely.¹²⁰ In Texas, even a year after I presented my study to you all in December 2011, there has not been a single analysis of effectiveness or an attempt to assess cost, nothing worthy of the name, from anyone in the Rehabilitation Programs Division (RPD), though such analyses are required in the job descriptions of those at the top of the RPD.

Would that be *substandard duty*? Just asking, given how scrupulous they were of me.

3. Lewis Unit Faith-Based Housing Begins – CVCA Ms. Virginia Haynes Works HARD

Regardless, at the Lewis Unit, Warden Ginsel *obeyed* too. Ginsel was goodhearted, sincere, and because of his good heart, all were on board. I asked long-time CVCA Ms. Virginia Haynes if she would consider leading it. She was reluctant. She, another volunteer, and I visited the Hightower and Wynne Faith-Based Dorms. I mainframe emailed ALL the unit chaplains having Faith-Based Dorms, and I have the first real survey in a folder (for another time). CVCA Ms. Haynes and I worked hard together, she called many, went to see many, developed a long written plan and presented that plan to Warden Ginsel, who approved all. CVCA Ms. Haynes is a retired school teacher, with a masters degree, who also teaches accredited Seminary Extension Courses. She put together the BEST written plan in TDCJ! Who do I know? Because, again, I emailed *all* the chaplains and asked them for their plans.

Yes, when dear and precious CVCA Ms. Haynes was asked in about September of 2011 to lead the Faith-Based Housing – it is policy to *try* to secure a CVCA – and she was ready by January 2012. But *nothing* had been built, not even a book case on the wing.

Worse, because of the ACA audit – an excuse that lasted many months – Warden Helm held things up ... and held things up ... and held things up. When Warden Hunter arrived (in February or March) and two days later, Warden Helm fires CVCA Melvin Bell, which I will unfold into in item “6” below.

CVCA Ms. Haynes had worked on this for months, networking across the community, speaking in churches, tapping into her impressive network. She tapped into the current volunteer base too. But on the Lewis Unit, nothing was done. No comment. How about a cabinet for the TV? “Oh, we have an audit coming.” Captain McFarland began helping us, per orders by Senior Warden Ginsel, then – tragedy of tragedies – after Ginsel left, Captain McFarland was *dressed down* by Warden Helm for doing what Warden Ginsel had said he was to do. Confusing, yes, then; now, just cold-hearted. CVCA Ms. Haynes was put off and put off.

¹²⁰ See an excellent legal complement to my 50-page Faith-Based Letter in See Alexander Volokh, “Do Faith-Based Prisons Work?” 63:1 Alabama Law Review (2011), 43-95, at www.PreciousHeart.net/Volokh-Article.pdf. Compare Volokh with my Faith-Based Letter www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf.

“Delays” because of ACA audit, though policy had been circumvented by moving the prisoners to the K-Wing housing *before* any kind of chaplaincy orientation – go figure. So, prisoners were chosen by classification and moved, but we could not have an orientation yet.

Ms. Haynes had to gingerly approach the wardens week after week, not trying to bug them – yet – the question she asked was, “Do they really want this or not?” Warden Helm would *not* allow her the consideration of a start date until mid-March, nearly six months after she was *asked* to help and after 100s of hours of work.



Photo 16. Lewis Prison – Faith-Based

Program

Finally, Ms. Haynes was allowed to have an Opening Ceremony in the chapel on March 22, 2012. No complaints from any of us. The Honorable Rep. James White gave an outstanding address to the prisoners in the chapel, and we took his photo. Unfortunately, no one let us take a photo of Representative White with the prisoners. That is so sad, because of me, of course, because I was involved in my own defense; I had committed the terrible crime of posting photos of prisoners putting together Christmas packages on the internet, all from which I had secured TDCJ media releases. So what? I could have opted out of the photo myself. Gentlemen, it would have meant *so very much to the prisoners* and been a source of encouragement and a source of “rehabilitative juicing” motivation if the prisoners had been allowed that small honor of having their photo with the Honorable State Representative James White.

What harm? It was just the beginning. CVCA Ms. Haynes is third from left in the photo, next to the Honorable Rep. White in the center. I am at the far right. No prisoners, sadly enough, though the program was about the prisoners most of all. Ms. Haynes is a top-notch person in Tyler County and around the country.¹²¹ She and I both really wanted to get a picture of the prisoners with Rep. White, had all the media releases, but, no, not this time.

Yet, on Monday, March 26th, on the **first day** of the Lewis’ first Faith-Based Housing, Warden Helm would **NOT let the Volunteer Susan Woodall bring in her Experiencing God books**. Unbelievable? Sure. I was there early. Somehow the clearance had been lost. Warden Helm, his secretary told me, was in his office. I put together *another* clearance and went directly to his office. Warden Helm told me, “I don’t have time for you,” and walked out.¹²² His secretary shrugged, and I followed him out at a distance. Susan Woodall was at the gate, and Warden Helm passed by her without speaking a word to her. Mrs. Woodall could not bring in her books to start the first day of the Faith-Based Housing class! What in the world is that?

I sat in the car with Ms. Haynes and Ms. Woodall. I apologized, and we had to cancel the first day of class. CVCA Haynes and I had to cancel the first day class! We sent the prisoners home after count with a prayer, trying to be positive, but we were heart broken.

Call Ms. Virginia Haynes at 409-656-7589. That was a belligerence that has been covered up since I first reported it. Worse, Helm violated several policies there, too, worse than my contrived disciplinary on Volunteer David Valentine. He also told these key volunteers what he was about.

¹²¹ See CVCA Ms. Virginia Hayne’s web site here www.LydiasPorch.com and her ministry: 409-656-7589.

¹²² Sure, there had been an incident at about 0530; someone had thrown an light stick over the perimeter fence. But there was no emergency at 0730 to speak of. And, God is my witness, Helm *knew precisely what he was doing*, when he essentially said he did not have a 1/3 of second to sign the clearance, one proof being that it took me a whole three minutes to draft another clearance and walk it to his office, where he was waiting for me to come, so he could SEE ME and say, “I don’t have time for you.” That speaks volumes, for those willing to hear.

That was just the beginning of Helm belligerence to this program, and we were lucky she did not quit. Helm hated the program, but obeyed to allow it with the minimum of support, the absolute minimum; that is, if it was not written, it was not allowed. The first proposal was nixed, and the time we spent on that was wasted. And even the basic policy was not followed.

Neither CVCA Haynes or I as the staff chaplain had ANY say at all in the selection of the prisoners for the Faith-Based Housing. We could not give an orientation before selection! Talk about a backward program. When we had trouble with an prisoner on that wing, we had to go through an act of congress, nearly, to get him removed. It is hard to conceive of how one could make the Faith-Based program any more burdensome. Well, let me tell you.

That is not all. CVCA Mrs. Haynes worked hard to get resources for the program. Networking in the community, she got \$100 here, \$50 there, to get \$700 to buy the books for the 42 prisoners to go through the Financial Peace University (FBU) – hear this, *please* – just one of the dozen programs she organized, networked, scheduled, and worked out. She even drove the 83-year-old FBU teacher to the prison a dozen or more times! What dedication. When she purchased the FBU books, she sent a “Thank You” letter to all those who donated, including me, and a complimentary copy to Wardens Hunter and Helm.

She did *more* than her part all year. TDCJ has *yet* to do a token for her. *May I help?*

Guess what Warden Helm did? Just take a guess. Instead of complement – no sirs – no complement at all. Warden Helm wrote his own letter, attached her “Thank You” letter to his letter and a TDCJ Donation Form, and Warden Helm “ordered” Mrs. Haynes to secure from all the donors a signed Donation Form and return those forms to Warden Helm.

I kid you not – that devastated her. Callous and heartless.

Brad, Bryan, and Rick, Virginia Haynes is a widow, her previous husband a local pastor, she is active in the local Ministerial Alliance, has taught in most of the churches in the area, led seminars for women for 20 years all across the country, and she has led the local National Day of Prayer for the last five years on the Tyler County courthouse square, our good friend Tyler County Judge Jacques Blanchette helping to MC; give him a call 409-283-8218.¹²³

Brad, need I remind you that you, sir, got a phone call from Tyler County Sheriff David Hennigan at the beginning of 2012 – yes, Brad, as he told you then, “there were *concerns* at the Lewis Unit.” Hennigan will endorse me to this day, and he knows the county like few!

Moreover, **CVCA Ms. Haynes is my good friend.** So I asked Mr. Dunbar at the week-long training in Huntsville, and, thankfully, Dunbar said she did not have to get a donation form filled out for such, and Dunbar immediately realized the ramification of such a burden to our volunteers and programs. I relayed that to Ms. Haynes, who said she had no time for that, shaking her head. Gentlemen, it took a load of time, gasoline, and kind and gentle phone calls to get a full year-long schedule together, and, by the way, had to monitor and make adjustment all year long as the normal exigencies of human life affect people. The Baptists, Churches of Christ, Methodists, Pentacostals, Catholics, and this knucklehead chaplain donated.

She got a couple of boxes of Bibles of *different translations* for the Faith-Based Housing, to put on a bookshelf on K-Wing, so the prisoners could study different versions of the Bible on their own time. She really believes in Bible study. But, no bookcase yet, even a year later. *Nothing* a year later. She cannot even ask anymore, given the callousness she has repeatedly experienced.

Brad, Bryan, Rick – know this too – you all **MUST** handle this with tact. Because Haynes really did not want me defending her. She has met men like Warden Helm before, the Mob Boss, who if you wink a crossed eye, he will shoot you. It is still fresh how Helm whacked CVCA Bell, twice, and I will unfold that for you with utter clarity in a moment.

Gentlemen, be gentle. But hear this too. CVCA Ms. Virginia Haynes does **NOT** want me to defend her, really and truly does **NOT** want me informing on Warden Helm. She is truly afraid for her *precious* ministry. She is a scared, so I should **NOT** defend her. Look what has happened to me. Look at what has happened to CVCA Bell – that I am going to unload on you in the next section – and see how much trouble

¹²³ Tyler County Judge Jacques Blanchette: 409-283-8218.

has already happened. She has had enough experience in life with abusive men and callous pastors. She just wants to minister.

See CVCA Ms. Haynes' note here. Is that the way you envision chaplaincy volunteerism in TDCJ or not? Fear of a loose cannon warden, so self-serving and callous, volunteers are afraid to – catch this fast ball – afraid ... afraid ... afraid to share “Thank You” notes they sent to donors with the warden. Moreover, do you truly value old chaplains like me for telling you this? If so, think about that Purple Heart.

Photo 17. Lewis Prison – CVCA



Haynes Email

Gentleman, regardless of what you do, **if you cross up Ms. Haynes** with Warden Helm and cause her to resign, or worse, get her kicked out on a bogus baited shenanigan as Helm has done *twice* with CVCA Bell, well then, I already have demonstrated my big mouth, and I might be tempted to make 5,000 copies of all of this and hire a plane to dump them on the Capitol in Austin. Of course, that is facetious – there is too little appreciation these days for humor – and you know a little drama gets attention.¹²⁴ Gentlemen, you also know I'd think of it, of all people, and that is a not-so-humorous idea from a real-life example documented in my book, *Character Counts*, where a crazy Dr. James Holly, M.D., gave 5,000 copies of his nasty anti-Masonry diatribe to the Southern Baptist Convention (SBC) in 1992, and the Christian SBC Scottish Rite Masons responded by mailing 5,000 copies of its superb February 1993 journal to 5,000 SBC leaders, containing articles by esteemed Masons like the president emeritus of Baylor University.¹²⁵ That relates here, oddly enough, given that former SBC president Dr. Paige Patterson hates Freemasonry, and the TDCJ has a binding contract with Southwestern Baptist Theological Seminary, of which Patterson is president, and I dealt with the unethical politics of that affair in the 50-page Faith-Based Letter, too – what a small world.¹²⁶

Gentlemen, PROTECT Chaplain Haynes!

And guess what? Without talking to Ms. Haynes or even given her the smallest honor of consulting her on the program she but hundreds of hours working on, and countless hours monitoring and supervising throughout the year – oh, sirs, *please hear this*, in the light of the 50-page Faith-Based Letter that talked at length about “cost” and how NO ONE IS CONSIDERING THE COST of anything, not monetary, not labor, and certainly not how hard it is to find volunteers to lead such a work. Hear this – CVCA Ms. Virginia Haynes was simply, coldly, with no consideration and no “Thank You for 18 months work” thus far done, simply TOLD that in 2013 the Gib Lewis Faith-Based Housing program will have 84 men.

Warden Helm would not care if she quit, the next chaplain will handle it. **Cold!**

Just double the prisoners, from 42 to 84, with NO COMPASSION or thought or consideration of how much work she did for those 42 men. No empathy at all and no concept at all of how much work it took to get programs for 42 men for an entire year. She did her part, but the Lewis Unit has not done its part, not yet, except callously treat people. And no book case yet, the smallest thing imaginable, hardly worth putting here, except that super-small thing betrays just how big the problem is and also betrays just how cold-hearted Warden Helm's actions have been. Need I say more?

¹²⁴ I remember a story about someone trying to a paraplegic how to ride a bicycle. Still not funny, I guess.

¹²⁵ In my book, *Character Counts – Freemasonry Is a National Treasure and a Source of Our Founders' Constitutional Original Intent* (1st 2006, revised second edition 2010; 420p.; www.preciousheart.net/fm), 41f.

¹²⁶ See www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf, pages 44-47.

There is not even seating on K-Wing for 42 men, and the prisoners cannot get together. The reason for K-Wing was because its dayroom is six feet wider than the adjacent J- and L-Wings. We had worked with Captain McFarland about getting maintenance to place the extra seats freed up from the dorm expansion. But, when Hunter arrived, Helm cancelled that too.

Ms. Haynes was simply TOLD, like so much cattle, to just PROVIDE programing for 84.

Who is talking with her. She is my good friend. No one but this retired chaplain is talking with her. At least she had me to talk to.

No sirs, no Duck Dynasty at the Lewis Unit, just a mafia cold-hearted attitude.

4. Difference Between Faith-Based Housing at the Lewis and Polunsky Prisons?

So, a question long overdue, how do the Faith-Based Housings compare? But, to date, verified with an affidavit to the Texas AG's office regarding Open Records request for all studies, analyses, and decision memorandums of the Faith-Based Housing in TDCJ, there has been no analysis to date worthy of the name, much less a consideration of costs. No one in TDCJ knows yet how to compare, except this old chaplain. Only a few would even know how to do a thorough study, because such a study would necessarily entail some minute knowledge of the literature.¹²⁷

Compare the Polunsky and Lewis prisons – goodness, you cannot believe the wide divergence, almost like two different planets entirely. Shoot fire, gentlemen, there is a wide divergent between the two Faith-Based dorms on the Polunsky Unit itself, each being run by two CVCA's in two completely different fashions, with respect to selection, programming, and most especially with respect to prisoner supervision. The oldest Polunsky Faith-Based dorm is almost purely prisoner-led! – which you certainly did not know. The second one just starting about seven months ago is led by CVCA Ed Reeves and his prisoner “coordinator” who looked on the mainframe under Chaplain Collier's sign-on to check the screen for disciplinaries; that's right, prisoner *and* CVCA looking over records of prisoners, then submitting a list to Polunsky classification to move prisoner into the faith-based housing – really. Do we really want to go there on how Collier's mainframe access was *regularly* used by CVCA's?

At the Lewis Unit, CVCA Haynes and I were told to sit tight, “they” would decide. All requests went to the Lewis Unit chief of classification who assigned and made moves, and then – only *after* all the prisoners were moved, even months later. Chaplaincy was forced to give the “orientation” on what Faith-Based Program was about, if the prisoners wanted to volunteer for it, and some modicum of assessment of the individual prisoner's *willingness* to participate AFTER the prisoners had been chosen. Go figure. Who cares? How many other prisons are doing the same thing? No one knows. The only reports are to your office, Bryan, on the progress of which units have added a Faith-Based Program. TDCJ can do much better than that.

Gentlemen, to the many problems articulated in my 50-page Faith-Based Letter, now add the **additional problem** that no two Faith-Based Programs work the same; plus, add that some chaplains, like on the Lewis Unit, have zero part in the screening. What a challenge to get reliable data from that convoluted, but no one has even *started* to study yet (except me).

Gentlemen, **what is** the Faith-Based Housing on the Lewis Unit? Can anyone but CVCA Haynes describe it? And at Polunsky? “They have one,” the Lewis Unit wardens obediently reply, and “it is going fine.” And “Polunsky has two,” Warden Alford can reply, but does not have a clue what either one actually

¹²⁷ Op cit., fn. 19, including at least my Faith-Based Letter www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf (11-2011), Volokh's “Do Faith-Based Prisons Work?” (2011) www.PreciousHeart.net/Volokh-Article.pdf, Lynn and Gaddy's *First Freedom First: A Citizen's Guide to Protecting Religious Liberty and the Separation of Church and State*, and the some token of consultations with *real* religious freedom advocates, at least the Baptist Joint Committee in Washington, D.C., and Americans United for Church and State, also in Washington, D.C. Of course, it is assumed a *real* study would include a few colloquiums with the senior Chaplains on the front-lines, the real experts on religion in prison and especially those with master's degrees and above, and a real consultations with all the CVCA leaders too. And no study would be complete with a honest with the colloquiums with the TDCJ Senior Wardens, the real frontline experts on unit security, administration and – what is hardly encountered – the *dynamics of life* in a prison. To me, that is just the basics.

does, or even to this point that the two are administrated differently, the oldest one nearly wholly prisoner led; which, at Polunsky, ought to be scary.

Who is to know the difference?

As mentioned, there is no study yet, not even a mental exercise to address the multitude of issues in my 50-page Faith-Based Letter, nor even a comparison of strategies or procedures between chaplains. So each and every chaplain starting one has to re-invent wheel on his unit. Gentlemen, the worst part for us chaplains – there is NO available avenue for honest interchange for the problems. Just “obey and get one.” Because, all the wardens are obedient, and no chaplain or CVCA will risk a warden’s ire.

I might as well reveal this too, apropos as anything, that the job descriptions of the supervisors over chaplaincy, to the top of the RPD, *require* advanced analyses of programs, but there has not been any real compilation and public distribution of statistics or charts, to speak of, not in decades on chaplaincy, much less the Faith-Based Housing, and *nothing* that one would consider a *real* analysis or even close to a real longitudinal study at all. And exactly to the point – Mr. Marvin Dunbar laughed at the idea of calculating “costs” in my 50-page Faith-Based Letter! I don’t think that was funny, and was so offended at it, I wrote a letter to Bryan, for which I received an insubordination disciplinary. There is a better way to dialogue.

Anyway, that is not all. Sweet and experienced CVCA Haynes works hard to get supplies. Her own pastor donates a 42” color TV. Yes, Ginsel said a cabinet can be made by the unit carpenter in November of 2011. Capt. McFarland was charged to help. CVCA Haynes and I put plans together, even to improve the seating capacity on K-Wing so 42 men can sit down at once. Once Warden Hunter arrived in 2012, and since then, Warden Helm halted all plans. Not some, but ALL. Even a year later, the properly donated TV is STILL in its original cardboard box in the chaplain’s office and has to be taken out of the box and repackaged for every use.

Gentlemen, God have mercy! That expensive, nice, big, quality flat-screen TV was *NOT MADE* to be unpacked and packed up, moved and moved and moved. Eventually an prisoner is going to drop it, and the work it took to get that TV would have to be started over. Why do I even bother you about that? That, too – please hear this – as small as that is, that speaks volumes to the callousness of Warden Helm and speaks of another volume of his own value of the program in contradiction to YOUR orders for professional conduct and standing orders to support the goals of chaplaincy – gentlemen, that is sly insubordination, to say nothing of cold-hearted callousness to the needs of sweet and kind and dedicated and hard-working widow CVCA Ms. Haynes who is connected in the entire county.

Brad, Bryan, and Rick – Warden Helm is just mean. Move him! That is not all.

Guess what. Yes, after 9 months and as Christmas approached, sweet and kind CVCA Haynes who had worked hard amidst other troubles, was simply told, “The Faith-Based Program will be cancelled for the rest of the year.” Yes, from the end of November through Christmas – really, how insensitive. No consult or meeting or condolence to CVCA Mrs. Haynes, or explanation – just, your group cannot meet again even through the Christmas season.

But, yes, “You can have a graduation in January, 2013.”

Brad, Bryan, and Rick, is that anyway to treat the *only* one in Tyler County who was willing to take up the Faith-Based Housing in October 2011 when we were ordered to start it? That is not all, either.

5. CVCA Ms. Haynes Forced into Duplicity

Other elements of the 50-page Faith-Based Letter have fallen upon deaf ears, like the numerous cover-ups and the absent of compassion for the ethics of those involved. Yes, CVCA Haynes has to avoid conflict with Warden Helm who *told her to get donation forms*, which she does not have time to do get. She also has a life and ministry outside the prison, as the best volunteers have. She was told by an ex-chaplain that Dunbar said she did not have to get the donations forms. Yet, she cannot tell Helm that. All the while she hopes Helm does not follow-up and ask; and if he does ask, she must play the “I have not got around it” card, and hope Warden Helm forgets. If she tells Helm what Dunbar said to Chaplain Maness, she then confronts Helm, and that is not good either. What foolery.

6. Compare Lewis and Polunsky – Haaa! – Not even a Thought

And has anyone even *thought* to compare the operations of the Faith-Based Housings from prison to prison? Hell no! Not even a thought. And after the exposure of Polunsky's *two Faith-Based Housings* run completely different, still a year later there is no comparison or concern to *how* the Faith-Based Pods are run at the prison that had the Chaplaincy Department with more violations than any in history!

C. Lewis Exposure – PART THREE – Lewis Unit Religious Services Cancelled

Gentlemen, years ago, for about seven years, while Frank Helm was unit major, our volunteer programs – Muslim, Catholic, Christian, Mentors, A/A – were subject to the whim of the Shift Lieutenant. Yes, every single week, no one – NO ONE – knew if we would be able to hold services. Wednesday night Muslims and Jehovah Witnesses would show, wait, and the Shift Lieutenant would say, “yes” or “no, we don't have an officer.” Same thing for Thursday night Mentors and Bible Studies. Same thing for Friday night Catholics. Same thing for Saturday A/A Meetings. Weekly, I got one to two calls, “Do you think we'll be able to meet?” I'd reply, “I hope so. Hang in there.” DEFENDING THE WARDENS and Unit Reputation.

Gentlemen, I can give you **twenty (20) phone numbers** of volunteers still coming to the Lewis Unit who will recall those days with dread – **TWENTY** phone numbers and more. And ask the volunteers this too: “How did Chaplain Maness respond?” All of them would say, “Chaplain Maness was professional and defended the security of the unit, encouraging us to be patient.” **For seven lean years.**

Every week for seven years. Major Frank Helm was cold then, too, who just said, “It is up to the Shift Lieutenant.” After approaching Major Helm for the second time, and his serious “it does not matter” shrug, I did not bother Major Helm again.

For SEVEN YEARS. When a new Asst. Warden would come, I would bring up the issue, to no avail. Chaplaincy HQ could not help. Just a shortage of officers. That was before Mr. Dunbar was promoted, too, who began to help us with that around the state.

Gentlemen, again, I must bring up Senior Warden Michael Roesler. When Roesler came from the HS side to GP side of Gib Lewis, I went to then Asst. Warden Roesler too. Told him I was not going to belabor the issue, but, here is the problem of the frequent cancellations. Gosh, my FIRST professional response. Warden Roesler said, “Put together some stats for 2-3 months and bring them to me.”

“Yes sir!” Three months later, it even surprised me. I brought to Warden Roesler this: the Wednesday night Muslims and JWs had been cancelled 50% of the time for that three months. Thursday evening Mentors and Bible Studies, cancelled 50% of the time. Friday Catholic services, cancelled 50% of the time. Saturday A/A meetings, cancelled 75% of the time.

I expressed my concern that if we had gotten a new program, and had cancelled it 50% of the time, that person would think we were crazy. Warden Roesler agreed. I also expressed what he knew very well – ask Rick Thaler – if Warden Roesler did not *handle with tact* then Chaplain Maness and the Chaplaincy Department volunteers would surely suffer more negative repercussions from the Shift Lieutenant, et al, for “ratting” on them. We must work with them.

ITD WAS A MIRACLE. Warden Roesler exhibited the finest leadership qualities!¹²⁸ There was no hostility from anyone. Of course, the habit of cancelling on the whim did not end immediately, but gradually did end, except for real emergencies like special counts, fights, etc. One time, Warden Roesler told the shift to call him before they cancelled anything, haha. Another time, “Call the Captian, before you cancel anything.” Oh yeah. Another time, “If you don't have a enough to do count, then count from the Chaplain's office.”

¹²⁸ And I can document precisely, too, the very leadership skills that Warden Michael Roesler, especially as seen in these two ground-breaking works: James M. Kouzes and Barry Z. Posner, *Credibility—How Leaders Gain and Lose It, Why People Demand It.* (San Francisco: Jossey-Bass, 1993, Rev. 2003; 384p.), which is a follow-up to their seminal, *The Leadership Challenge—How to Get Extraordinary Things Done in Organizations* (San Francisco: Jossey-Bass, 1987). Kouzes was president of Tom Peters Group Learning Systems.

It took about three month before the *do-you-think-we-are-going-to-be-able-to-meet?* calls ended. That was gracious.

D. Lewis Exposure – PART FOUR – Chapel Project Cancelled

Gentlemen, the Lewis Unit had the first chapel building project in TDCJ. Did you all know that? Yes, local Tyler County Booster newspaper owner, John Morrison, started Chapel Life Ministries in about 1991, shortly after the Lewis Unit opened. He worked with the Texas Board of Criminal Justice and secured permission. Morrison paved the way for all the other chapel building projects, especially Frank Graham's Chapel of Hope, who in the late 1990s came to Woodville to learn.¹²⁹ Frank Graham would work with TDCJ and provide what became the standardized chapels for all the successive chapel projects. So sad this is not recorded anywhere on the TDCJ's web site or RPD's web site.

As Morrison did fund raisers, this is important for you all to know. Morrison led annual "Officer Appreciation Golf Tournaments" at the local Tyler County Country Club, every year for twenty years. Morrison always gave about 6 to 10 four-man teams to TDCJ officers, free of charge, every year, with a load of free prizes to various winners, including a free brand new Chevy pickup for a hole-in-one prize. And free lunch. Local leaders participated.

Not until Warden Greg Dawson came to the Lewis Unit did *any* warden or major even give a token appearance at the "Officer Appreciation Golf Tournament" – not even a visit to say, "Thanks, John, for supporting our officers." Not then Major or Asst. Warden Helm either. Back then, I did not think any of that absence too very strange.

Both Warden Dawson and Warden Ginsel played in those golf tourneys for years.

What was painful for me, as staff chaplain, was how the senior wardens prior to Dawson treated the Chapel Life Ministries (CLM) project. One warden wanted it up front, so CLM had to redo the architect drawings, Warden Warner I think. The next warden, Warden Larry Johns I think, wanted it elsewhere, so CLM had to redo the architect drawings *again*. Warden Robert Ott wanted it in a different place too, and so CLM had to redo the architect drawings yet *again*. All that costs enormous amounts of money better spent on the building itself.

Finally, Chapel of Hope's Frank Graham came and talked the CLM Board into letting him build the chapel, and so the CLM gave \$40,000 to Frank. Then Frank had a heart attack. Eventually, the CLM would fold, so I talked to Warden Dawson and TDCJ's architects, and we got TDCJ to tear down a wall between the chapel and a classroom. CLM paid for a first-class operable wall, costing about \$6,000, and had the wall installed, and TDCJ finished out the work, thus nearly doubling the Lewis Unit chapel space.

That may not mean much by itself, but it was a cherished part of the Lewis Unit chaplaincy department for 15 years. Most of the churches in the area had a part in CLM. Really, think about it, John Morrison was the owner and chief editor of the Tyler County Booster newspaper for 30 years, and for 10 years he was our Gib Lewis Chaplaincy Mentor Coordinator, allowing his office in the center of town to be clearinghouse for mentor applicants.

After the CLM folded, John Morrison started the Restorative Justice Family Network Ministries (RJFNM) in town, across from the Sheriff's office. And the "Officer Appreciation Golf Tournaments" continued. And his RJFNM has continued to help others through court allocated mediation.

Importantly, and the point for sharing this here, gentlemen, **for 20 years** both of John Morrison's CLM and RJFNM have given countless dozens of \$50 and \$75 checks to officers in trouble, just about anytime an officer needed gas money or some extra cash to make it to the end of the month. I was so honored to have this resource available. From time to time, I could network with a few churches, but Morrison always came through.

Gentleman, all the more important, don't you think the wardens and senior staff should have made at least an appearance at Morrison's annual "Officer Appreciation" golf tournaments?

And now, with respect to my application, my networking that helped numerous officers throughout the years ought to mean something too.

¹²⁹ See www.ChapelOfHope.org.

E. Lewis Exposure – PART FIVE – Volunteers Locked Out of Classrooms!

Gentlemen, for 20 years the Volunteer Chaplains were allowed to use the Windham school classrooms, but they are off limits now. Squeezed into the chapel while classrooms – state property too – are locked and empty. And the Chaplains cannot even be trusted with keys to the chaplain’s office and the chapel anymore, thanks to Helm’s crushing of the program.

See Rev. Dr. Keith Bellamy, 409-429-6315, and Rev. Jack Lewellen, 409-283-5529.

Ex-volunteer Chaplain Melvin Bell *still* has not talked to a caring investigator. 409-429-3289!

Why? Because cover up is the order of the day.

No one truly objective and conveying enough trust to any volunteer has called anyone. The only concern for the last two years has been to forsake equality and justice for chaplains and chaplaincy, and favor and give coddling protection to wardens who are free to violate any policy they wish.

F. Lewis Exposure – PART SIX – Compare Polunsky and Lewis – and Dunbar Several Pay Grades above Competence

And Chaplain David Collier, for reasons only God knows and only a crack OIG Sherlock Holmes can discover, runs free as bird, protected head to foot, after sponsoring the Polunsky Chaplaincy with more violations in a week than all of the other 100 TDCJ Chaplaincy Departments combined in an entire year! Coddled does not even describe it.

There is a dark link there, for, to me, Chaplain Collier’s ability to enchant senior wardens and division directors does not seem reason enough for so many wardens to shut the mouth of their employees to keep Collier squeaky clean. Most of the wardens I have known had a resolute moral fiber.

Today, the highest revelation on correctional Chaplaincy can be had with comparing the Polunsky and Lewis Prisons – thanks to Warden Frank Helm. Thanks to Helm, we have the minimalist version where esteemed volunteers are the most restricted and had to endure the worst treatment since my publication of the 50-page Faith-Based Housing Letter. And compared with Polunsky, where volunteers had the greatest freedom, unknowingly violating policy *every* day with the wardens’ approval, and I, Maness, had to expose that and pay for that.

Beyond OIG’s job here, there needs to be a good Chaplaincy Audit by a team of experienced across-the-board chaplains *not* involved who also have in-TDCJ-prison experience to evaluate both. For a spreadsheet of the difference alone would reveal much.

Furthermore, and case in point to this chapter, that audit *could not* be accomplished by Chaplaincy Director Bill Pierce or Chaplaincy Deputy Director Michael Rutledge, neither of which have had much *experience* inside a TDCJ prison. And, of course, that goes the same for Manager III Marvin Dunbar. For, Polunsky was what it was, the most policy-violating in TDCJ history for years, and the entire management of Chaplaincy failed time and again to notice, and, worst, even awarded Chaplain Collier “Region 1 Chaplain of the Year Award” for such an outstanding program at the height of its violations.

Yes, as I said in that five-page letter to Dep. Dir. Byran Collier (Tab 16, Item 4), except more definitively here, Dunbar is responsible for the dumbing down of TDCJ Chaplaincy, several pay grades above his competence – proven here like nothing before. Very clearly, again, just like his predecessors Don Keel and Donna Gilbert, Marvin Dunbar applied to the position for raise – *finis* – no other reason, and was promoted for friendship, not experience or competence.

Here is the rest of the story.



XIX. TDCJ PERSONNEL – Thanks – Proof of Malfeasance

Here's the Kicker – Thanks to TDCJ Personnel, Really! God is *so good*. No matter how stupid or rebellious a knuckle head will be, as one good Senior Warden told me years ago, “What goes around, comes around.” Here is the most solid proof of unethical nonsense in the history of TDCJ, like so many other history-making foolery given in this monster Book of Secrets.

To fully understand this, one has to have read the previous chapter XII thoroughly, ideally, after having read the 35-page letter sent in February 2013.¹³⁰ Now, in retrospect, and – whippeeee – since the three-year retention schedule is still in place, the whooping three sets of applications are still on file.

Let's do something really strange and look closer at policy, as buttressed by both the Texas Constitution and nearly *every* TDCJ personnel policy. I know, that can be a challenging.

March 2013 Lewis Unit Chaplaincy Application. So, as the application process for the Lewis Prison Chaplaincy went along in March 2013, knowing what I knew, I unloaded the whole truck (Chapter XII above). Now cherish this, because I sure am. Notice again who was to interview the three applicants – again, after I forced them to *end* the delay, and someone else *forced* them to go forward with what they had – these three interviewed me: Asst. Warden Frank Helm, newly minted Reg. 1 Chaplain Dr. Vance Drum, and pseudo-seasoned 10-year Director of Chaplains Bill Pierce, all now in some measure guilty of cover up of violations for the previous year, and all away of my exposures. Please, you who savor justice and equality, savor this. Only Vance Drum asked questions, and I have appealed to the Texas Attorney General for the interview notes, to – you know – compare.

Credentials Ignored. Two other applicants had no experience whatsoever and I had 20 years experience and more than three times more credentials than Director of Chaplains himself. In fact, I had more credentials than Vance Drum gave in his 2010 application, but not his 2001 application. And I was not rehired after the now world-class exposure at Polunsky, an exposure still going on, and before the Texas Fire Marshal would did its inspection, too, in June 2013 that confirmed that violations were *still* going. That is, *violations of policy* I had exposed in July to October 2012 were *still going on during the interview* in March 2013! Oh, no, that is not the ironic tragedy I am talking about here. Held your breadth, it is coming in the next paragraph.

Real Kicker – Personnel Did Its Job! The real kicker is inequality and belligerent insubordination to Texas and TDCJ values is this: those three with 60-plus years of experience paid no mind to equality or justice, or free speech in my exposing, and Drum did not look closely at the Polunsky Prison to back me either. Vague, you say, still savoring the revelation – the *real* kicker is that those three should have just shut down the interview, rather than play the farcical *game* of interviewing, and so clearly violating both highest values of Texas' Constitution and in every TDCJ Personnel policy so blatantly. You see, those three *had* to do the interview – why? – because TDCJ PERSONNEL WAS DOING ITS JOB. I had met the basic qualifications, and policy clearly said interviewers were *required* to be fair, impartial, and – grab this – policy also said TDCJ is to hire the best qualified. Since I was *not* disqualified at the outset, the interview was clearly an example of a waste of paperwork, a “pretend interview” when *all three* have made up their mind in advance! Why? Since they were *not* going to follow policy and hire the most qualified, why do it at all? Because the three wanted to keep up the *appearances* of themselves following policy, even though they had no intention of following policy at all.

Reality – “Had to” Because of Personnel: as they have for years in other ways, documented by me, they would have tossed me out of the interview, as Ortiz and Price did for the Manager III job years earlier. But, because TDCJ Personnel did its job, and because so many in TDCJ *do their* job, Helm, Pierce, and Drum had to *go through the motions* of an interview without any intention of hiring.

¹³⁰ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf for the full 35-page letter and others.

Purple Heart and Livingston Wink. You see, Brad, old buddy, without my Purple Heart and the Lewis Prison and the sub-par leadership at Chaplaincy HQ, those three's selfish ends got in the way of policy. Said in another way, without close supervision, without someone looking over their shoulder, without a baby spoon to *spoon* them their requirement to be "fair, equal, and just" pabulum, what the hell – yeah – *what the hell*, since Brad Livingston and his office (and directors) do not care, we three amigos will not rehire someone who *really* tries to follow policy and – eeeeeeks – expresses in good faith his experienced on unethical foolery. Policy be *damned* – they said to themselves. But, if Livingston had *winked* some favor, yes, well, *then* they would hired whoever you wanted, or whoever you winked at.

Polunsky now has a cover up that extends to rehire, but that, too, is not the worst.

Dunbar Orders? Did Marvin Dunbar or *anyone* else have a say in that interview *prior* to the interview. Here, OIG can help only on orders of suspicion of something contrary. I suspect Bill Pierce does not have the courage to do much of anything without permission from Dunbar, for I have seen the size of Dunbar's thumb. Though, even after all this, I still have an inclination to think Pierce an honest man who just wanted to progress as best he could, and today he is just nurturing his way to retirement with a "as little conflict as possible" and "smoothest way out" philosophy. He got to RPD for being a nice old fellow, not in the loop at all, and just wants out the same way.

Ordered to Stand Down. I also heard that someone ordered Pierce *not* to testify before the Senate Finance Committee in 2011 when we were fighting to overturn our Zero-Budgeting. Pure hearsay, and risky here, but I *heard* it was Bryan Collier that ordered. If that happened, and I would not repeat it here if I did not have confidence that the person who told me heard it straight, then that needs addressing too. It is *illegal* to order any state employee from participating in government as a free citizen. And Pierce, as the Director of Chaplains, should have been allowed to go and say a couple of good words.

But here, what do we have? We have an application process where the most credentialed and experienced and prolific chaplain, one who has exposed more unethical behavior over 10 years, and the worst at Polunsky, who also in his own time brought an additional nearly \$2 million previously unbudgeted back into RPD for chaplaincy, who was one key leader in ending zero-budgeting in 2011, who had coordinated the local Tyler County Ministerial Alliance for the last 18 years, who had been on his denominations local executive board for the last 18 years, and who was hands down the most officially published chaplain in TDCJ history and who – savor this – who met ALL the basic requirements of TDCJ PERSONNEL and was not selected over on two completely new to chaplaincy.

No Accountability. Why? Because they *hoped* that after the interview *no one* would check on them. There was *nothing* in the interview that nixed me, and the notes that Vance Drum took (as explained above) are still pending another Texas Attorney's opinion to release. Why? Because like so much this last year, those three were dependent upon no one checking them, equality and justice be damned! They are going to do *what they please*, or, in the case of Bill Pierce, what they were ordered.

Ordered? If Pierce was not ordered, it was a pitiful ruse on his part, because he saw that I released *again* his 2001 on application, and exposed *again* the unethical part of that, that refused Drum in 2001. If Pierce was more noble, as I suspect, and he bit the bullet on that, and just followed orders – like from Dunbar – then that is just more egg on the face.

Whatever, had they had their ultimate way, they would have never had the interview at all. But because there ARE those in TDCJ who do follow policy, equally and justly, the interview *had* to take place and – at least at the first level of returns – they had decide among the applicants.

Thanks for TDCJ's Personnel! And they still have those applications.

Rutledge. I requested months ago, and have been given the run-around yet again, for the posting of the Deputy Director of Chaplaincy and Michael E. Rutledge's application, etc., and all the apps for that position. All I have is the sloppy incomplete Rutledge application that came with the set of applicants' apps for the Reg. 1 Chaplaincy position. If Dunbar used that inferior application to promote Rutledge to Dep. Dir. of Chaplains, well, then TDCJ yet another piece of very unethical practices and policy violations forced to personnel, somehow, because what I have is incomplete. That really needs a look.



XX. Maness Disciplined for What? – Why NOT Wardens Helm and Alford?

A. All State Employees Are Supposed to be Treated Equally

No good reason for the total passing of simple elementary school justice. Now then, we must press the contrast, for TDCJ has legal and moral obligations to be fair to all employees. For Chaplains – and hear this – they strive to obey every legal obligation and to be held to the highest moral rectitude. For example, while it is policy that Wardens and Majors and all staff are not supposed to use foul language, and unwritten and implied, we just expect more from our “Chaplains” than of security staff; Chaplains should never cuss or use foul, no matter how common of a practice among other staff. TDCJ *prisons* have rough characters, and at times the security has to be rough too. But “foul language” is not the double standard or inequality I am referring to, nor am I talking about more blatant EEO violations.

Proven here beyond any shadow of doubt, and subject to further proof with a few phone calls, it is crystal clear that several TDCJ administrators abandoned policy and did not even try to play fair and did not even try to treat two similarly tenured employees equal – Warden Helm and Chaplain Maness – on the SAME UNIT at roughly the SAME TIME on the SAME RULE. The “rule”? I was punished for violating the *rule* of Sub-Standard Duty toward the TDCJ’s policy of supporting volunteers. What Helm did in firing Vol. Bell 25x worse within that class of rule regarding volunteers; Helm went free, while Maness had to appeal all the way to the Deputy Director’s office. As *wrong* and *biased* and *ugly* as can be. Helm was pampered, protected, and privileged. There is no excuse for that unequal treatment, and it was a far worse form of favoritism at Polunsky where Chaplain Collier was favored above *all* staff, free to violate policies every day that other staffers were actually being convicted of violating. The fact was that many Polunsky employees saw that and trembled, while only a few Volunteers saw that at all.

B. Maness’ First Disciplinary – “Sub-Standard Duty” for Email Criticizing the Church Splitting of Volunteer David Valentine

I was disciplined for sub-standard duty for my email *response* to Vol. David Valentine that I sent in good faith and of my own accord to Bill Pierce, assuming Pierce was interested in my professional opinion about my intramural Baptist-to-Baptist ministry opinions regarding Valentine’s corny behavior – behavior I and others still see as corny. Vol. Valentine split his historic church, and then he passed himself off as qualified to teach church-starting to prisoners – one cannot conceive of how offensive that kind of behavior is in many Protestant church clergies’ minds.¹³¹ Crazy. It is very much like the legendary 17th century Don Juan who took pride in seducing wives and beating up their husbands, and – in our case here – TDCJ forcing all the Chaplains to sponsor Don Juan’s marriage enrichment seminars for husbands. In my disciplinary hearing, Manager III Marvin Dunbar asked me about “forgiveness” for Valentine for his church splitting *while* being charged for Sub-Standard Duty for calling the crime a crime. The reality of another order, for I was given the disciplinary was for the 50-page Faith-Based Housing Letter, upon which he spent 60% of the time and about which I explained in detail in my appeals.¹³²

Referring back to chapter VI, this was a prime example of an employee disciplinary *used* for something *other* than “discipline” for the stated offense; it was for the 50-page Faith-Based Housing Letter that was the real cause, only not on paper. If it has not been made clear here, let me make clear, one more time, for equality is policy, too, and Warden Helm and Warden Hunter and the Polunsky Wardens and Majors and Captains, and countless others, were *not* given disciplinaries for clearer violations and far worse violations.

No clearer example exists of the double standard than when in August 2012, just a few months later, Dunbar told all the Region 1 and 3 Chaplains about a Warden who kicked a volunteer off “his” prison for

¹³¹ I documented thoroughly my defense in my grievance appeals.

¹³² See the 50-page Faith-Based Housing Letter www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf.

a simple mistake and Dunbar's own confrontation. Of course, as I was setting there, Dunbar mentioned no "disciplinary" for that Warden for a far more serious Sub-Standard Duty than I committed in commenting in an email, and by far.

Clearly, my disciplinary was not about Valentine at all, coming an entire month after the fact and punctuated as it was with Sub-Standard Duty in the process, including that Dunbar's first paperwork was thrown out by TDCJ's own up-line disciplinary officials. But it was retried. Sub-Standard Duty was not applied to the Warden or even Dunbar himself, but it was applied me for something far, far less serious than a Warden *kicking off* of "his" prison an esteemed volunteer. Exactly what did Warden Helm do, twice? Just about all of us can see the Wardens giggling over being written up for such, and I would to, except that I, myself, was in fact written up for something vastly less serious, perhaps 50x less serious, for my Sub-Standard Duty violation was confirmed by the Program Division chiefs, fairly certifying the inequity and the greater issue of censorship for writing the 50-page Faith-Based Housing Letter.

Dunbar had no thought of the inequality, but his violation of Sub-Standard Duty for failing to get the Warden written up does not compare to the case of Warden Helm's Double Infamy Award for "Worst Volunteer Firing in TDCJ History" and his "Smallest Firing Reason in TDCJ History." Here below we press the implications.

C. Verification by Documents, Interviews, and Strange Loss of Documents

That is not a claim, as in previous letters to the Executive Director, though those letters provided clear pathways to verification. Herein, I give you two sets of facts: 1) this time with TDCJ documents and recorded interviews and 2) the fact that no substantial verification or OIG investigation has been done is coupled with the likewise strangeness of loss of critical documents. These were *worst-in-TDCJ-history* and *longest-lasting-in-TDCJ-history violations and cover ups*. And now, after a year of attempts to bring this to light, and after the Double Infamy Award to Warden Helm for his *worst-in-TDCJ-history* first firing and *smallest-reason-in-history* second firing of Vol. Bell, there is added to all this mess other infamy awards due Helm's superiors.

How did Helm escape disciplinaries *twice*? Where are the rocket scientists in TDCJ? For even the Little Rascals could see (then) Reg. Dir. Upshaw's place in Helm's affairs was critical, as Upshaw played a role in both my investigation at the Lewis Prison and in aiding and abetting Warden Simmons' cover ups at Polunsky, and at the same time Upshaw was party to Helm's firing of Vol. Bell *through* Warden Hunter. Help me Sherlock!

These are people's lives we're talking about. If to Bell and me, then who else?

Goodness, that was *easy* for any employee to see that has actually worked *inside* the prison for any length. Hear ye, again from the top of Mole-Hill Mountain, given that TDCJ has disciplined other wardens for less violations among its 43,309 disciplinaries in the previous five years, well then, that entitles Helm to one of the **Most Favored in TDCJ Awards** in TDCJ. Racking them up, Helm is. How did Helm escape disciplinaries? Because the same supervisors were intent on getting rid of me, not merely "disciplining" me. How did Helm escape disciplinaries? Reg. Director Upshaw was involved in giving favor and protection to Chaplain Collier and favor and protection to Warden Helm, and – nasty – Upshaw was also key in disciplining me, too, for things far less than the others. Helm escaped because justice took flight. Now then, with the clear favor that Upshaw gave to both Chaplain Collier and Helm, and with Upshaw front and center in my own dismissal recommendation, there is a clear connection to Upshaw's aid in helping Simmons cover up the Polunsky security breaches and other fiascos.

Come now? Let's all sing "Look Away Dixie Land" together. Where's dah banjo?



XXI. Ramifications of Helm's Infamy = Impunity & "Most Favored" Award

A. "Study" – Volunteer Core Hurt and "Study" a Hated Term by Some in TDCJ

A good study is needed here that would analyze all of the volunteer firings in TDCJ and graph them out. Looking at all of the wardens' volunteer firings would reveal like the western sunshine that Helm's firing was cold-hearted, among what we have already said. For instance, could it be said that Helm's second firing of Vol. Bell was also the most spite-driven firing in TDCJ history? Civilized people do not award such, yet, given the complete and utter cover up of the infamy – or worse, the utter inability to recognize the infamy that many at the Lewis Prison saw clearly – we do need to flesh out the clarity of Helm's actions.

If anything is clear, it is that no one else will clarify a thing. For fear, cowardice, indifference, or inability.

In my appeal on my first two disciplinaries that was finally heard by Dep. Dir. Bryan Collier, Collier told me, "See, the system worked," in that Bell was allowed back. But the decision was by no means the end of it. No, the system had not worked, not at all, and how the system failed, goodness, came full circle about nine months later when Helm repeated his infamy again through Warden Hunter, just like an untimely birth, out of wedlock with honorable principles, slapping TDCJ policy, making a mockery of the Texas code of ethics,¹³³ and again full of STDs.¹³⁴

Helm now holds the World Championship Belt for Double Infamy for "worst firing" and "smallest firing reason" in TDCJ history, and he escapes clean. Giving to Helm his Third Infamy Award, that is, being the Most Favored in Immunity Award.

Helm can do anything he wants, just like Alford and Upshaw.

Ooops! Correction: nope ... pardon ... Helm did not win Most Favored. No sir. Chaplain Collier wins First Place, as he escaped Polunsky without a thing, when he actually deserved 100 disciplinaries for years of major violations. Yet, sadly, we do not even know how many or why Collier was so favored and protected. Here, Warden Helm only gets second place and Chaplain Collier receives the Most Favored in Immunity Award.

B. Warden Helm Held to Lower Standard of Compliance than Maness

After Regional Chaplain Ulmer investigated Helm's first firing, see in the emails above how many things were sub-standard. Helm was graded by a far lower standard of compliance than Maness was. The people are still there, and – thank heaven – Ulmer's emails are what they are, and it says that Helm did not do much of anything right in the first or second. The documentation is crystal clear.

Double standards are illegal in Texas, though honorable men do not need to be told that.

C. Manager III Marvin Dunbar Award of Excellence – Defends Chaplaincy!

Do note that Helm's volunteer firing was not the only one, just the worst one of record. At the regional chaplaincy meeting in August 2012, Dunbar told a story of a warden who summarily fired a volunteer chaplain for an innocent mistake on the same day as the mistake. Because of Dunbar's outstanding intervention, and confrontation with the warden in the warden's own terms, the volunteer chaplain was allowed back without further ado.

What was remarkable about Dunbar's vignette was how Dunbar portrayed the interaction, in confronting the warden, who alluded to the prison being "my prison" and Dunbar correcting him, "it was the people of Texas' prison," in sum, and saying they could "get another warden." So herein is the subtle part. That warden did "fire" the volunteer without regard to the feelings or "contribution" the volunteer was making to the chaplaincy program. Thank God for Dunbar's intervention that day.

¹³³ Texas Administrative Code, Educators' Code of Ethics, Title 19, Part 7, Chapter 247, Rule §247.

¹³⁴ Again, STD = Slow To Document.

Yet, we must press this. There was no “paperwork” at all, and no one was asking for any, either. That just sounded to most like business at as usual, but for one person – me – who was actually disciplined for something not even remotely as serious, as pointed out above. I was there and not really surprised. Our point here? Glory – another Warden gets off free as a bird for something far more serious than what I, Manes, was slammed. And it was also clear that Dunbar had had other “encounters” in his job of “helping” Chaplains.

I thank God for Dunbar’s energy in working for Chaplains. I suspect Dunbar had a hand in getting Vol. Bell back into the Lewis Prison in the Ides of March 2012, too, and we need that history more than ever. What is clear, and can hardly be clearer, is that the business with Helm was not just about paperwork. It was about honorable leadership, and Helm’s award-winning actions were not isolated affairs. There are several wardens who could not care less about TDCJ’s mission regarding its Chaplaincy Department and its precious volunteers – something about which too many chaplains have had to keep quiet.



XXII. Upshaw Effect – Maness’ Fate Tied to Vol. Bell – as Polunsky Exposures Unfold

A. Maness Pays for Warden Helm’s Violations of Policy

Maness’ first disciplinary was 50 times less severe than Warden Helm’s two firings of Vol. Bell. Helm simply got overruled without any *real* correction of both his attitude and his poor leadership skills. In light of all the material in this Sourcebook, including Reg. Dir. Upshaw’s support of Helm, and that the “order” (from whomever) that allowed Vol. Bell back to the Lewis Prison came from higher up than Upshaw, then – grad a hold of this – then Upshaw’s support of Helm contributed to Helm’s insubordinate attitude and fed his sub-standard leadership skills.

And worse, though impossible to fully verify without thorough analysis of all the contents of the following Tabs and more, what happened at Polunsky came to play out in the decisions that affected my dismissal hearing, for Helm did not want me back for being honest and following policy regarding Bell. That is a fact, I assure you.

Yet, as soon as we say that, we know that Warden Simmons has *already* gotten his, in July 2012, and I was there. Alan Polunsky himself presented to Simmons his Administrator of the Year Award. And soon after I left, Reg. Dir. Michael Upshaw was promoted to Division Director and Warden Alford was promoted to Region 1 Director. Their plaques hang on their walls.

This is not very easy to follow. Upshaw, Alford, Helm and others would prefer everything remain covered up, it upsets their coffee and their private kingdom making, but the story of infamy continues. Yes, I was forced to retire, and it was not a simple retirement by any means or motives. For in the process I had just *begun* to ring the bell of exposure.

I had gone through a dismissal hearing that prevented me from returning to the Lewis Prison early in 2012, and for no good reason whatsoever (reasons I’ll give in a moment). But the main reason Reg. Dir. Upshaw did not *allow* me to return to the Lewis Prison was because Helm did not want me back because of Helm’s childish attitude of being *overruled* on Bell.

That is not as vague as it first appears and gets clearer the deeper one gets into Reg. Dir. Upshaw’s motives. Though some of his motives will remain clouded in mystery for eternity, his actions and the actions of those directly under him – like Simmons, Alford, et al – irrevocably tie Upshaw to the years of cover up of the major security breaches at Polunsky and certainly the cover up of their seriousness and the cover up of my exposures of them.

After 20 years at the Lewis Prison, I was **punished for a paper-work reason** of Facebook photos of prisoners putting together Christmas card packets¹³⁵ and an **under-the-table sloppier reason** being Upshaw’s simple *favoritism in supporting* Warden Helm’s earlier violation of policy in firing Bell. More than just a double standard, there are calculated games to advance one’s personal issues (Helm’s hate of Bell, for one) at the expense of a dedicated policy-compliant employee’s *life!* My LIFE! And others’ lives!

Forget not, as said before, others have been likewise treated, and there has been no effort whatsoever to even address my repeated, prolific, and specific exposures of treason.

The fuller story includes Upshaw being insubordinate to those who overruled Upshaw, himself, in Helm’s first firing of Bell. But that is not all. It appears that Polunsky Warden Simmons and Region 1 Dir. Upshaw worked together to get their enchanted Chaplain Collier a clean escape and make Maness their fall guy. Criminally unfair.

Yet, because the cover up has been supported by Dep. Dir. Collier, wittingly or unwittingly, we may never know how Chaplain Collier enchanted the Wardens and Directors.

¹³⁵ Yes, photos of prisoners on Facebook that I had the warden’s written approval to take and for each prisoner a signed TDCJ lawyer-created Media Releases, just as I had done for 20 years, over 10 years before Facebook stated.

B. Musical Chaplains – Polunsky Timeline of Infamy

While the second firing of Bell was under way, another drama was unfolding at the Polunsky Prison that dovetailed with the Lewis Prison in a remarkable series of comic turns. Had I not lived through it, I would have hardly believed it. It was a real Three Stooges show ... really funny!

In fact, once this is confirmed, this will concretize the heinousness of the years-long cover up of the Polunsky violations like few other things, and – I believe – help the OIG Sherlock Holmes get to the Diamond Mine in Tab 3 regarding the precise nature of Chaplain David Collier’s enchanting prowess over Upshaw, Simmons, Alford, et al. Chaplain Collier, not the sharpest stick in the pack, either through the wardens or some other sophistry drew many others under the wardens, or by the wardens’ own coercion, into the cover up including Marvin Dunbar and my old friend (now) Reg. Chaplain Dr. Vance Drum.

Catch this – for the first time, coming to a stage near you, a Timeline of Infamy so sloppy it would barely make an acceptable Three Stooges routine. And refining this timeline is not a vital mystery to solve, and it would take the confession and complicity of a conspirator to fill out completely. But this is all the work I could do on it at the time, given that several documents are still being withheld by TDCJ and, frankly, I am whipped and tired of it all and believe the rest of this is enough.

Maness Polunsky Prison Dates – Summary

04-17-12 – Tuesday – out

05-18-12 – Friday – back at Polunsky

10-26-12 – Friday – CT – Called in Sick

10-29-12 – Monday – HT – Faxed 21-page Exposure

10-30-12 – Tuesday – HT

10-31-12 – Wednesday – VT – Forced Retirement Effective

05-01-12 – Maness transferred to Polunsky (payroll 6-1-12)

05-05-12 – Jose Vitela told he was selected among the applicants to become a Polunsky staff chaplain. A day or so later, as Vitela came into Polunsky to volunteer, Maness had to tell Vitela that Maness got the job. It was heartbreaking to Vitela.

06-25 on – Talked with Warden Simmons a time or two, mildly, as former friends (he had been Asst. Warden at Lewis Prison some 10 years earlier, and we had used Woodville High School gym to workout together), he was cool, easy, sympathetic – but not surprised and did nothing. Walked and talked to many rank.

07-01-12 – Vitela selected for Lewis Prison Chaplain¹³⁶

07-01-12 – I start trying to bring things into compliance before Simmons retires, talk seriously with Vol. Chaplains and at length with Chaplain Collier (Tab 2, Item 2), bringing more things into compliance, that Chaplain Collier would let me – but Warden Simmons and Chaplain Collier would *not* budge on Prisoners’ Computer Control Center, called “Media Room” then – Volunteer Chaplains Tommy Dill and Ed Reeves were upset and frightened and Reeves especially angry

07-05-12 Thursday – Confront Chaplain Collier about virus on his state computer and *dire* need to change

07-09-12 Monday – Receive note from Chaplain Collier, left on desk (Tab 14, Item 2) to *stop* supervising prisoners, that he overrode my orders

07-11-12 Wednesday – Early morning, dropped off 4-page IOC to Warden Muniz and another copy to Polunsky Personnel, confirmed both had received it (Tab 4, Item 2) – and at 12:51 p.m., because no one had called me or no proverbial “Dung had Hit the Fan,” I sent a mainframe email to Warden Muniz, following up IOC sent, adding “as addendum to IOC” an extra warning about “virus” on Collier’s state computer, realizing this was odd as anything – kept a copy of Mainframe Email (Tab 4, Item 1)

07-16 or 17 Monday or Tuesday – called in sick, and early, arrived in Huntsville at 0800 to attempt to see Dep. Dir. Collier or Div. Dir. Thaler, called both, was directed by Collier to send what I had to Ortiz and Warden Simmons, Thaler’s assistant said she was “taking notes” and would be sure Thaler knew – came

¹³⁶ Dates for May to July 1 are estimates, as my OR requests have been held up for precise dates.

back and told Warden Simmons, who was cool and said in essence “taking things downtown was not the answer,” and *smooooothed* things out. All was okay.

- 07-20-13 Friday** – I had had enough and ordered the prisoners to leave the lights on in the Computer Control Center on my shift, that anyone else could do as they pleased. Prisoners really did not like that, and I persisted on getting full inventory done that they had been working for a week.
- 07-24-13 Tuesday** – Chaplain Collier usually came in about 0430 a.m. or so, I arrived about 0700 a.m., and went into the Prisoners’ Computer Control Center to use the staff restroom and found – what? – the prisoners had taped heavy craft paper over the all of working fluorescent lights, they lights were “on” but it was *still dark* – prisoners looked at me (only experienced “in-prison” employee know the “look”) like, see “we won,” and I asked, “Did Chaplain Collier say you could do that?” “Yes, sir.”
- 07-31-12** – Warden Simmons retires, after receiving Admin of Year Award a week earlier
- 08-5, or 08-12** – new Warden Richard Alford sits **INSIDE** of Prisoners Computer Control Center for **ENTIRE Sunday service, according to Vol. Chaplain Tommy Dill, Dill noting that, “Alford even clapped several times during the Service.” WHILE craft paper was taped OVER florescent lights and neither Dill or he could actually see what prisoners were doing on the computers BEHIND them while the prisoners were on the computers in the Control Center.**
- 08-27 to 08-30** – Chaplain Collier and I spend week in Huntsville for Regional Chaplain Conference
- September** – I continue to bring things into compliance and struggle to get thorough inventory, ended the storage of chemicals after a minor struggle with Chaplain Collier, a couple Vol. Chaplains, and lead SSI prisoners – stupid, stupid, stupid – either track the chemicals on a log, or use them all by the end of day – PERIOD – was not making friends – found chemicals every couple of days, came in at 0400 a.m. one day to track “who” was checking them, talked to Chemical Officer and viewed his logs – stopped for a while – continued other things Tab 2, Item 2
- 10-10-12** – After third complaint to Warden Alford (Majors and Captains referred me to him), I, Michael Maness, finally got Alford to overrule Chaplain Collier and TAKE PAPER off of lights and fix broken florescent lights in Prisoners’ Computer Control Center – begged and rushed maintenance who took two days and “rebuilt” the lights that had been destroy (Work Order 105413002402 – 10-9 to 10-10-13) – uphill battle all the way – Chaplain Collier refusing to help, saying, “they would have said something, Warden Simmons said ‘bla, bla,’ we have always, you worry too much, Simmons said ‘spirit of policy,’ prisoners are doing ‘church work’ only, how come Bill Pierce said nothing?, all have seen it, including Dunbar and Ortiz and Dir. Hazlewood and Warden Alford” –
- 10-11-12** – Suspecting Alford needed to do something more, as he was being undone, and for the first time a Major – Major Hutto – comes into 3-Gym *looking* at anything, **SEE Tab 5a, Items 5 and 6**, and is in pretended “huff and puff” about things going on for YEARS, I respond immediately with TWO cordial mainframe emails to Majors Hutto and McMullen to “clarify” what they already knew and expose in those in writing their own acknowledgements – oh, yes, they knew all about long before
- 10-19-12 Friday** – My Grievance Hearing with Alford, a sick sham of procedure, for the grievance I had filed on HIM the week before, or so, regarding “Letter of Instruction” he had ramped Major Hutto into writing on me and Chaplain Collier, for “our” being lax – I had begun earlier in the month prepare my retirement papers – Chaplain Collier tries, with plaintive nothings, to down play Letter of Instruction, as if “we” slipped up, all the while noting that, yes, the security audits and security people were the very ones who put the cable on the scissors and gave HIM the tool inventory Hutto *knew* about years before I got there – as clear a ruse by Alford to set up HIMSELF as *starting* to bring things into compliance
- 10-25-12 Thursday** – my usual day off, I am getting the flu and I BEGIN to my construct the 21-page exposure to fax on Monday 10-29
- 10-26-12 Friday** – I call in sick, really sick, in more ways than one, and continue hammering on that exposure
- 10-29-12 Monday** – I call in sick again, Chaplain Collier wishes me well, and later I faxed the vast 21-page Letter to Brad Livingston, Bryan Collier, and Rick Thaler, sending overnight a hard copy with DVD of exposures
- 10-30-12 Tuesday** – I call in sick again, no problem, Chaplain Collier concerned, later in the day, I get a call from Warden Muniz that he had written me a disciplinary for NOT CALLING in and that Warden Butcher would be handling the process on Friday, Nov. 2 which – as Muniz and Alford right well know – would be my third one given the two previous hanging in the air and ANOTHER dismissal recommendation.

I inform Muniz that I had called in, and Muniz did NOT dispute that, only said and repeated, “You were supposed to call me. I am your supervisor and you were supposed to call me and did not.” Really now, first time 20 years a Warden ever said that me, and it was clear as a button, Muniz was Alford’s lackey and pawn in the ever-widening cover up and protection of their own allowance of YEARS of security violations and YEARS of protection of Chaplain Collier.

I had the privilege of telling Muniz that my retirement kicked in on 31st and on Friday I would no longer be an employee. On Friday, Oct. 31, I came to Polunsky to sign the final papers, and the record will show I used vacation for the 30 and 31st of 2012.

10-31-12 Wednesday – I, Michael Maness, was forced to retire because of Alford’s shenanigans, only way to lock honor into place before Alford adds another disciplinary to me for HIS OWN responsibility for allowing and protecting Chaplain Collier for YEARS prior to my own arrival.

11-02-12 Friday – the day I am was supposed to face my disciplinary for NOT calling in – *funny* – the first day TDCJ ITD techs arrive to *begin* the first look at the Prisoners’ Computer Control Center and *finally* start work on Polunsky chaplaincy playground – but the COVER UP IS JUST BEGINNING, as then Reg. 1 Dir. Michael Upshaw *order* the TDCJ ITD techs to *erase* and *clean* the Prisoners’ Computer Control Room hard drives on their 10 computers and two massive external hard drives, **forever deleting evidence of precisely what the prisoners DID DO and preventing forever discovery what the prisoner COULD DO.**

11-28-12 – TDCJ’s ITD techs finish work on Chaplaincy computers

11-29-12 – Senior Warden Richard Alford and Manager I Bill Pierce both sign Chaplain Collier’s good annual evaluation – on the *same* day – Collier’s third *good* one in row

12-01-12 – Chaplain Collier effective at Walls Prison

12-01-12 – Chaplain Vitela is whisked speedily to Polunsky, where he had volunteered for years before, believing all okay, unknowingly participating in serious policy violations under Chaplain Collier

12-03-12 – Warden Helm fires Vol. Chaplain Bell for second time

12-04-12 – Marvin Dunbar signs Chaplain Collier’s good annual evaluation

02-01-13 – Lewis Prison Chaplain position posts, and interview date is set but then canceled because “not enough qualified apps” according to wardens . . . Maness writes additional letters that expose violations at the Lewis Prison, for without a Commendation for exposures at Polunsky and knowing what Helm had done, there would be no rehire of Maness without a commendation

Some of the Dates are Estimates on Vitela – as TDCJ has not yet released his dates and I simply cannot remember the dates of the Lewis postings

While Warden Helm may have been out of the loop on the rationale of musical chaplain chairs under emergency direction by Upshaw, Alford and Dunbar (covering up so much), it was clear Polunsky *needed* a state chaplain more than the Lewis Prison. They did *whisk* Vitela to Polunsky. Why? That is not as moot as it might first appear, but it was important to them to get a *novice* chaplain who “liked” Chaplain Collier’s department as it was. And, there are witnesses at the Gib Lewis Prison, too, that during novice Chaplain Vitela’s time there, he was trying to *duplicate* the Polunsky fiascos at the Lewis Prison.¹³⁷

C. Polunsky Prison still Needing Help as Novive Chaplain Vitela Arrives

The other side of the Upshaw-Alford-Dunbar whisking of Vitela from the Lewis Prison to the Polunsky Prison is laid bare further by the fact that Vitela had been a CVCA Vol. Chaplain at Polunsky for many years, under Chaplain Collier. Vitela unknowingly had been violating many policies under Collier as the norm of the Polunsky Chaplaincy outlined in this Sourcebook and in my previous letters and recorded interviews!

So, the whisking of Vitela back to Polunsky was in part a continuation of the cover up of the years-long multitude of violations. Clearly, after the exposures in several letters, many of those security and safety breaches continued for a time, as seen in part by the Texas Fire Marshal’s report in June 2013, so

¹³⁷ Call CVCA Dr. Keith Bellamy, who will readily testify how Vitela was *trying* to get the Chaplain’s office moved to the gym, just like Polunsky (409-429-6315) and cause of the loss of a long-time employee as novice Vitela began to turn over items to Prisoner Cano, call CVCA Virginia Haynes

sadly given *after* both Alford and Stephens gave their reports, respectively, in January and February of 2013, five months earlier!

Utterly grievous was this: Warden Helm was allowed to read my exposures, while Chaplain Vitela was not. Why? More favoritism to Helm, like the governorship of a prison is a top secret or private affair, instead of a mission-based policy-driven agency belonging to Texas citizens.

Even to this late date, as evident from my recorded interview with Vitela, it is clear that he had “heard about” my letter, not about the *letters* plural. Also, as Vitela is whisked back home to Polunsky – Upshaw, Alford, Dunbar, et al, *knowing of the exposures* and their own cover-up attempts – no one uses the hoard of exposures to bring Chaplain Vitela up to speed. They will deny that, of course, but no – *no one!* – can deny Vitela’s own recorded testimony that in itself reveals a lot: 1) that Vitela appears to be unaware of the cover up, and so he is out of the Upshaw-Alford-Dunbar loop of cover up; 2) that Vitela was still working hard six months after my exposures bring things into compliance; and 3) that Vitela was not given any “violations” to fix on the order of the exposure.

Insert here again Alford’s *good* annual evaluation of Chaplain Collier in November so Collier can leave Polunsky prior to fixing the hoard of problems. So, as Vitela says in the taped interview (Disk 1, Track 4), oh my, listen to Vitela, as the still novice chaplain extols how there were many violations in December 2012 when he arrived and violations that he *continues to address* in August 2013, at one point saying in essence that is it a “*slow process.*” That was confirmed by the sad report by the Texas Fire Marshal in June 2013. So, for six months the Polunsky wardens and Region 1 Director Alford were *allowing* violations to continue, violations reported six months earlier by Maness, and violations that Alford himself wittingly and intentionally and with thoughtfulness chose to cover up in his January 2013 IOC and that Stephens likewise chose to cover up in his February 2013 IOC.

Alford and Stephens *both* crafted – not described or investigated – they *both* crafted their IOCs to deceive and manipulate in order to minimize and STAY clear of anything that would come close to getting OIG involved. Retaliation, cover up of ONE SINGLE security violation, allowing volunteers to be exposed to danger (locked in 3-Gym and 7-Gym with 30 prisoners *without staff supervision*), guests regularly coming on prison without written clearance, failing to aid staffer who reported (me), retaliating against me for reporting (Letter of Instruction and just flat rude behavior by Alford), and of course years of prisoners with computers and scanners in the dark with ZERO supervision – oh, yes, OIG needed to be involved five years ago when Chaplain Collier first started to get his protected immunity from violating policy.

Indeed, Vitela’s “work” must be slow. How could Vitela *not* be given some of the exposures, if even crib notes from those letters already sent? Because cover up had ruled the day, and the novice Chaplain Vitela is being purposely held in the dark! Revealed by Chaplain Vitela’s own words, no less, for given all the exposures so far and the exposures to come – Vitela is even now an unwitting accomplice. I worked with Vitela over the last ten years when he would volunteer at the Lewis prison too – he is an honest man, just trying to do his best, and he would not consciously violate any policy. Beware the Ides of March, though, and he is sitting on a time bomb.

D. Two Sets of Standards for Two Prisons 30 Miles Apart – and Worse

The chaplaincy troubles at the Lewis Prison did not *begin* until Warden Hunter arrived. It became clear later that Warden Helm felt free to cut off support for the Faith-Based program as outlined in another letter.¹³⁸ It is a small jump to perceive Hunter’s transfer to Polunsky as part of Alford’s and Upshaw’s cover up. That is just speculation that an OIG Sherlock Holmes will have to uncover.

Regardless, TDCJ has two prisons *knowingly* under two different sets of standards for chaplaincy by all parties. What is stressful for me, Michael Maness, is that the differences are so great in the very area of Faith-Based Housing, the subject of the 50-page Faith-Based Housing Letter in December 2011, ironically enough.

Oh, there is much more.

¹³⁸ The 35-page February 18, 2013, letter to Livingston, Bryan Collier and Rick Thaler, still secured at www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf.

Thought not being able to fill in all the places in the timeline above, the filling of it is not a critical mystery to solve. What is clear from a basic timeline and more so from the documents is that, very clearly, there were two sets of standards for the two prisons just 30 miles apart ... and worse. These two sets of standards comes out clearly between Chaplain David Collier and the Polunsky and Lewis wardens and majors who are proven here guilty of much worse, the Polunsky wardens especially.

And, so, once again, we see Michael Upshaw center stage throughout it all.

Yes, my good friend Melvin Bell and I are in this together. He is an honorable man deserving of far better, and I intend he gets it here.

Justice and Equality need a voice.

Between the Polunsky and Lewis Prisons, then and now, especially Polunsky – Brad, who was the **First Hero** to stand up at Polunsky and repeatedly report the chapel violations over five years ago? Who was that man or woman? Was a sergeant or lieutenant? And what happened to them?

If that **First Hero** had been listened to, and normal procedure followed at Polunsky as it is *normally* followed a million times a day, this would not be here today. Think about that.



XXIII. Maness' Second Disciplinary on Insubordination for Letter – An Asset?

A. Maness' Second Disciplinary – Not Real Insubordination, but Turned into an Asset

My second disciplinary was for insubordination for a five-page letter to Bryan Collier on how Marvin Dunbar handled my first disciplinary, essentially exposing how Dunbar humiliated my 50-page Faith-Based Housing Letter. My first disciplinary for writing an email from home on Baptist affairs and copying that to Bill Pierce was a simple ruse to censor. So I wrote a letter 5-page letter to TDCJ Dep. Dir. Collier on Dunbar's behavior. As my appeals went forward, my primary offense of Insubordination was for my comments that included my perception that trying to teach Dunbar and Bill Pierce about the church-state conflict issues and pastoral care issues inherent in the Faith-Based Housing Letter would be like trying "to teach a paraplegic to a ride a bicycle."

While I debated the merits of my case in that letter all the way to Dep. Dir. Collier's office, the Faith-Based Housing Letter still has issues that have *not* been addressed. While Insubordination was tough then, Dep. Dir. Collier was also clear in his passion for TDCJ, admirably so, but held me to the fire there. I felt him honest.

Now then, in the light of this Sourcebook, and 100 pages in several letters of rock-solid verifiable exposures, further verified by recorded interviews and furthermore by prisoner-taped videos – hello – that Insubordination Disciplinary evaporates. That five-page letter on Dunbar and Pierce's lack of skill and inability to assess – well now – all of this has been proven to be a horrendous cover up of the longest running and most pervasive series of violations in TDCJ history. I should be completely exonerated. Worse, the longest running cover up of violations in TDCJ history are all related shamefully to both Dunbar's and Pierce's inability to assess and oversee. Worse, while a hoard of violations are taking place, Dunbar and Pierce for *years* held Polunsky's Chaplain Collier in adulated esteem, even the model for others – Collier did receive the last Regional Chaplain of the Year Award.

Then, even as I exposed the violations, I could not get help in stopping many of the worst ones, most notably – I had to fight and complain to just get the lights turned on in the Prisoners' Computer Control Center; they had been in the dark-dark-dark until July 2012, then in the dark-dark after the lights were covered by paper until October 2012. Only in October, as said, I finally got Warden Alford to overrule Chaplain Collier's permission to allow the prisoners to keep paper over the florescent lights, and I had maintenance rush to get lights fixed that had been disabled for years too – and at the same time, I had the prisoners take the cork board out of the inside windows.

Chaplain Collier, Volunteer Chaplains Ed Reeves and Tommy Dill really did not like that, hated that, and – worse – they *resonated* with the prisoners rather than support me in *trying* to get the prisoners supervision. Of course, the prisoners did not like me for raining on their wonderland. Oh well.

Had I not been to Polunsky, I could have lived with the Insubordination for the letter I wrote to Dep. Dir. Collier about Dunbar's treatment, as truly the letter was strong. But with Polunsky's fiasco, that letter not only made

Faith-Based Housing Letter to TDCJ Executive Director Brad Livingston

December 1, 2011

First honest description of the problems, doublespeak, and cover up taking place in the "orders" for all chaplains to initiate a system-wide Faith-Based Housing without a hint of the cost or ramifications. The letter closed with a simple request for Livingston to have lunch with Barry Lynn, AU's executive director. To date in November 2013, there has been no tracking or study completed on the Faith-Based Housing.

www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf

The essence of my concern is that the "housing" by Faith corrupts the Faith – a prisoner's security should have nothing to do with his faith or lack of faith. The programs are what are valuable, and are best given in a chapel.

See also Alexandra Volokh's first-class legal analysis:

Do Faith-Based Prisons Work?

www.PreciousHeart.net/Volokh-Article.pdf

Volokh deals with the profound legal ramifications in a precedent-setting manner, yet to be considered, and complements superbly.

sense, it was on target and actually a weak letter. After my exposure in October 2012, for the first time and because both Dunbar and Pierce did not know – they issued a survey of all the TDCJ prisons – oooops – to find out if any other prison chaplaincies had “Media Rooms.”¹³⁹ The answer was none. So much for Polunsky being the Model. So much for Simmons’ Administrator of the Year Award.

Truly then, my letter about Dunbar that I sent to Dep. Dir. Bryan Collier has new light here. I was not truly insubordinate. I was expressing what I saw, and especially how Dunbar humiliated that 50-page Faith-Based Housing Letter. Several, like Ortiz, thought I was merely humiliating Dunbar. Quite to the contrary, I noted in that very letter that I perceived Dunbar’s love of TDCJ. Still, Dunbar humiliated my work in my disciplinary hearing, and he and Pierce have now been proven to be worse than what I said in that letter – with respect to the Polunsky’s chapel, they both had been praising a complete mess and – without question – the most policy-violating Chaplaincy Department in the history of TDCJ.

In that letter to Dep. Dir. Bryan Collier, I was trying to help *chaplaincy* with all my heart, realizing that those over chaplaincy hardly had a clue to how things were actually run. Most of TDCJ Chaplaincy Departments, like the Lewis Prison’s, operated strictly by policy, period, but – who knows where? – there are many Chaplains like myself that dare not whisper a thing about their department *off the unit* or *above the wardens*. Not until the wardens themselves make a move that has a paperwork trail, like Warden Helm’s treatment of Vol. Bell, can we hope to have guidance from the Region.

Still, my work in the 50-page Faith-Based Housing Letter was humiliated and snickered at, the most strange of all being Dunbar’s snickering at the “cost” of the orders. The reality is that for *both* the 50-page Faith-Based Housing Letter and the 5-page letter to Dep. Dir. Collier – for both – I got an Insubordination Disciplinary. But in the light, both of those letters are assets more than liabilities, *even early letters that presaged all to come*. And, certainly, are further evidence of and the cause of retaliation to me, especially – must say it again – given the exposure of the extent of cover up that has yet to be fully uncorked by OIG. Moreover, that 5-page letter became more of a warning of things to come, that unfolded in Polunsky’s exposure, which should surely exonerate me fully.



B. Third Disciplinary – Self-Evidently Bogus from Tab 17, Especially in Light of All

The actual analyses of my third disciplinary and recommendation for dismissal will be self-explanatory in Tab 17. For how bogus and even crude the dismissal recommendation is just flies off the pages of the primary documents themselves. There is no true justification for it. When the rest of the Treatise on Treason and the Sourcebook are considered, the dismissal disciplinary evaporates like a morning mist when the sunshine of the Polunsky exposures rise, and all the other treason, making me ask a very important question. Gary Hunter was independently wealthy, it appeared, and ready to retire, how could he? Given all that TDCJ had given to him, how could he? What did he owe Upshaw and the others? What a crazy world.



¹³⁹ “Media Room”? – a euphemism for “Prisoners’ Computer Office,” scaled down to sound like a place of media work, when it was actually a fully functional office with better computers than the staff chaplain possessed.

XXIV. Warden Simmons and Sherlock Holmes

Regardless of all that had happened prior to my coming to Polunsky in May 2012, when I got there, I was helping. I trusted Warden Simmons. And as far as prison Chaplaincy was concerned, that I studied hard for the last 20 years, Polunsky Chaplaincy was Beverly Hills in resources. No other prison compared. Until the honeymoon was over and, as one of the Staff Chaplains with experience, the chaos became painfully obvious. Never in my wildest dreams would I have thought wardens would knowingly allow so many violations, especially after I told them. But as the chaos unveiled itself, as I have outlined now ad nauseam – re-read the four-page IOC to Warden Muniz on July 11 – you will see what I experienced of Chaplain Collier for months from May to my retirement on October 31, 2012. What I came to see in retrospect is scarier still.

After vacillating between what to think of Warden Simmons versus Chaplain Collier, things have gotten more confusing for the OIG Sherlock Holmes. That is, I am nearly certain, perhaps *certain*, that Warden Simmons never said 60-75% of what Chaplain Collier told me that “Simmons said ___?___ was okay.” Though Simmons certainly did say some things normal wardens would never say, as reported by a few good volunteers, still, no one in their right mind would say *all* of what Chaplain Collier said Simmons said. I had to believe Collier, at first, until I talked to the previous staff chaplains, and then the unthinkable arose front and center: Chaplain Collier did not value truth and he lied a lot – it was unbelievable toward the end! It had been decades since such an encounter. Seen so painfully clear on see Disk 1, Tracks 1-3, as the three TDCJ staff Chaplains that preceded me and who had worked with Chaplain Collier, too, all – every one of them – had the same experience of Collier’s lack of truthfulness, his lies, and his complete disregard for *standard* security policy. The worst part being, as we have endeavored to make crystal clear, was Collier’s full support by the wardens, and now that support has clear documentation *after* several written exposures.

Further, there was no way to ascertain what Chaplain Collier lied about regarding what Collier said Simmons had permitted. So the harder question is this, knowing that Simmons knew Collier was *using Simmons’ name* like that, then why did Simmons and later Alford *never* address Collier’s using of Simmons’ name in vain?


No one does that! Except in pathological distress.

The obvious shock of this should be clear. No one ever, ever enters a job expecting that one’s own colleague uses their boss’ name in vain like that. Goodness, no one can fault me for naturally trusting Chaplain Collier who had been an apparent success at the start. The volunteers thought they were in heaven, and some still do, for no telling what is still going on there, given what was still being exposed in June 2013 by the Texas Fire Marshal.

So, if Chaplain Collier just lied about Warden Simmons and so many other things, a harder question rises for OIG’s Sherlock Holmes. For I know this to be true: Warden Simmons *knew* that Collier had lied many times; likewise, Simmons *knew* that Collier had used “Simmons said” many times. Insert here, too, Senior Warden Richard Alford’s January 2013 “report” where he says Maness used “Simmons said” illegitimately,

which was a lie by a *warden* – a *lie* – I would *never* do that, and it steams my gall bladder that Alford would stoop to such. Therein Alford was caught again lying and falsifying a state document to cover up and protect Chaplain Collier with then Reg. Dir. Upshaw’s support (Tab 5a, Item 2). The much harder question is directly related to the discovery of the Diamond Mine in Chaplain Collier’s place in the OIG Witness List (Tab 3), and just what is the cause of enchantment that Chaplain Collier had over the wardens and even

Who is Chaplain Collier to have such enchanting prowess?



Other than years of security breaches and unsupervised prisoners, that is greatest mystery in TDCJ history. Never before has a single chaplain enchanted so many top security, wardens, majors, and even division directors. rank!

now his enchantment that has extended to Division Directors who are covering up and protecting Chaplain Collier's gross looseness at Polunsky.

OIG Sherlock Holmes, know this, whatever it is, it is not because Chaplain Collier is an ace manipulator, for he is not. But part of my dilemma was that I simply could not know who was telling the truth and I had no authority to force Warden Simmons and Chaplain Collier to debate or deliberate. No one should ever have to be in that place, especially in Texas employment, and it was a new place for me.

Regardless, my job was to be honest with what I myself knew was right. Though I still weigh in on the side of Collier lying about what Simmons said, the harder problem, said in another way, is a question of *why*. Why, why in the world did Simmons allow Collier to do that? Why did Simmons *knowingly* allow Collier to lie and do nothing about it ... hold your breadth ... for *years*? That is totally unlike any normal warden and is of the utmost importance to solving one of the worst crimes in TDCJ history.

Division Directors What? I believe that Chaplain Collier misrepresented a lot, but the real and more important issue is much less about Chaplain Collier, vastly less, and all about several wardens and Division Directors, including – indubitably Dr. Watson – William Stephens and Michael Upshaw. Who, by the way, received their promotions just recently.

Regardless, what is absolutely certain – 100% – is that Simmons *knew* what Chaplain Collier and his prisoners were doing in all the violations for years. Chaplain Collier was also lying about the dozens of “Simmons said” things, and Simmons knew that too, and did not do a single thing about it. OIG Sherlock – why did a *retiring* Senior Warden Simmons do *nothing* about Chaplain Collier's lying for years, to say little more of the host of policies violated for years? I now *know* Simmons knew what was going on, as did Upshaw and Alford and now Stephens and likely Thaler too – perhaps that is why Thaler retired too.



Conclusion – Caveats, Alford Effect, God, and Accountability

A. Penultimate Caveat – the Alford Effect

Do you realize that if OIG had joined the investigation *together* with TDCJ's ITD on November 1, 2012 – and Alford kept his peace – that *only* Wardens Alford and Muniz and Chaplain Collier *might* have received disciplinaries then? Do you realize that I could have been reinstated *then* and given a Commendation for Valor *then*, but – if Alford had kept his peace – the full level of betrayal, treason, and cover up would never have been touched.

Other than the promotions across the board, further proof of especially Alford's lying cover up is nearly sealed with the honest hard work of the ITD techs. The ITD techs had just brought all of the computers back to Polunsky Chaplaincy offices on November 28, but as their email said at 11:33 AM on that Thursday, "The chaplain has been out when he returns we will do a follow up" (Tab 7, Item 2). That says it took them four weeks to complete, and so another record is broken at Polunsky, and the Polunsky Chaplaincy rightly earned the **Most Complicated ITD Fix in TDCJ History Award**, just a few years after Chaplain Collier received his **Chaplain of the Year Award** and just three months after Warden Simmons received his **Administrator of the Year Award** from Alan Polunsky himself. But that is only half. After all that, on the **day after** the last ITD tech emailed the completion of their four-week fix of the **largest computer compromise in TDCJ** (ten computers, et al) – really, the *day after* – both Senior Warden Richard Alford *and* Chaplaincy Manager Bill Pierce sign Chaplain David Collier's third good Annual Evaluation in a row on Friday, November 29. The day after! I suppose Alford and Pierce met together at Polunsky or in Hunstville, as normal mail would not allow time for *both* signatures on the same day. So – you can see and all can see – Alford and Pierce are looking at each other eye-to-eye wondering how to *evaluate*, perhaps with Upshaw pouring a cup of coffee and Stephens smoking a pipe. What did they say to each other Friday, November 29, as the TDCJ ITD techs were returning the computers after they had cleaned more *illegitimate* hard drives and reconfigured more *illegitimate* computers for one department than they had ever done in TDCJ history ... just the day before? What did they say? Or, what were they *ordered* to say?

Been nice to have been a fly on the wall that day! Buzz, buzz, buzz.

Whatever it was, they *conspired* that day to *falsify* yet another state document, and give the chaplain responsible for the most policy-violating department in TDCJ history a *good* review, so that Chaplain Collier – by policy – would be allowed to transfer, as Collier had wanted, to the Wall Prison. Because, you see, normal employees – by policy – cannot transfer or promote while on disciplinary probation. Even for the most minor probation.

Still, that was Chaplain Collier's **third** good Annual Evaluation in a row, and it was signed by Alford and Pierce the day **after** the ITD techs delivered back Collier's 10 computers and **before** the ITD professionals had a chance to give Chaplain Collier their final briefing. Marvin Dunbar signed it on December 4, and Chaplain Collier signed his evaluation on December 17 (Tab 14, Item 3).

There has *never* been a more favored Texas employee, *ever*, who has enchanted so many wardens and directors and who had complete immunity for atrocious violations for years – *ever*.

Photo 18: Chaplain Collier "Exceeds Standards"?

Chaplain Collier 2012 Annual Evaluation

Written Justification REQUIRED for "Exceeds Standards"

TDCJ ITD finished its **four-week** overhaul-investigation of the Chaplaincy Computers and network, including a laundry list of 10 computers, all but one had not been properly donated, and had been loaned to inmates without supervision. It was signed by (then) Polunsky Senior Warden Richard Alford (recently promoted to Region 1 Director) and Manager I Bill Pierce on 11-29-13, both on the same day, and signed by Marvin Dunbar on 12-04-12.

Written justification required for ratings of "Needs Much Improvement", "Needs Some Improvement" and "Exceeds Standards":
Chaplain Collier works well with staff and volunteers. He is a benefit to TDCJ, RPD Chaplaincy. He is very active in the execution process and does an excellent job.

Employee may attach comments or provide comments within 3 workdays of performance evaluation review:

EMPLOYEE SIGNATURE (For Performance Evaluation): *Joseph J. Collier* DATE: *12-17-12*

The employee's signature acknowledges receipt of this Employee Performance Evaluation form and does not indicate concurrence or non-concurrence with the performance assessments.

The hand written portion on Chaplain Collier’s 2012 Annual Evaluation reads as follows:

Chaplain Collier works well with Staff and volunteers. He is a benefit to TDCJ, RPD Chaplaincy. He is very active in the execution process and does an excellent job.

Look closely. That was no mere piece of generosity, a gratuity given to placate, or a mere flippant remark. No sir. That was an intentional falsification of a State Record to *continue* the years of cover up, Alford and Pierce signing that on the same day.

RATING SUPERVISOR	10 NAME (First Line Supervisor) Billy Pierce	11 JOB TITLE Manager I
	13 SIGNATURE <i>Billy Pierce</i>	11 DATE <i>11/29/12</i>
SENIOR RATER	12 NAME (Second Line Supervisor) Richard Alford	13 JOB TITLE Warden
	14 SIGNATURE <i>Richard Alford</i>	15 DATE <i>11/29/12</i>
REVIEWER (If Applicable)	16 NAME (Official/Facility Administrator/Department Head/Manager) Marvin Dunbar	17 JOB TITLE Manager III
	18 SIGNATURE <i>Marvin Dunbar</i>	19 DATE <i>12/4/12</i>

PART II - PERFORMANCE ASSESSMENTS

See Tab 14 for the whole enchilada and Collier’s two prior enchiladas of unequal treatment and favor and protection and coddling likely unmatched in TDCJ history.

They KNEW of Cover Up – making this a Falsification of Record and Insubordination to Charge to Investigate

Let’s Look Closer. Does that mean *after* my 4-page IOC to Muniz in 7-11-12 and *after* my 21-page Letter faxed to Livingston on 10-29-12, with three hard copies sent to Livingston, Bryan Collier, and Rich Thaler, and *after* TDCJ’s own good ITD techs complete their four-week clean up of the most monumental collection of illicitly obtained (not properly donated *through* ITD as policy requires) computers loaned to prisoners without supervision and *after* ITD creates its laundry list (Tab 7) on 11-28-12 that – really – all three rate Chaplain Collier “excellent job”? No, it is utterly impossible that all three were in the dark, that all three did not know. All three – Alford, Pierce, and Dunbar – lied, to help cover up the years of security breaches and continue the cover up of Maness’ exposures. That – of all things – was *not* a mistake or a fudging or a simple-minded fly-by-night compliment of Chaplain Collier. No sir! We have ALL received nice comments every now and then. But these comments come after Maness upset s the Beverly-Hills-at-Polunsky hoard of violations in a 21-page letter both faxed and mailed in October 2012, with a DVD. And this comes before Maness mails other letters there were likewise ignored in Alford’s January 2012 Masterpiece Farce, which was further shown to be false by three *categories* of evidence:

- ✦ *one*, three previous chaplains (Disk 1, Tracks 1-3),
- ✦ *two*, the Texas Fire Marshal’s report in June 2013 and in
- ✦ the recorded interview of Chaplain Vitela in August 2013 (Disk 1, Track 4).

No sir! That TDCJ Annual Review was *not* simply a compliment. It was a clear and intentional and concerted falsification of a state record with a likewise clear and concerted intention to cover up five years of security violations, and such a falsification of a state record is a felony! Which for now Region 1 Director Richard Alford is two such felonies!

Alford NOT Alone! ... Critically Important! ... Listen to this – do not for a second think that the cover up and protection of Chaplain Collier is simply or solely the fault of Richard Alford, Bill Pierce and Marvin Dunbar. No sir! It cannot be isolated to them. They are a party to it, Alford more than Pierce and Dunbar, to be sure. But the real depth of this preceded them by years, and Pierce and Dunbar are late comers to the cover up, a small party to it (or a large part – who knows?), but being merciful and thinking the best, perhaps they were just trying to help *clean up after the fact*. Regardless, they were and are still a party to covering up both the value and nature of my exposures. It is **Critically Important** that one see Michael Upshaw and Timothy Simmons, even William Stephens, given Stephens’ report in February 2013 (Tab 5a, Item 3) as primary agents in a vast cover up that has gone on for at least six years, and also, in the process, actively and consciously and worked hard at protecting Chaplain Collier, even to the point of causing many of their subordinates to cooperate or suffer, as with me. So, another problem, costly and unbelievably painful, is this: How many subordinates have capitulated? How many were promoted? Just as Alford and Upshaw were promoted? Just as Major Dickerson was promoted? Just as Captain Bryant was promoted from Polunsky to the Lewis Prison, and then – unusually – at the Lewis Prison, Bryant was also promoted to Asst. Warden? And, for Sherlock Holmes and his team, how many other lieutenants, captains and majors were promoted, in part, because they *obeyed* Warden Simmons, et al, and “looked the other way” at the Chaplaincy Department violations and helped Simmons protect Chaplain Collier immunity.

Sadly, it appears only Alford and Stephens were *required* to write something, and in the falsification, commit the felonies, while Upshaw and others have escaped with nothing other than what Alford and others can tell, or Sherlock Holmes reveal.

And because Deputy Executive Director Bryan Collier failed to do his duty and treat employees fairly – choosing not to read what was sent – allowing other employees the favor of credibility unfairly merited, others have suffered, as I did from March 2013 for his first rejection of the 5-page letter on the lack of competence in Chaplaincy matters by appointee Marvin Dunbar, and since then. But most of all, and worse of all, a pivotal tragedy has befallen Dep. Dir. Collier in that he has now become complicit in the years-long cover up in one of two certain ways: *one*, wittingly, in that he knew for years and aided those under him in covering up and protecting Chaplain Collier, a felony-like and certainly traitorous deserving his resignation, pronto – more merciful than others have been to me; or *two*, unwittingly, in which he naively trusted those below him, deserving – in similar mercy – at least a Sub-Standard Duty Disciplinary for such complicity in such a vast series of security violations and cover ups. There is no third option, for the treason is simple – it happened – and now, because of Disk 1, Track 14, and Collier’s own testimony of support, he is either *wittingly* or *unwittingly* complicit.

Worse, if the OIG had come on board on November 1, 2012, and Alford held his peace (or OIG was not able to break the trance of Chaplain Collier’s enchantment and mystery therein) then, after whatever slaps upon the hand they gave to Alford and Chaplain Collier, the years of security breaches and cover ups of those breaches would have been swept under the rug and the totality of the betrayal and treason would have never been touched. Bank on that!

Almost as unfortunate, if I had been reinstated and merely given my Commendation for Valor then, and the Lewis Prison wardens so informed, then I would have been rehired at the Lewis and essentially the same thing would have taken place. The totality of the betrayal and treason would certainly have been swept under the rug just as persistently then, too.

But, no, those in the “cover up and treason” business had to make it worse, and in so doing have more fully exposed themselves and the yet-to-be determined scope that only OIG’s Sherlock Holmes will be able to excavate.

God would not have it! With the as-yet-uncounted host of *firsts* in TDCJ’s History, “Worst in TDCJ’s History” awards and – doubtless – a few Worst in U.S. Prison History – so we have this monster Sourcebook.



B. Last Caveat – God’s Intervention

Do you realize that if God had *not* motivated and empowered me, this would not be before you today? Our God is Alive! I really struggled with this for perhaps 1,000 hours or more, for months, and on the heels of five other letters that did not hit home.¹⁴⁰ Do you realize how much fear and dread and spiritual struggle I had to fight to finish this? Do you know what chaplains do? The confidentiality they bear? I am not a policeman or law investigator or lawyer or warden – do you know how hard it was to *record* incognito former friends? Much, much harder for me than investigators that do that for a living! Do you have any idea what was weighed in the balance to bring this to a close? That “unto whomsoever much is given, of him shall be much required: and to whom men have committed much, of him they will ask the more” (Luke 12:48), and that only I had this information in seed form, and then – not even your protective legal department knew – I had to fight to pull it together while appealing to the Texas AG’s office, and then struggle through draft after painful draft. There was a moral obligation in October 2012 to share with you that first 21-page letter, and painful things therein, as there was in December 2011 when after months of similar work I put together that 50-page Faith-Based Housing Letter. But in October 2012, as I faced my end, that 21-page letter was foundational and painful and pointed, and it revealed *serious* violations of security with Alford’s retaliation and harassment for my prior exposures, that he lied about, and now – with all that transpired – it indicates quite clearly that the retaliation is backed up and includes several, like Marvin Dunbar retaliating for that 50-page Faith-Based Letter, including, to a degree, I suspect, Madeline Ortiz and other certainly Bill Pierce (co-signer with Alford on Chaplain Collier’s evaluation).

When we are the sole proprietor of critical information regarding the TDCJ’s noble and impossible mission, duty impels one to share. And those who receive it, are duty-bound to act. And the duty increases when the criticality of the information shared increases.

In more ways than I can enumerate, your office and you yourself are now responsible for the cover up, Brad Livingston, for not acting sooner. I do not know, and still want to believe, that you are trusting those below you. Yet this is no longer just a squirt 20-30-page letter, truthful through and through, but this and what follows is a document-led and a recorded-testimony-filled Book of Secrets on the longest cover up of major security violations in TDCJ’s history, also documenting the cover up of the exposures of that cover up, as well as – now – several falsifications of records of several of your directors.

Still a mystery, though, that will require the services of OIG’s best Sherlock Holmes, is the nature of scruffy Chaplain Collier’s enchanting prowess. How did he do it? Consciously? Unconsciously? Did he have an active part in covering up violations?

Did a murder happen at Polunsky?

Regardless, the longest cover up in TDCJ history has come to an end. It took 1,000s of hours, over 100 open record requests going back 15 years – it was my vast experience in those that paved the way for this last wave – and a bit of pushing to the Texas Fire Marshal’s Office and almost three dozen appeals to the Texas Attorney General’s office. It is the most substantial analysis of two Chaplaincy Departments in TDCJ history, the Polunsky and Lewis Prisons, with the first ever actual analysis of employee disciplinaries in TDCJ history.¹⁴¹ I did the work of several of division directors and wardens and others, including some that OIG should have done, and have provided OIG with a Sourcebook to get to the bottom of most of the shenanigans. Moreover, I pray, herein is a way to aid the many good employees who, like myself, sold not my birthright for a bowl of stew, who have suffered as I – and they need to be found, everyone of them, and reconsidered. Like the POWs and MIAs, we must *never* give up the search for them or the search for righteousness, no matter the cost.

¹⁴⁰ See them here, www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf.

¹⁴¹ Still hard for me to believe, the *official* response to my Open Record request for all the regular reports and analyses of the last couple of years, and – what? – there were none. I did get the CD with the Big List of 80,000-plus disciplinaries, from which I pulled and charted and placed above in subsection VI.A. Really? Tell me isn’t so! That is the *only* analysis of employee disciplinaries in the last decade? Brad, you should be ashamed!

Because of the letters in the past, Brad Livingston, your honor, too, is unfolding here. Do you realize that “unto whomever much is given” applies to you too?



C. To Whom Much Is Given ... Much Is Expected – Applies to ALL of Us

For being loyal to TDCJ’s mission and loyal enough to write the Executive Director when no one else would listen – and when no one else would write – that is why I was given my dismissal recommendation in May 2012. After fighting bulls and running the dismissal mediation gauntlet, I was exiled to the Polunsky Prison, again, for loyalty to TDCJ and for *attempting* to send that loyalty to the Executive Director. Then I was run off from Polunsky for first trying to fix the mess, and then for actually exposing the mess, and run off by Warden Alford – and Alford is at the center of this, but not the only one – and Alford lied and covered up years of security violations. After a year of more exposures, and this Titanic work, I am still not allowed justice, because lies and cover up have become epic.

Do you realize that the laws of Texas were not enough? Do you realize that if many, *many*, had had their way, and *without* the Texas Attorney General’s experts, many key elements would not be here. Said in another way, by God in heaven, *Thank God* for the Texas Attorney General! For without him and his staff and the good Open Record *laws* – this would *not* have been possible – not even *possible*! Do you, Brad, realize that your legal department did its duty, sometimes reluctantly, but tried to protect. Yet, from others there would have been an absolute intransigence to any release of anything, had it not been for the Open Record laws. Moreover, because of many good TDCJ staff, and the records they did dutifully keep, we do **have the absolute proof here**. And, thankful for the obsession and love of Chaplaincy, I have persisted with the appeals to the Texas AG’s office and follow up. Sadly, to date, no one else in TDCJ history has asked for so much and such a large variety of unique items. That is what it took, I did my job, and now, Brad Livingston, it is time for you to do your job. Your honor is unfolding here, certainly, and your legacy to TDCJ in this, that now includes those over whole divisions. Yet, your legacy includes how the kind profession of Chaplaincy has suffered so much from career bureaucratic “managers” that have been appointed with zero experience and dedication to the profession – entirely unlike your legal and accounting and medical and food and maintenance departments – so very sadly and shamefully, which is another sub-plot running through all three parts as kind of foundation to all the problems. Made more shameful, given the pretense of “managing” that – no matter how well meaning – Manager III Marvin Dunbar utter lack of competence unfolds here, and that incompetence covered up, too, until he finds an opportunity to promote or retire, and another bureaucrat is promoted to take his place, and *begins* to learn, just as his two predecessor *pretended* before him.

When will the games with Chaplaincy come to an end? Hopefully before it ruination.

I punished and retaliated against for my advocacy for the fifteen years, reaching a head with the 50-page Faith-Based Letter, and the charge by *someone* to rattle me for that, be that charge from Madeline Ortiz or Bryan Collier or from Dunbar’s own desire to advance his bureaucratic standing. Of course, there is no “document” and none will confess. But here we are. When it became obvious that I would not take the Dismissal Recommendation supinely, Upshaw and Simmons planned my coming to Polunsky, to further protect Chaplain Collier and *plan* his transition – for reasons only Sherlock Holmes will ultimately figure – and finally and slowly put behind them their utter treason for allowing the multitude of violations in the Polunsky Chapel and so much more. We really need Sherlock to unlock the mystery of Chaplain Collier’s enchantment, and we’ll need OIG’s Dirty Harry, too, to rattle some tough hombres.

Is it so terrible to seek to be able to be reinstated when such has happened? Ah, I pray you will consider a meeting now, but – we are getting ahead of ourselves – we are only a fifth through.

Is this exposure valuable? Do you really want this kind of chaplain to be “run off” for being loyal? This is how much I valued my job, and I’ll be anxious to see how much Stephens, Upshaw, Alford, at least, value their jobs, and those immediately under them that followed them down the unethical path, like so many spawning Salmon and supported treason rather than TDCJ’s and Texas’ values. Unlike them, who *sought* and to date *secured* my end, even now, I am not truly seeking their end – given the mysterious

enchantment by Chaplain Collier has a non-felonious and crystal clear answer (OIG’s Sherlock Holmes certifying). If a murder did take place, then let the chips fall where they may.

Whatever it was, treason is here, in abundance. I was treated atrociously by Richard Alford (himself supported by Upshaw, et al) and TDCJ was betrayed. After all, it is much worse. Yet, for the sake of the Chaplaincy Profession, there might be a remedy – if those guilty participate – a possible way to turn this around without more embarrassment. I have already stated how things could be made right by me, more times than I should have, and would welcome helping making things right so I could retire in honor.

From this Treatise on Treason’s mere 156 pages follow 500-plus pages with 157 items, 33 witnesses, 14 interviews, culled from several thousand pages – the tip of the iceberg – proving injustices done to me by several who engaged in the longest cover up in TDCJ history, culminating in the **Epilogue**. I was punished for exposing that and in lighter tones harping that to date not a single chaplaincy “manager” has *studied* and created a single analysis since the position was created circa 1995.¹⁴² Yet, caught like mice in a trap, all of the Chaplaincy “managers” did *nothing* about Polunsky – *nothing* – even as your esteemed ITD crew spent *four* weeks “cleaning” computers in a department in which **everything was wrong** – and, all returned without a single disciplinary. Equality for me – none – but that “cleaning” and the following 500-pages lead to the **Epilogue** finale that illuminates how crookedly *both* of us have been wronged. Brad, when those we *should* trust the *most* ... **LIE**, that is **treason!** Help us, OIG!

In sum, then ... Brad, sir ... will you continue to

Allow Treason to Trump Truth?

“Unto whomsoever much is given, of him shall be much required.”

Applying that to you as much as to me – at great cost, my honor and commitment delivered this.



To whom much is given, much is expected

Honor, Courage, Commitment



¹⁴² See www.PreciousHeart.net/chaplaincy/Faith-Based_Outcomes.pdf: faith-based dorm Allred Unit 2003-08: simplistic, statistically spurious, ONLY chaplaincy *statistical* study in TDCJ history, by a warden, all others *tabulations* by “managers”; see Disk 2, Documents Folder, Item 63 “63--Texas-Allred-SPURIOUS-Study-2008.pdf” = shameful substandard duty!

Part Two

Book of Secrets on the Longest Cover Up in TDCJ History



PART TWO:

Sourcebook for Treatise on Treason to the Book of Secrets



↔ ————— ↔

If the Captain Is Asleep, All Is Well

#2852, Comfort for the Fearful, 10-8-1903, pp636-637, Vol. 49

Come unto me, all ye who are weary and heavy laden,
and I will give you rest. Matthew 11:28

————— ↔ ————— ↔ —————

His should have kept those disciples from being afraid: that is, *because their Master was asleep*. “Oh!” say you, “I do not see what comfort that was to them.” Let me tell you what happened to me, one night, when I was on board ship. In my sleep, I started because I thought I heard something slip. Something had slipped; the anchor had been cast overboard. I called out to one who slept near me, “What is the matter?” He said, “There is the matter, I feel sure.” “Why,” I he replied, “Because the Captain is middle of the night, but the Captain so I heard. So I also got up, and saw Captain *was* up. The sailors were getting out a boat. If my friend had that the Captain was asleep, I might on, for I should have said, “If the asleep, it is all right. I need not trouble But when I heard that the Captain was thought it was time for me to be up, were on board ship, and saw the Captain busy heaving the lead, and doing it himself very deliberately and quietly, you would say to yourself, “I do not know what is wrong, but I feel sure that there is something the matter, because the Captain seems so anxious.”



something asked, and up.” In the was up—that the quietly told me have slept *Captain* is myself.” up, I too. If you

But if, at any time, you were at sea, and you said to another passenger, “Where is the Captain?” and the reply was, “Oh, he is in his berth, sound asleep!” You would say, “Oh, then, it is all right!” Why did the Lord Jesus Christ go to sleep in a storm? Why? Just because he *knew* that all was right. Why should he *not* go to sleep? The great loving heart of Christ would not have rested if his children had been in any danger. It was because there was no danger, and so he went to sleep. He knows your passage, and knows it well. “Come unto me, all ye who are weary and heavy laden, and I will give you rest.”

From Michael G. Maness, editor & compiler,
Ocean Devotions – from the Hold of
Charles H. Spurgeon, Master of Mariner Metaphors
(AuthorHouse: 2008; 440p.), 405, Dec. 23.

www.PreciousHeart.net/ocean

↔ ————— ↔

**So was my thought, too, in late June 2012 – if the Warden was okay with all, then,
by God, all *must* well. So was the *thought* of several Polunsky security staff.
Then I went below deck. It can *never* be well with holes in the ship!**

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Disk Holder Attached – with Four Disks



See Entire Work Here
www.PreciousHeart.net/OIG/Treason.pdf
code “Love-Honor” to open 139 MBs



Part Two – Sourcebook 21 Tabs – for Longest Cover Up in TDCJ History
State Employees Are Supposed to be Treated Equally



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Tab 1.

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TAB 1. Primary Letters and Fateful 21-page Letter 10-29-12
State Employees Are Supposed to be Treated Equally



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Item 1. 09-11-13 – Letter Emailed to Alan Polunsky and Oliver Bell

Sept. 11, 2013, Letter Emailed to Alan Polunsky and Oliver Bell
first one prior Chairman and second current Chairman of TBCJ

September 11, 2013

Oliver and Alan,

I have sent you two perhaps more than I should have. And this will likely be the last time.

And it seems no one is interested in investigating, much less correcting an atrocious injustice, looking away from proof and denying that verifiable proof will further certify the injustice. And the infamy has grown.

I sent the attached last week to Brad that outlines the last work I am preparing, that TDCJ's OIG should have done.

Does it not strike you ODD that no OIG investigation has been done?

What harm would that do? And I have given the names of specific persons and the kind of knowledge they have.

Also, by God in heaven, without a clear and seriously specific charge from you two and Brad Livingston, I fear even the respected OIG will not give this the kind of investigation it truly needs now. This is a year old now, and still there are verifications that can be had, but the LONGER it goes, as you two right well know, the fewer points of verification there will be.

Justice does not have an expiration date. I pray to God that if you do nothing, then every movie, play, and book that you two read that has justice as a theme, even an underdog that overcomes overwhelming odds – every single time for the remainder of your lives, that you two will recall MANESS, who tried for two years to get simple justice, and failed, because so many LOOKED the other way. And now, Warden Alford is Region 1 Director and Michael Upshaw is a Division Director, given raises in the midst of this, and – worse – not even a grade-school attempt to look at how other good TDCJ staffers had their lives ruined by the shenanigans of these two men and those under them without a spleen or spine.

You two need to see the 16 Tab notebook too, but the letter attached speaks for itself, and KNOW THIS – I included a CD with the interviews of THREE previous TDCJ Chaplains who had the SAME experience as I did at Polunsky, only I was the most senior and did NOT LOOK the other way.

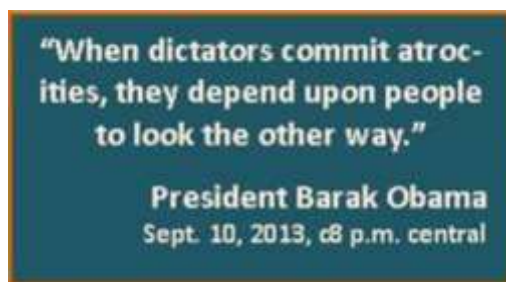
**It is an utter shame that I have to BEG
to present a notebook of evidence
and further BEG to get an OIG Investigation
and BEG for an entire YEAR!
Should I give up on the pursuit of Justice?**

emailed to
Polunsky &
Bell

still no
response

TAB 1. Primary Letters and Fateful 21-page Letter 10-29-12

State Employees Are Supposed to be Treated Equally



God knows – there is no such OIG investigation,
as I have asked for Open Records documents on ALL
And who can there be, when none of the good volunteers
none of the essential staff, and not even
I have been asked a single question!

I pray, if you choose to continue to NOT to see me, that you will never forget, that a grave years-long series of violations at Polunsky was COVERED UP and this poor man was RUN off for trying to do his job, and run off for EXPOSING them, and then, worst of all, that exposure was covered up, and the lead actors were PROMOTED!

NOTE THIS – the attached photos are NOT for public use, as there has been no Media Release on them, just one portion of the full 2” notebook with 16 Tabs that I am nearly finished in preparing with several CDs of info including an OIG Investigative List of persons and the knowledge they posses, a Titanic amount of work.

Lastly, scruffily, if you two continue to choose to do *nothing*, I do pray that God Himself will bring “Maness” to your mind and heart EVERY time you see an inspiring movie and every time you read a novel and every time to see an act of noble work, that, YOU TWO, have now and henceforth **looked the other way** too.

Sincerely,

Michael G. Maness
409-383-4671
www.PreciousHeart.net



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Item 2. 09-03-13 – 4-Page Letter to Livingston

September 3, 2013

Brad Livingston
TDCJ Executive Office
P.O. Box 99, Huntsville, TX 77342

fax 936.437.2123

Dear Brad,

I lost my job and reputation in TDCJ for the stuff I sent you and others in good faith. Attached is some of the proof, proof that I should never have had to obtain on my own. One last time, the most critical stage was in late October 2012 when I sent you that 21-page exposure of Polunsky, as I was *forced* to retire because of Warden Richard Alford's shenanigans. My credibility would far be less *after* another dismissal. With that 21-pager, thinking the best of you, I was *certain* you would initiate an OIG investigation and my commendation follow.

Embarrassed – for my requests for a reinstatement with a raise and request for letter of commendation, yeah, if – I repeat – if I'm a liar just trying to whine my back into service?

I told the truth – God knows, and so do 100 staff and 100 hundred volunteers!

Brad, your office has not done its job in getting OIG on this for an entire year now, and I am further embarrassed at how much work I have had to do to get the truth to you. The cover up is much, much bigger now because of the Titanic work I have had to do to get the truth to you, so I am going to expect a larger raise in reinstatement and a gold-plated commendation.

What is the value to uncover long-time traitors – plural – to TDCJ and your office?

Mr. Livingston – once again – your good Deputy Bryan Collier does not believe that and said my persistence bordered on “harassment” in the conference call I had with him, Thorton and Stephens (which I recorded), yet he had not read the 4-page summary of my presentation, nor had he read the 50-page Faith-Based letter in 2011, nor had he truly read anything I have sent in this last year, not truly. Simply, he *believed* those under him, including Stephens, Upshaw, Alford, Hunter, Simmons, Thaler, Ortiz, et al. Byran simply trusted them, as angels, to be without fault, which, though a bit naïve, also says something good about his love for TDCJ and level of confidence in them.

In your and Bryan's defense, you two *need* to be able to trust those below you to give accurate, knowledgeably concise and cogent unbiased summaries of issues under their purview. You two cannot run the agency otherwise. But none of us are angels – *see Madison's quote* – as even Madison knew better the hazardous and alluring nature “authority” has to seduce men in power and the need for checks and balances, like letters to you two and a good OIG.

It's a shame I have to persist to feelings of “harassment” to get you to see the truth. What have you to lose?

Brad – will you see me? I have put together a *Polunsky Chaplaincy Sourcebook* with more **VERIFIABLE** proof of a vast cover up and of lies to your office. See the photos attached – prisoners took good photos. The attached five identical CDs of interviews with three TDCJ Polunsky Unit Chaplains, Rick Anderson, Loren Edwards, and Mary Barry. Listen to one in your car. Keep one at work. Give one to Bryan. Anderson sent you a copy of his book. **FOUR** of us endured violations while the wardens covered them up. And still are.

Brad, please listen to those chaplains. The CDs are for you to share, but not for the public!

I *hated* doing those. Should not have been the one to “covertly” record my chaplains. Furthermore, though an experienced counselor and an expert on chaplaincy, I know that I am not a good police interrogator, who has their own set of skills and techniques. I hated, hated, *hated* having to do that which

“What is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.”

— James Madison, *Federalist Paper No. 51*

TAB 1. Primary Letters and Fateful 21-page Letter 10-29-12

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had to be done, forever after alienating myself from then to get you the truth that your people – Thaler, Upshaw, Alford, Simmons, and OIG should years ago. It should never have come to this – never.

Though I hoped to the contrary, by July 2012 I began to suspect all might go as it ended up going by October 2012. So I made copies of several critical mainframe emails, some sent just for back up – only, if I had known the cover up was this big, I would have documented better.

Brad – I attempted to come and see your Deputy Bryan Collier and Rick Thaler in July 2012, but both could not see me. That is one proof that Alford did NOT just discover things in October. The documents are more proof. **See Document 1.** the handwritten note from Chaplain David Collier to me, *overriding* my attempts to bring things in compliance, the very things I wrote in that 4-page IOC to Warden Muniz and *tried* to bring to Huntsville to Bryan Collier and Rick Thaler (suspecting both Simmons and Upshaw – who else do you go to?).¹⁴³

Note documents 2) the mainframe email to Warden Muniz *adding* to the 4-page IOC I sent him on the computer virus, et al; **3-4)** the emails to Major Hutto of things he did NOT see as he passed by them for the extension cords that Warden Alford mentions – Brad, sir – **ALL THE WHILE PRISONERS IN THE DARK UNSUPERVISED;** note,**5)**the date of the GOOD annual evaluation of Chaplain David Collier 11-29-13 after I exposed all, that is, the chaplain responsible for all this for years with the wardens’ knowledge all along gets his *third* good one in a row; **6a-b)** see Stephens’ and Alford’s IOCS dated January and February of 2013 and ask yourself this: when did Stephens and Alford address the preeminent concern of *prisoners-in-the-dark-unsupervised-for-years* that I exposed in July?

Document 7) is the 9-page PowerPoint with dozens of photos with the diagram of the whacky chapel violations under **THREE** high resolution TDCJ security cameras that can zoom in close, even zoom in into the dark Media Room and see unsupervised prisoners “working” by low-lamp light. Watching television they had piped in. Playing video poker.¹⁴⁴

Oh, yes sir! – 100s *knew* that the wardens *knew* who also *knew* that Upshaw *knew*, all of them *knowing* that the only ones who did NOT KNOW were you and Bryan. Traitors! Yes, *knew* for years! And when I exposed it and even *tried* to come and see you – they balked!

Easy to prove Alford lied many times in that single document, yet something worse remains: Alford was in collusion with Upshaw and Simmons before Simmons retired! Who else?

This tremendous cover up has vast ramifications for many and is filled with infamy!

Brad, do you want to see the report on the unsupervised prisoner paints (68 bottles now!)? Want to see the Texas Fire Marshal’s report of 07-03-13 that reveals my exposures in 2012 of fire hazards were still unaddressed a year later! *Reported* fire hazards ignored for a year!

Brad, isn’t it shameful to the uttermost that the Texas Marshal has to *order* Polunsky, the most public of all with Death Row, to fix fire hazards reported a year earlier?

Wardens Muniz, Simmons, and Alford supported Chaplain Collier’s unsupervised prisoners in that Media Room. Simple and crazy. As I continued to fight for policy and common sense, Chaplain Collier and most of the volunteers resented it. Then, Alford commences his nasty work and has us both Collier and me written for tools and for being lax, knowing the same tools were there for years under Simmons. Alford crossed the line there in that ugly, nasty and pitiful ruse, betraying that he was *beginning* to document his lies that will be undone soon.

¹⁴³ Brad, that single note from Chaplain Collier to me says ten pages by itself, summed up in this: Collier *knew* he had the wardens’, the majors’, the volunteers’ and Huntsville’s support – all praised him. At least it meant Chaplain Collier believed policies were not that serious. And, you and Bryan cannot really appreciate this well, but no seasoned in-prison employee – no warden certainly – would EVER write such a thing down on paper. Stupid! Like my interview with him recounted in that 4-page IOC to Muniz. I almost shredded it myself, to protect HIM in his oblivious naïveté! It was still early, I had not talked with Simmons yet. I just folded it and kept it – thank God.

¹⁴⁴ Oh yeah, didn’t I tell you? No, not yet, the previous 100 pages were filled with more important things no one really cared about, and I cannot remember all. After compliance Sgt. Stringer had the prisoners “delete” their video games, the games returned after the computers re-booted. I tried to delete too, but I am not savvy enough. And Volunteer Chaplain Ed Reeves, who loved Solitaire, made jokes about it. And your TDCJ ITD people can fill you in on why some computer games could not be deleted. But, after all Brad, we aren’t concerned about games here.

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That write up was not from a “leader” but from a pitiful man trying to cover his tracks, tracks that were laid down years prior, and then to pull me into it who was trying to help. Nasty.

After I faxed you, Bryan, and Thaler that 21-pager in late October 2012 – only then did the computers get addressed and the prisoners get some supervision. Most of Alford’s lies are proven further when he signed Chaplain Collier’s annual evaluation of on 11-2012; note especially that Alford did that *after* TDCJ’s ITD uncovered a laundry list stuff going on for years before I got there. **Do you want to see TDCJ ITD’s laundry list on what they found?** Not even all, either, as I have a flash drive full. Warden Alford wrote that “**upon hearing these concerns**” in Maness’ “grievance hearing” that he took action – he wrote that! – and **that is a bold-faced dirty stinking rotten double-dealing piece of low-life snail dung LIE**, on paper now, the likes of which reverberate on how Alford is covering up! Hundred witnesses to that nasty lie, as documented in my previous letters. Even when he was there at Polunsky before, at least that is what Chaplain Collier and the volunteers told me.¹⁴⁵

I had pushed compliance with *dozens* of staff, volunteers, and prisoners; but the clincher and the shame is that three previous TDCJ Chaplains found trouble too, they just did not have my experience. Proving Alford’s low-life lie is the easy part. I also prove that Alford was not alone. No sir – *not alone*. Do not let Stephens and Upshaw throw Alford under the bus *alone*, as they did to me. They threw me under the bus, all right, but – by God – I’m rattling that bus.

Brad, hear this – I was just trying to do my job in June of 2012, thinking the best of my good Warden Tim Simmons. But when I went to Simmons, twice – he did *nothing*. That has never happened in my 20 years in TDCJ. Herein is verifiable proof Upshaw and Simmons planned most of this in April-July 2012. And in my letters I have been asking who, who, WHO ABOVE Simmons also knew of the violations for years and did nothing – nothing.

Brad, sir, do not let Bryan just pass this down to those who are a part of the cover up.

Brad, sir, one portion of the verifiable proof that this whacko Polunsky Chaplaincy Department under Chaplain Collier has gone on for years and has been consciously overlooked and covered up by the Wardens is this: LISTEN TO MY INTERVIEWS with the previous TDCJ Chaplains, all who could not survive Chaplain Collier’s free reign and protected status.

Brad – do NOT let Stephens and Upshaw hang Chaplain Collier alone, either.

The GREATEST concern has now been revealed to you by me only after two years of dire struggle: somehow, Chaplain Collier was PROTECTED, the wardens knowingly overlooking a vast multitude of policy violations! Collier is awarded Chaplain of the Year while still a new chaplain, chaplain HQ adulating his unit as a model, even interviewing him on “how do you do it,” while he is violating nearly every standard policy. Simmons gets Administrator of the Year Award handed to him by Alan Polunsky himself!

Who knew this above Warden Simmons and then Reg. Dir. Upshaw?

The Second Great Concern is now partly answered by me in the interviews with the three previous Polunsky chaplains: they reveal the vast policy-violating behavior and whacko chaplaincy department has been going on precisely since Chaplain Collier was hired!? Yes sir, Brad, not only did Warden Alford know about this *before* my grievance hearing, the yellow liar knew about it when he was there last, years before, and Simmons and Upshaw knew about it too.¹⁴⁶ However, I talked to Chaplain Dan Chapman, too, who was the Polunsky Chaplain about ten years ago, and – you guessed it – there was no wackiness then.

Brad, where is my Silver Star? God have mercy. This letter and documents should be enough by themselves alone. But another part of the verification comes in that your staff – those who are part of the

¹⁴⁵ Though I am still waiting for a response to an Open Record’s request for the complete TDCJ record of times and places of Richard Alford’s service. You know, to get the complete history.

¹⁴⁶ Warden Alford, I was told, had a reputation for “cleaning up” prisons. Really? What was there to “clean up” while Simmons received his Administrator of the Year Award? Anyways, the vast ramifications of his lying and “cleaning up” are coming full circle here, and should – by good God in heaven – lead to uncovering more who have been thrown under the bus by virtue of both Alford’s and Upshaw’s nefarious tactics. It would have been far easier to have just sought the truth and followed the truth where it led, honestly and cleanly. But this – Brad, help others who were LESS persistent and less able to fight as I have had to do. What cost to many other TDCJ employees?

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cover up – who have not allowed the truth; and worse, as they talked you and Bryan out of a real OIG investigation. I found this and more at great expense to myself, while being maligned, even by your good deputy now – fighting hard, hard, to get you to see the truth.

Polunsky Chaplaincy Sourcebook – a 1.5” notebook with more documents like these in 16 Tabs that I have put together for you. Therein is more proof, and further proof of something **worse and more traitorous** that *I cannot find out by myself*. In fact, *only* your best Sherlock Holmes in OIG can uncover the full nature and true motives behind the wardens’ years-long **KNOWING protection of Chaplain David Collier** who for *years* violated *all* policies! And who is the highest person who knew for years?

Is Chaplain Collier related to Bryan Collier? Pray not. Something led those wardens astray!

Still, the infamy runs high up close to you two. At least, Stephens, Upshaw, Alford, Hunter, Simmons and others have 1) lied and finagled to cover up the longest string of severe security breaches in TDCJ history, 2) lied and covered up my exposure of them, and in the process 3) purposely ruined my TDCJ career and reputation to keep *both* 1) and 2) covered up. Nasty.

What is the value of uncovering TRAITORS to you and TDCJ? And if me – then you must know and ask, what is the value of uncovering other TDCJ employees’ lives *ruined*?

You, Bryan, and your office have been played like hillbilly fiddles.

One Hour of your time. Do you want to see verifiable proof! You have some of it here. In the **Sourcebook** I have an investigation list of *who knows what* with strategies for OIG, too. Only OIG can find all – God knows, we need the whole story. Please!

Sincerely,

Michael G. Maness

c.409.383.4671

Maness3@att.net

Attached: Documents and five CDs

cc: Oliver Bell and Alan Polunsky *with docs only*.

P.S. Brad, hear this, there most certainly is something **worse and more traitorous** that *I cannot find out by myself*. Truly, only your best Sherlock Holmes in OIG can uncover the full nature and true motives behind the wardens’ years-long **KNOWING protection of Chaplain David Collier** who for *years* violated *all* policies! And who is the highest person who knew for years?

P.P.S. Brad, I’ve *tried* to handle this in-house, but they took my career and reputation away with snarly yellow-bellied methods. Again, if to me, then *certainly* others too. I have the number to an employee I am anxious to give once my own credibility is restored. Chaplaincy in TDCJ is too precious to let rascals ruin it. Much foolishness I have documented for 15 years. Maybe this will be the key. I pray so.

Item 3. 06-18-13 – 4-page Outline for 30-Minute Plea to Dep. Dir. Collier

Deputy Executive Director Bryan Collier was clear, that he had no intention of addressing cover up or years of security breaches, but was perfectly content with what was reported to him, without verifying anything. There was concern to talk to witnesses. Hear the recording (Disk 1, Track 14). He is now a full accomplice in the longest cover up of the longest series of security breaches at Polunsky Prison either wittingly or unwittingly: if unwittingly, then he needs a Sub-Standard Duty disciplinary at least for failure to hear repeated exposures; if wittingly, a part of the cover up, his resignation is required.

**30-Minute Plea for Commendation for Extraordinary Exposures
and Reinstatement with Raise**

To Bryan Collier by Michael G. Maness

June 18, 2013

**Faxed for 4 p.m.
conference call
present Jan Thornton
& William Stephens**

Summary

Thank you for hearing me. This was timed at 16 minutes at a brisk pace. Public safety, safe incarceration, and rehabilitation are bedrock to TDCJ's mission, and every year I have actually read Brad Livingston's letter on equality. TDCJ is FAIR. The letters I sent – I sent because I *believe* that honor and justice will prevail, somehow. A gross injustice was done to me in the wardens' refusal to aid me in bringing things into compliance. Who was the highest ranking person who knew of the violations prior to my coming to Polunsky?

What Is the SINGLE WHOLE Truth? – Someone Knows!

Mr. Collier, the Moral Statement of Accounts does not balance. There is only ONE SINGLE WHOLE TRUTH to the matter, witnessed by *and* confusing to many staff, volunteers and prisoners, among the facts I gave you in about 100 pages. One sum of all *could* go like this: Simmons, Alford, and Upshaw knew for years of the multitude of policy violations in the Polunsky Chapel, and conspired (perhaps with Thaler) to send Alford there to “correct” it at my expense while at the same time PROTECTING Chaplain David Collier, because Chaplain Collier covered for them during the escape. That may not be the WHOLE TRUTH. If not, then what is?

PART of the single Whole Truth is clear: Simmons, Alford, and Upshaw KNEW of the many violations and did *nothing* until I faxed the first exposure to you and Mr. Livingston on October 29, 2012, as I retired.

What is the WHOLE TRUTH? Mr. Collier, sir, I myself cannot find it out. And I do not need it, if most of the wrongs done to me are made right. Though I think *knowing* the whole would profit all. After many Open Records requests and a letter from Thaler that said he “would personally review” – still, no real investigation! No report. Just how long were those prisoners unsupervised in the dark? Does it matter? Of course it does, Programs Division thought Collier a model, he was awarded the last Chaplain of the Year, had more programs and CVCA's than any other unit – the WHOLE TRUTH should be welcomed here.

The reality and sad Truth is that the Polunsky Chaplaincy Department turned out to be the most policy-violating in TDCJ history – only after a painful exposure by me, and that exposure still uninvestigated and covered up.

Prime Witnesses NOT Interviewed! – Appears No One Wants to Know the Whole Truth

Chaplain Collier's 2012 evaluation said he “worked well with staff,” signed by Bill Pierce and Richard Alford on 11-29-2012, and Marvin Dunbar on 12-4-12 just one month after my first exposures – third *good* annual in a row! That was NOT the view of the Polunsky Compliance Sergeant or the Unit Supply officer *both* reflecting, “Chaplain Collier is less than truthful.” **TWO previous staff chaplains** Mary Barry and Loren Edwards told me *again last Friday, June 21, 2013*, “No one” has talked to them, and neither could get along with Chaplain Collier, and *both* experienced his “untruthful” nature. Ms. Barry flatly said that he “lied about me,” and Mr. Edwards lamented how the prisoners ran wild. Upon your word of confidentiality, I will send you my conversations

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with them (the only ones I have ever recorded or plan to record like this). No volunteers at Polunsky or Gib Lewis have been interviewed to date. Do I need more backing?

Two Questions Worth a Million-Dollar Each

Question 1: Who ABOVE Simmons knew about all the violations and knew of Chaplain's Collier's total lack of concern for policy and did *nothing* prior to my exposures in July 2012?

Question 2: What in heaven and in God's name did Chaplain Collier do that got him such PROTECTION from Wardens Simmons and Alford, and Reg. Dir. Upshaw? What does Chaplain Collier have on Simmons, Alford, and Upshaw that would get him a good *annual evaluation 30 days after I faxed you all the first exposures?*

Fairness – Where Are the 2,500-plus Disciplinarys?

The three disciplinarys I endured were nothing compared to what Simmons, Alford, and Upshaw did in compelling dozens of staffers under them to ignore *many* dangerous violations daily for years!

Fair? – every single time (of every day) a supervisor saw those prisoners in the dark unsupervised and did NOTHING is a disciplinary! Every single time a supervisor saw keys used by prisoners to unlock work areas and did NOTHING is a disciplinary! Every single day the chemical officer dispensed chemicals that were not used by the end of the day and did nothing is a disciplinary! Every day that prisoners left their unsupervised workstations without being shook down is a disciplinary! Every day prisoners were allowed to make electrical/structural changes outside the maintenance work-order process is a disciplinary!

And the list goes on. Copyright infringement. Camera use. Prisoners making DVDs for volunteers to take off the unit *without* staff reviewing them. Making rope out of sheets. Not following prisoner religious property guidelines. Giving prisoners personal items to play with (personal items not properly donated). Volunteers *physically* playing with prisoners. Collier and volunteers getting *massages* from prisoners. Allowing prisoner commissary in the chapel. Allowing staff commissary to go to prisoners. Denied volunteers ON the gate list. Volunteer chaplains *NOT* on the gate list. And, of course, fire and electrical code violations. EVERY SINGLE DAY. I stopped a lot of that foolishness and was written up for being LAX!

Sir – it is a disciplinary EVERY SINGLE TIME a violation is observed and not corrected. For at least seven years, that translates into 2,555 disciplinarys at a minimum, if we are generous and only use one violation a day. The reality and a PART of the WHOLE TRUTH is that Simmons, Alford, and Upshaw knew about the violations.

Doing the Right Thing

There is no exemption from “Do the Right Thing!” – painted on the Polunsky Unit walls and throughout TDCJ.

The Chaplaincy Department, of all departments, should be the cleanest, most honest, most compliant, and most trusted of ALL – as it represents God in all of the religions!

I exposed in July 2012 before Simmons retired – as you, sir, know right well. At that time, it was inconceivable to me that Simmons was culpable. Then, after writing an IOC and a personal talk with Simmons, he “sent” Warden Muniz to the chapel who DID NOTHING – NOTHING – about prisoners in the dark unsupervised. Staff and volunteers are in danger and – what? – Nothing! I got scared.

After Alford arrived and tried to bully me – God have mercy – I got a Letter of Instruction for “being lax” and so forth, and STILL prisoners were in the dark. Staff and volunteers had to ENTER THE DARK ROOM to use the restroom, the prisoners hearing us flush the toilet! The prisoners were unsupervised until I sent you, Brad, and Rick Thaler that fax on October 28, 2012. At the same time you received my fax exposing the dangerous violations at Polunsky, Warden Muniz was writing me a disciplinary for not calling in – prisoners were still unsupervised!

Old History Recapitulation

In 1998-99, I led a statewide effort to get Chaplain I-IIIs lifted to I-VIIs, but only succeeded in getting a one-pay-group raise. In the process, I exposed how the Chief TDCJ Chaplain's job

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description was *changed to suit applicants* (lowered CPE for Jerry Groom, then lowered experience for Don Kasper). And I created the largest collection of articles to date on correctional chaplaincy, including the *only* published data on TDCJ Chaplains.

In 2007, I sought 50 new chaplains and 50 of the most senior TDCJ chaplains lifted to Chaplain III, but only got 25 chaplains. About the time Chaplain David Collier received his Region 1 Chaplain of the Year Award.

In early 2011, I initiated a corrective called the Warden's Parole Option with a bill in that legislative session, and I was a key leader in the Save Chaplaincy initiative that overturned the zero-budgeting.

In Dec. 2011, I wrote a 50-page letter on Faith-Based Housing and in **Feb. 2012** found myself with three disciplinaries and recommendation for dismissal. Simple retaliation for a history of advocacy.

1st Disciplinary – Substandard Duty for an email from my home to David Valentine, responding to his request for my opinion, which was my trouble with Mr. Valentine's vicious splitting of First Baptist Church Huntsville (FBC), the real issue being the 50-page Faith-Based Letter, for no one really disciplines for the former.

2nd Disciplinary – Insubordination for a 5-page letter to Byran Collier about Marvin Dunbar's disciplinary hearing in which he humiliated me for the 50-page letter on Faith-Based Housing. Mr. Collier, this was understandable then, but – after all this – does not my letter make more sense? And Dunbar and Pierce did both give high marks to David Collier, head chaplain over the most policy-violating department in TDCJ history.

3rd Disciplinary – a double-header tweaked down to a single, Inappropriate Relationship with Offender! (really?, by Senior Warden Lewis that was thrown out by Senior Warden Hunter – really?), and then Failure to Follow SOP in *not* asking for the warden's permission to post photos of prisoners on Facebook that I had written approval to take and TDCJ lawyer-created media releases, mostly of prisoners putting together Christmas Card packages, some 20 years earlier: the *presumption* is that I *should* have asked the warden for every single use after taking the photos; it is unethical to expect anyone to have to *ask again and again* for every other use – the TDCJ Media Releases meant nothing! Then, Warden Hunter said I posted the photos of prisoners on my Facebook page “to help sell my books”! – good God in heaven, that is like putting mud on a new corvette, thinking that would help sell the car; if anything, such photos would *deter* book sales. Then, ironically, that very SOP was removed from Chaplaincy Manual a few months later! (\$10,000 dollar question is this: was the SOP *removed* in the manual *prior* to the disciplinary?)

Recommended for Dismissal by Warden Hunter, without ability to use vacation time, after which I made a stink, and Hunter's denial was overturned allowing me to use vacation time to proceed to mediation. The scheduled dismissal hearing was postponed as I arrived. During this time, the Polunsky chaplain position was filled by Joe Vitella. Then at my rescheduled disciplinary hearing, Upshaw “offered” Polunsky, which I took. And Vitella was heart broken, but then encouraged to *apply* to the Lewis Unit – strange to say the least.

Gib Lewis Unit – Warden Helm

While my disciplinaries were underway, two days after Warden Hunter arrives at Gib Lewis (GL), Volunteer Chaplain (CVCA) Melvin Bell is *fired* by Warden Helm, because Bell worked with Warden Roesler SIX YEARS earlier on leaving GL to allow an prisoner to parole to his house. Helm never liked that.

Mr. Collier, sir, what was my first disciplinary? – email from my home in *response* to Vol. David Valentine. Warden Helm disagreed with CVCA Bell's actions six years prior – no email there – Helm FIRED Bell. My email did not impact anyone. Helm was not disciplined for a far WORSE disrespect that hurt many volunteers and by-passed the dual-supervision policy too. Helm is ordered to allow CVCA Bell back; but, soon, Helm fires CVCA Bell *again*, the *only* volunteer Helm has “fired” in 20 years – clear insubordination!

Lewis Unit Chaplain Vacancy

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My defense of CVCA Bell and my exposure of that and more at GL prevented me being rehired at GL, something I foretold, if you did NOT receive a commendation for my valorous Polunsky exposures. Not right.

Warden Helm's Indiscretion the Norm – See Polunsky Magical Time Machine

Sir, Helm's views are more the norm than not. The wardens follow "orders" but the reality of spirit is different; wardens are human too, have to be tough and cannot deny their experience (a part of which was included in that 50-page Faith-Based Housing letter – *the wardens' experiences matter too*). Like so many good wardens, Helm HATES with a passion prisoners compromising staff and volunteers. With a magical time machine, if we could blank-out this history for a day, and – *in all seriousness* – send Warden Helm to Polunsky to "take a look at the Polunsky chapel" in June of 2012 with his 25-plus rugged years as a security supervisor, this is what your BEST WARDENS would have done, **what Helm would have done!** *Helm walked into that chapel, saw the prisoners unsupervised in the dark, and froze for about 5 seconds as he looked around. Then he took up the prisoners' IDs and asked where the officer was. NO OFFICER! Helm put the prisoners on the fence until an officer arrived to shake the prisoners down and take them to lockup. Then Helm walked into the chaplain's office and asked all the volunteers to take the rest of the day off. Chaplain Collier would have said, "Warden Simmons allowed this!" Helm would have then – I am serious – shut it down and escorted Chaplain Collier to Warden Simmons' office.*

Your BEST wardens would have done that – in the magical world where Chaplain Collier was NOT protected.

Whole Truth and Chaplain's Collier's Presidential Protection

Mr. Collier, the Moral Statement of Accounts has not balanced in the last year. Because of that 50-page Faith-Based Housing letter and retaliation for that and the exposures at Polunsky – there is no question that multiple wrongs have been committed against me that forced me to retire in Oct. 2012. I defended policy, sir, and many are hiding their violations for years. I brought more things into compliance at Polunsky in two months than all the previous staff chaplains, wardens and majors – and uphill against Chaplain Collier and to the sadness of volunteers who believed *God himself had blessed the Polunsky Chapel*, when actually it was the devil who had deceived them – GOD DOES NOT BLESS VIOLATIONS OF SECURITY! Then, of all things, I get written up for being LAX, confirming to the entire world Alford's part in the protection of Chaplain Collier. I retire to lock in my exposure of that dangerous situation, and 30 days later Chaplain Collier is given a good evaluation by Alford, and both Alford and Upshaw are promoted. Who knew above Simmons? Come now?

Worst of all is this: What did Chaplain Collier have on Simmons, Alford, and Upshaw that got Collier so much Presidential Protection? Let me rephrase this, as this came to me just last week. Mr. Collier, a chaplain (or *any* department head) does NOT use the warden's name in vain or lightly or frivolously, and certainly does NOT repeatedly *lie* and say, "The warden said this and that was okay," when the warden never said such. Mr. Collier, this is the worst of all. An addition to the second Million-Dollar Question is this: Warden Simmons *knew* that Chaplain Collier was using his name wholesale, even lying about him; Chaplain Collier lied about Simmons, and Simmons knew about it and did nothing. Simmons and Alford and Upshaw knew what Collier was doing in both lying and violating policy wholesale, and did nothing for YEARS! That, sir, is as scary as it gets.

What is the WHOLE TRUTH? We do NOT know Whole Truth yet.

Let me add one last thing that I pray to God is NOT a part of this. One of the two main privileged Media Room prisoners, Ramy Hozaifeh #705004, and it was no secret that his father readily put up \$100,000 for a lawyer, and has secured a place and funds for Hozaifeh in Switzerland, and his father was worth several hundred million dollars! Mr. Collier, having been a chaplain for 20 years, I do NOT trust easily, but this kind of money can do all kinds of things. Prisoner Hozaifeh is in for a mob murder, and he and his cellie are given the RUN of chaplaincy for years. Scary! Did any of Hozaifeh's father's money contribute to the prisoners extraordinary privileges? Did any of his father's money contribute to the chapel disarray? Very scary.

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Who Is the Rogue Chaplain? Yes, I fear for my life and physical well-being from Simmons, Alford and Upshaw until the Whole Truth is clear. I am called a “rogue chaplain” for *off-the-unit* exercise of my rights in the legislature as I defended the work of chaplains. The *real* rogue was David Collier *on the unit* flagrantly violating policy with Presidential Protection by the wardens for YEARS, and only God knows who else.

Commendation and Raise – A super ***Commendation for Valor*** outlining the extraordinary exposures of serious security violations is a minimal expectation. My honor hangs on this, and possibly my physical safety too!

How do you make it right? I am not even asking for disciplinaries for Alford and Upshaw, but if they got raises after all this for violations for years after my exposures – well then, I certainly deserve as much. TDCJ is FAIR.

Truly –if I had done nothing in July 2012, do you, sir, believe that I would still be there? I do not think you do, and I suspect that makes your blood boil. You would have *never* known the scope! I could NOT stay seated, sir – I HAD to stand against this. I did the Right Thing – alone – and would do it again! My dad would be proud!

A full reinstatement with a raise to Chaplain III, step 6 or 10 (from November 1, 2012, with full restitution of vacation-sick time), is so small, given that all the degree-bearing professions have 5-7 pay-group levels. Allowing me to be rewarded for this incredibly hard work, the valor in persistence in these exposures, and my love for TDCJ’s mission – I can help – and then retire with honor in a few years like I should have.

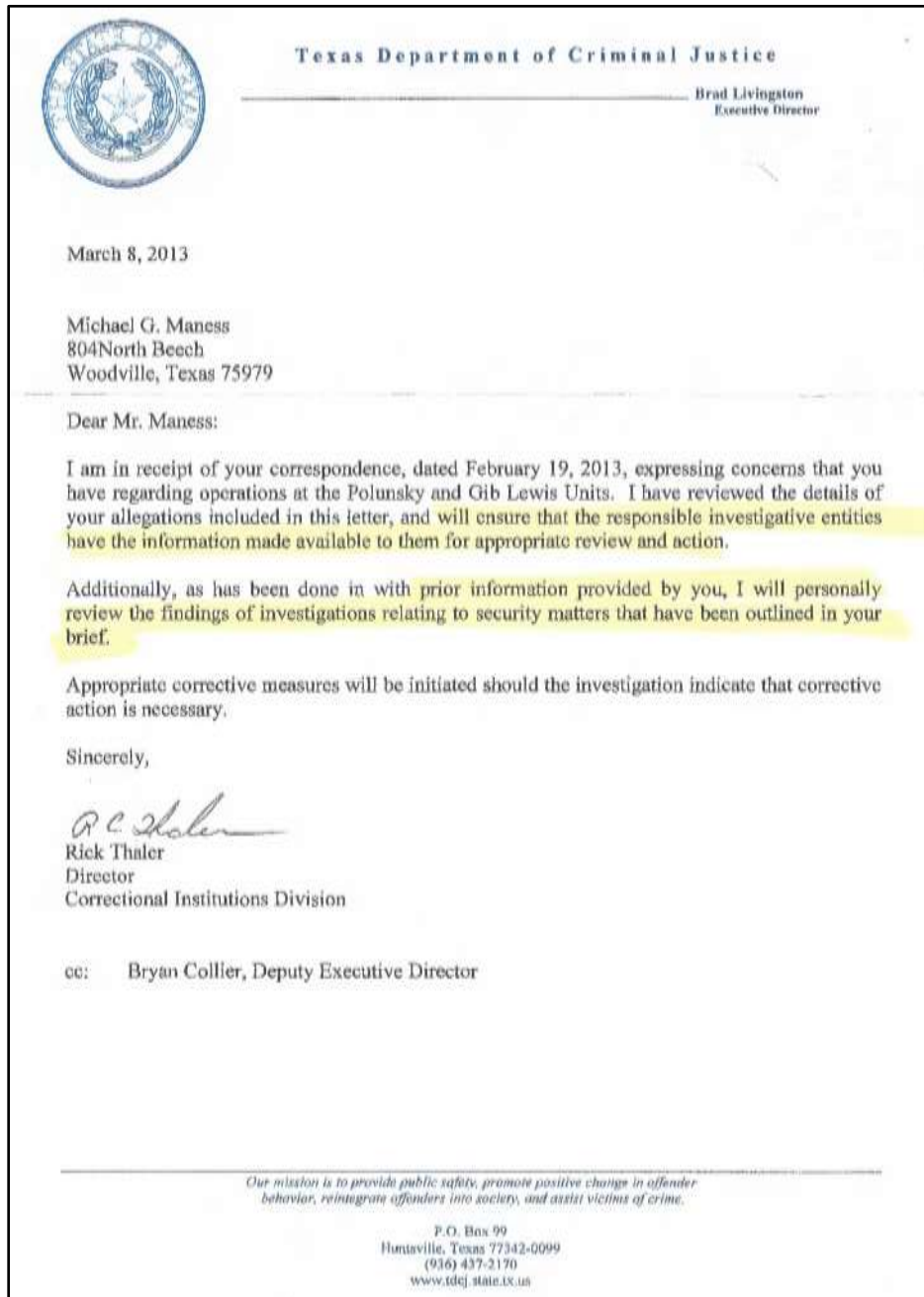
If not reinstatement with raise, then the commendation and rehire at Gib Lewis – though a token.

What is the Whole Truth? Regardless if it can be found, I certainly can help develop chaplaincy professionally, and can help like no other in TDCJ. Though others will stand *with* me, only I stood up. I did the Right Thing!

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Item 4. 03-08-13 – Div. Dir. Rick Thaler Finally Acknowledges Receipt

After I sent another letter revealing additional security breaches and violations, I received this from Mr. Rick Thaler. And he has since retired.

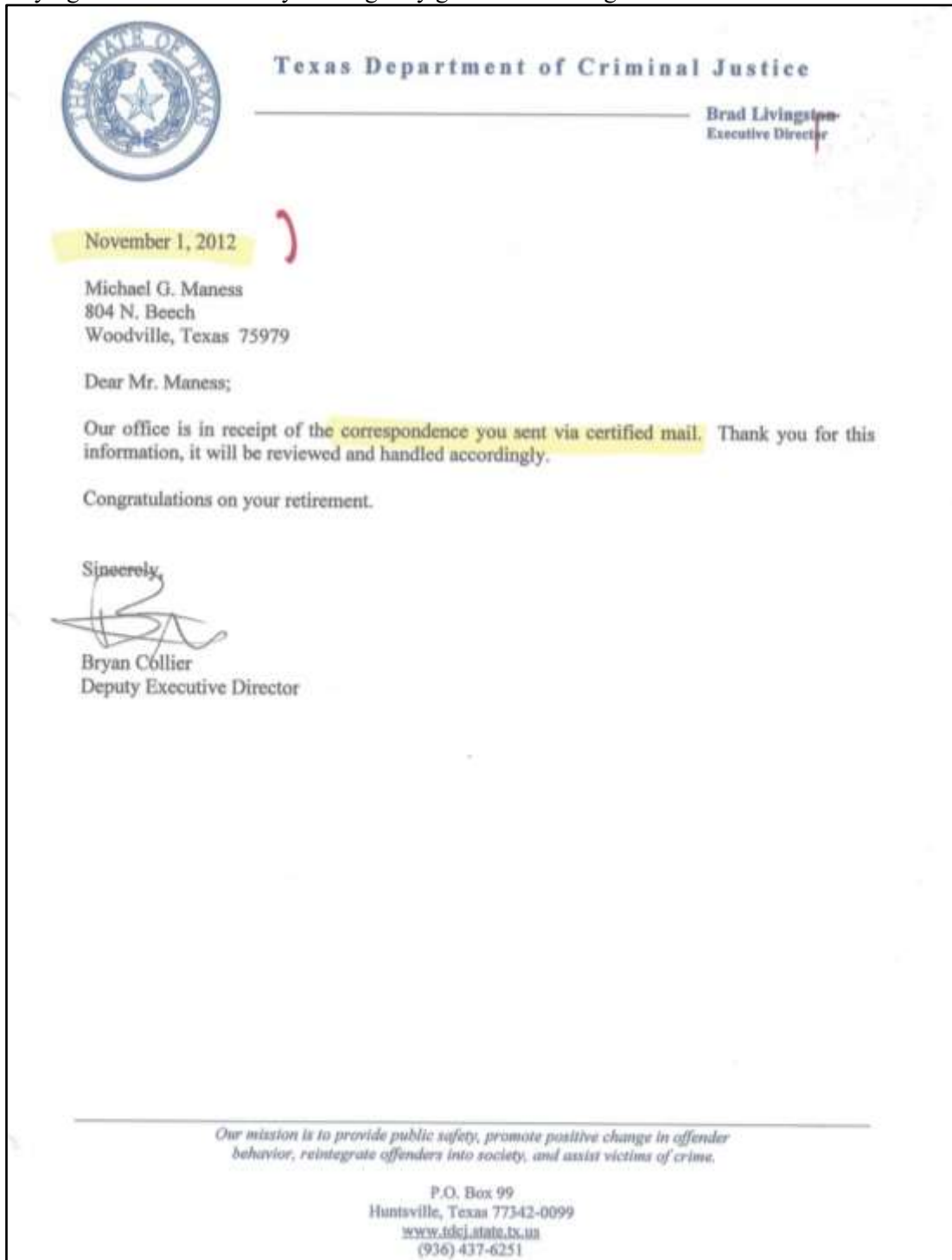


Investigation Reports? The date of this is pivotal too, March 2013? – very clearly, now, there has not been any other “investigation” since the IOCs sent by Richard Alford (Jan. 2013) and William Stephens (Feb. 2013), Tab 5a. Stephens and Alford have covered up major security and *many* other safety and policy violations there were STILL going on as late as June 2013 when the Texas Fire Marshal investigated. Cover up and denial – very much like looking at a flat tire and saying, “It ain’t flat.” Crazy.

Perhaps, that is why Rick Thaler retired. What is clear is that *no real investigation has take place.*

Item 5. 11-01-12 – Dep. Dir. Collier Receipt of Letter

Enclosed with the 21-page letter faxed on October 29, 2012, was a CD containing MS OneNote database with most of the documents herein. The timing of this is critical, if Alford persists in lying about his “discovery” through my grievance hearing.



Item 6. 10-29-12 – 21-page Letter Faxed to Livingston

Date my error, original sent and faxed on Oct. 29, 2012.
I had started the letter in July.

July 29, 2012

Brad Livingston, Executive Director
Texas Department of Criminal Justice
P.O. Box 99
Huntsville, TX 77342-0099

Bryan Collier, Deputy Executive Director
Rick Thaler, Director, Institutional Division

NOTE – at end – Enclosed: DVD with documents and Polunsky Chapel prisoner MS One-Note network with many of documents in these Tabs
CRITICALLY IMPORTANT

Dear Brad and Bryan,

As you receive this, my retirement becomes effective on Oct. 31st, Halloween, ironically enough, and mostly for departing under pressure for exposing a **huge years-long series of security breaches in the Polunsky Chaplaincy Department.**

The last letter I wrote you two, Brad and Bryan, was in December 2011, the 50-page letter on Faith-Based Housing and problems therein. Still have not heard any official response on that load of work. Like that 50-pager, I send this because I believe there are a lot of good people in TDCJ, and it is the *Right Thing* to do – you need to know this too. Don't let Warden Alford destroy the good work in the Polunsky Chaplaincy Department, and you would do well to initiate an investigation before too much more is covered up.

Bryan, I still have something against you for taking 5 chaplains of the 25 and putting them in parole, and I did not share this with you at our last meeting, as you seemed determined to make out that the 25 additions were not much my fault – and I was beholden to your mercy then. Rep. Jim McReynolds ramrodded that – you know – but did you know that he won Tyler County by only two votes or so the previous election. When I went to McReynolds, it was not only as a chaplain, but as coordinator of the Tyler County Ministerial Alliance that had hosted the last Community Thanksgiving Services for decades, as a member of several civic clubs, and – importantly – I took with me my good friend Audre Pelly (409-283-2141) who at the time was the president of the Tyler County Chamber of Commerce. I had asked for 50 chaplains and raises to Chaplain III for 50 more. McReynolds *had* to listen to me, not so much as a mere TDCJ chaplain, but as one of influence in Tyler County, but more than that, it was the right thing to do. He liked to do the *Right Thing*.

Bryan, you can listen to whom you wish, but there is a need to rectify the wrongs done to me, and you, Brad and Rick can investigate the following rather easily. Let me recap a tad.

Not too long after that 50-pager was sent to you, a series events found me with three disciplinaries including the recommendation for dismissal. While appealing all those disciplinaries, the authorities said the 50-page letter on Faith-based Housing was *not* a part of those disciplinaries, yet the 50-pager was *present* nevertheless in all stages. The 50-pager was on the table and discussed, and I was derided for it in so many words. How dare I give input as an educated specialist to those who have never sat in a chaplain's chair.

You all will not easily believe they are related to this last month, not easily, and I cannot prove it – except as you might look closely and *really* dig.

Regardless, Bryan, on the disciplinary you dismissed, because you said they should have gotten with me earlier, you also have to admit the number of errors and misrepresentations in the process, that I documented clearly, and my rights even as employee to engage fellow preachers from my home email, including David Valentine. You may remember that his church-starting adventure was couched by you not as “church-starting” but as simple churches helping prisoners, yet at the week-long mandatory chaplaincy training, Valentine was given priority time and called his adventure “church-starting.” Prior to that chaplaincy training, Bryan, you may also want to know that Reg. 1 Director Michael Upshaw also *ordered* all senior wardens and their chaplains to his HQ in about February

Sent while still an employee, the **ONLY** result were the two IOCs in Tab 5 from Stephens and Alford
CRITICALLY IMPORTANT
Nearly Totally Covered Up for Year Now!

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for a two-hour session led by Mark Hollis (214-275-1141) at which Valentine was present too, that Valentine helped cheerlead, which closed with Upshaw's *expectation* that all chaplains will "inform Mr. Hollis of your dates for the Experiencing God Weekend" – another unconstitutional use of mandated state time to *order* a Baptist program. And Mr. Upshaw plays, perhaps, a critical part in my dilemma below, one way or another, which makes some of the investigation worthy of a closer look.

CAUTION – send an OIG person today: I hope you will allow your OIG internal affairs people to verify this AS SOON as you get this, before Warden Alford further undermines and further hides his fault in this. Very easily, Mr. Thaler could have the Polunsky on-unit OIG person wander into the chapel in 3-Gym, where the main chaplaincy office is, and he should see prisoners in the front office media room *by themselves on computers* as they have for years (lights on now because of me). Then look to the right to see an audio *cave*, where one prisoner sits during services nearly completely hidden and in the dark. That same OIG person can ask Major Hutto and others, just about any rank or officer that has been to that chapel in the last years this: how long were the prisoners in the dark in the computer media room by themselves?

Years! Prisoners in the dark by themselves – only *part* of the story I blew the whistle on.

To my retirement. After a grievance hearing on Friday, October the 19th, appealing a contrived "Letter of Instruction"¹⁴⁷ in my file for tools *that had been in the chapel for years* inventoried and checked by previous security officials, and Warden Alford's essential denial to remove that letter – I applied for my retirement that Friday. The worst part of the Letter was and "inattention to our department" because I have made more security changes in that department in the last month – up hill – than all the previous chaplains combined, some of which are articulated here. But to the point, Alford was more concerned about locked tools than unsupervised prisoners – that is the short story. Not feeling well, I called in sick Monday, as I had in the past, telling Chaplain Collier (several times telling Collier *or* the Warden's secretary Marla, about 10-12 times since I came in June), then again on Tuesday saying my ailment would carry over until Wednesday. "Not a problem," said Chaplain Collier, and he wished me well.

On Tuesday, October 23rd, the ERS approved my retirement, and I called Polunsky's HR Chief Tabitha Taylor, who instructed me to come in and sign the papers. Not well, I said I would be in Thursday or Friday. Wednesday – the *day* after my retirement was approved – Warden Muniz called and said he had written me up for failure to call in sick and that Warden Butcher would handle the disciplinary on Friday. He said for the **FIRST TIME** that I should have told him or the majors. All other times – I don't remember ever calling in sick and talking to a warden, maybe once – at all other times since June to this October, it had been sufficient to tell Collier or Marla the warden's secretary, who I assumed told them.

Until Wednesday, the day after my retirement was approved, there had been *no problem!* Just how convenient is that for me?

After calling Polunsky's HR Taylor, I came in on Thursday and signed all my retirement papers and left, effective Oct. 31st, time running off the books. This is not how I wanted to retire, but Warden Alford was clear in his trying to cover his tracks, clear to me in wanting to hide his mistakes in years past, and in so many words, actions, and harassments his desire to make me their fall guy. Not happening. Your investigator can verify some the following in less than hour! What I give you here, though, is the full story, though it could go onto to 100 pages.

Brad, Bryan, Rick – **do NOT let Alford destroy the Polunsky Chaplaincy Department** because of his failure in leadership and his failure to help guide that department in proper security protocols, this month and also during his own time in the past as Polunsky asst. warden.

Possible Key?: Let me also add this, if you chose to read all, then this may be a key to unraveling or a key to a good investigation: it seems very much like the utter freedom given to Chaplain Collier and his volunteers was do to some flippant comment Collier made to me in our many conversations about the escape attempt under Simmons. Collier had several times mentioned that it really was *not* chaplaincy's fault, but in one comment Collier said *something* about Simmons asking Collier for his department to take rap to cover for others. I did not believe that or know what that meant. As the months unfolded, not until now, that had an eerie ring to it. Just a couple of weeks ago, after hours and hours of talking with Collier,

¹⁴⁷ Bryan, like the contrived stuff before in other disciplinaries, I outlined with clarity, especially the one you overturned.

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about the favor given to him and how so much had been overlooked – he said, “It’s because I know where the bodies are buried.” A joke for sure, but the reality is that there were so many violations, I did ask, “There certainly appears like there is something you have on someone, or something you have done that has put you in their favor.” Who? When? When in August, I told Simmons, “If he was really happy with all this, I would camp out in the chaplaincy office in 7-Gym.” But Simmons said to me, “You’re not leaving 3-Gym,” which was a kind of encouragement to my experience at the moment, at least I thought, a confidence in me – Simmons was so good at inspiring confidence and NEVER threatened anyone. When Warden Alford came on board, it was eerier still to hear Alford in one of his early humiliating remarks, to say to me, “There are so many violations there. You don’t want me to come down there.” But, strangely enough, Alford HAD COME by and sat two hours in the darkened room that I wrote up. Really? Does Chaplain Collier know something of the escape NOT in the final Critical Incident Review? That would also explain why Collier is not really stressed, and also why the wardens and especially Warden Alford had NOT talked to Collier with the same tones, and even perhaps Reg. 1 Dir. Upshaw’s involvement. It would take some tact, but I suspect Collier is not even aware of how he has been used in all this. But what does Collier know there? These are just educated surmises.

Here is the SUM: Chaplain Maness discovered and articulated in WRITING the largest and most long-lived security breach in TDCJ history – see the attached 5-page IOC given to them in July, just over a month after arriving. Thus began the harassment just after Warden Alford arrives at the beginning of September. After two months of snide remarks and harassment for it, I chose to retire rather than face another series of contrived disciplinaries.

Coming to Polunsky on June 1, after the removal of dismissal recommendation, I thought I had moved from the sticks of Woodville’s Lewis Unit into the Polunsky’s Beverly Hills of chaplaincy programs. And shocked! How did this level of support escape me and all chaplains? I have been the most assertive and curious chaplain in TDCJ history, researching every conceivable aspect of correctional chaplaincy, and taking that research to the legislature – you know that.¹⁴⁸ By July, as I talked with prisoners, volunteers, and staff (walked and talked, *you know the drill*) and then – poof – the unbelievable *years-long* serious security breach appeared to me, about which I first brought to Chaplain Collier, then Warden Simmons, and then wrote the 5-page IOC attached (that Wardens Simmons, Muniz, Butcher, and Major McMullen saw, that Simmons discussed with Alford in their transition). In August (I think I have the notes somewhere?), I drove to Huntsville to see you, Bryan, and then Rick Thaler, who were not available, but **Thaler’s secretary took notes**, she said (don’t remember her name). Bryan, you instructed me to send what I had to you, Ortiz, and Simmons, and then I called Simmons and came back to the Polunsky Unit. Warden Simmons convinced me of no need to go “downtown” on everything, and he was going to send Warden Muniz to “check things out.” Simmons was such a champ then, so understanding, and confirmed again why I respected him so much. Then he retired August 31st. Mid-September, Warden Alford threatened me that going off the unit with anything, “would disrespect him,” while he had no problem disrespecting me. Only he had the right to criticize. Maybe so.

Still, doing the *Right Thing* is everyone’s responsibility, and hiding stuff like this is near criminal anywhere, but especially so in the great TDCJ.

SUMS of THREE Security Breaches

SUM OF SECURITY BREACH #1: for YEARS prior to my coming in June – and would have continued had I myself NOT said or *written* a thing! – five to six prisoners, two especially (Cavasos and Ramy), were in the media room IN THE DARK, lights OFF, with thousands of dollars of computers, high quality scanners, color laser printers, digital camera, digital video camera, live phone line, and NO ONE TURNED THE LIGHT ON – years. I finally moved the cameras into the chaplaincy office in October to the grumble of all. Yet that does not take away from YEARS in the dark.

Adding substantially to the problem, the Polunsky Chaplaincy is the pride of the chaplaincy fleet to Chaplaincy HQ, with 17 volunteer chaplains and its load of programs (though secret to other chaplains).

¹⁴⁸ See www.PreciousHeart.net/chaplaincy and www.PreciousHeart.net/Save_Chaplaincy.htm.

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Manager 1 Bill Pierce and Reg. 1 Chaplain Steve Ulmer came to interview just a month ago, to get ideas about Volunteer Chaplains. Chaplain Collier even told me that Ulmer annual initial evaluation of Collier was *returned* by the wardens, for they would accept nothing but top marks for Chaplain Collier – mark that down – and so Ulmer gave Collier top marks on a second writing. Furthermore, in the pre-audit we were given, Ulmer had written up some unsupervised prisoners in the gym area, but had NOT written up any in the dark lights-out media room.

So then, hear this with clarity *please* – I brought to light in writing and verbally and was then quickly being crushed for this after Warden Alford arrived. The prisoners were in an office for 10-15 hours a day, 7 days a week, for YEARS in the dark, unsupervised:

NO ONE knowing for sure

1. WHAT they were doing,
2. WHAT they are capable of doing, and no one tracking –
For years. Not a day. Not a week. **For years!**

Bad enough you say! No sirs! That is nearly the worst thing, but also in the DARK with lights OUT! Then add to this: just about anything the prisoners wanted over the last several years has been approved in writing by Warden Muniz, and Chaplain Collier has all of the IOCs. So much came in, sometimes by prisoner ordering of videos, that the Mailroom had to initiate special protocols with signed IOCs from the wardens for the load of volunteer-purchased PERSONAL property that the prisoners use WITH ZERO tracking – for years in the dark with the lights OFF.

Honest-as-the-day-is-long Volunteer Chaplain Tommie Dill told me early on, “We trust them [prisoners in dark media room] absolutely, 100%!” I mentioned to Tommie, “You have got to know that statement would rise the hairs on the back of any staffer.” And since then, made reference to that comment and how that “100%” is illegal in prison. Call Tommie Dill Tommie Dill (936-933-1545 or 936-328-4959) and ask him. He has invested heavily in this department too, emotionally and financially. You’ll hear about that fine man below.

Bad enough you say! No hardly.

SUM OF SECURITY BREACH #2: Even though, as the 5-page IOC attached said, that I *tried* to bring to you in in Huntsville in August, that Warden Simmons and Warden Alford discussed – hear this, when Warden Alford was asst. warden at Polunsky, the LIGHTS WERE OFF, and in anticipation of Warden Simmons’ retirement, the most active volunteers were HOPING FOR ALFORD because he supported chaplaincy so much then (or Warden Hersch). I was trying to get what I could into compliance so we would not have to worry about who came, Alford or not, and was met with shrugs and disrespect. **As Lewis Unit Warden Helm was fond of saying, “If you are in compliance, you have nothing to worry about.”** But hear this, *please*: after I put my foot down about the lights in the media room, that the lights would be *ON!* during my shift, when Chaplain Collier came in a day later, the prisoners had COVERED the lights with paper per Collier’s permission. Now then, instead of a dark lights-out room, it is merely a darkened room. What could I do?

That is not all. Saying he would address my concerns and 5-page IOC attached, Warden Simmons said he would have Warden Muniz come by and “check things out.” A week later in the afternoon, Warden Muniz and Major McMullen came by while Chaplain Collier and I were both there. Warden Muniz and Major McMullen stood IN THE DARKENED office with paper taped over the lights and talked with the two prisoner SSIs for several minutes – saw that the prisoners were *not* supervised in that darkened office. Then the warden and major walked around and saw the audio cave, and said the partial cover over the bookcase needed to come down. But still the prisoner would be in the dark and 90% obscured! And after the IOC – Warden Muniz and Major McMullen did NOT tell the prisoners to take the paper off of the lights!

What Warden and Major of a prison anywhere in the entire world would EVER do that?

None I have ever met. So, essentially, the darkroom is *now sanctioned? Certified? The non-supervision of prisoners is now sanctioned and certified! Are you kidding me?*

In late Sept. or early Oct. Warden Alford came and set IN THE DARKENED room with the paper over the lights with a volunteer and the prisoners and watched the whole two-hour church service. A good

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investigator would like talk to CVCA¹⁴⁹ Tommie Dill (936-933-1545 or 936-328-4959) on that. Hear this: Warden Alford did NOT tell the prisoners to take the paper off the lights! So, to this point, EVERYONE has essentially sanctioned the dark room and unsupervised prisoners in the 3-Gym, and Collier and the Volunteers are left with my own word that such is out of place. Yes, after the IOC and Senior Warden Alford's visit, the dark room is certified to some, just not me.

Talk about swimming up a creek. I am alone in defending the *Right Thing!*

I was alone here for months trying to GET THE LIGHTS ON in that room without forcing myself, and make improvements to move toward compliance verbally and in writing, determined NOT to act alone. I am new to the Unit. It was not until early October after another humiliating meeting with Warden Alford that I got *implied* permission to take the paper off the lights. Finally, I told the prisoners to remove the paper on one light. Chaplain Collier, the key volunteers, and of course the prisoners were in bad spirits, to say it mildly, but conceded in ugly tones that "you won, chaplain, and got your way." The lights are on, a sad story, but not at all the worst part – the real security breach is UNSUPERVISED prisoners on computers with scanners, cameras! color printers! and live phone line! By GOD IN HEAVEN, what is happening? Major Hutto even quipped to me, "If the lights are off, we'll be escorting volunteers off the unit." To which I replied, "Major, you remember I told you my position when you were a captain." No comment from him. Amnesia, I guess – lot of that lately.

I had talked for hours with ALL, and, mark this down – been recommending since July this:

Buy a Video Camera with Sound for LIVE Feed to the
Chaplaincy Office, with intercom system – *to start prisoner supervision*
and I said repeatedly the scanners and printers *need* to be in the main office!

Still no commitment. When I mentioned the video at first to Chaplain Collier in August, he shrugged, as though there was no need. In August and September, when I mentioned it Warden Simmons and then Warden Alford – and removing scanners and printers – there was no comment. Then other threats from Warden Alford – he would get a new chaplain if compliance did not come, whatever compliance meant him in this context.

Then newly minted Major Hutto finds an extension cord in the locked closet on the Faith-Based Pod, and then he wants all the cords in all of the chapels – fine by me – "the cords need to be tagged like the ones in maintenance," he said. Fine. But Hutto was ramped up as though Chaplain Collier and I, myself, were breaking some tool policy, when ALL of the extension cords had been purchased by volunteers in years past by a warden's signature and NO instructions from the wardens – used in the chapel for years, *until I spill the beans* on the lights-out media room. They lay in the 3-Gym and 7-Gym chapel floors for years. And, see the mainframe emails attached, I have to add to that fuss on extensions cords ***the rope made out of woven TDCJ bed sheets*** that Major Hutto and *all* the wardens have been seeing the prisoners using in tug-of-war contests for YEARS – I myself said that should be added. If we are being consistent, which they were not, being consistent would have meant a greater fuss over ***rope made out of woven TDCJ bed sheets***. Mark that down. Chaplain Maness adds the *rope made of TDCJ sheets* to the collection of extensions cords. *Think about this scenario for a minute:* fuss, fuss over extension cords *while* walking pass prisoners *holding* in their hands a **20 foot rope** made from TDCJ bed sheets! See the mainframe email I sent just in anticipation of this very letter!

Oh, yes, I saw the writing on the wall, and wish to high heaven I had made a diary.

Remember too, Polunsky has the million-dollar eyes-in-the-sky, with three cameras in 3-Gym, and so the senior warden has SEEN the prisoners constructing rope out of TDCJ sheets woven-braided together – two prisoners on the floor in front of the camera *weaving* sheets together in front of the chaplain's office *and* in front of the one eyes-in-the-sky warden's camera! And Chaplain Maness *himself* has to add the rope to the fuss about extension cords!

That same camera is poised to see the lights-out media room for YEARS!

¹⁴⁹ CVCA – Certified Volunteer Chaplain's Assistant.

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You all must see the strangeness here ... and if all is going according to plan, the **rope** and extension cords got their tags and are in the 3-Gym chaplaincy as you get this.

If a change in direction needs to happen that reverses years of precedents, just tell us instead of harass and threaten. But so much unraveled *after* I submitted that 5-page IOC in August. Bear in mind as you read this, that Chaplain Maness, me, has made more security changes to the Polunsky Chaplaincy in the last six weeks than all of the previous chaplains combined, including Chaplains Collier, Mary Berry, and Loren Edwards, the latter two of which I talked to too, and you should too.

One volunteer, Walter Bennett (936-756-1681, 713-851-7666), an ex-banker, escorted an prisoner from B-Side to A-Side, a policy he was allowed under Simmons (Collier said). Warden Alford and Major McMullen escorted Bennett to our chaplaincy office in 3-Gym and Alford instructed me to “write him up, and if he ever does that again, I am pulling his badge and he is off the unit for good.” Bennett and I sat for two hours and reconstructed what he did. Latter, Warden Alford chided me for “just writing a history” when Alford wanted me to drill Mr. Bennett and let him know that he almost lost his volunteer status, etc., rather than just what write what happened. It was not ethical for Alford to charge me to drill Bennett for something he was allowed to do.

This was just the same tactic Alford used in the toolbox affair, where Major Hutto previously instructed us on a shadow box, correcting years-long wrongly numbered tools that *Hutto* himself had been aware of as a captain, ask volunteer Tommie Dill (936-933-1545 or 936-328-4959). No, per Alford, Major Hutto was to *write up* the chaplains for something Hutto himself *knew* for a long time, indeed most of the unit knew, as the chaplaincy *fixed* numerous things for years! See the attached inventory list, and note that two scissiors had a security cable attached to them that *security* itself had attached. Alford apparently consults others, maybe Reg. 1 Dir. Michael Upshaw, but did NOT sharing all I have done. Or perhaps Upshaw is a party to the cover-up too – don’t know, but Upshaw knew about the lights-out darkroom too, as he has been by several times. I am seeing a continuity with Upshaw I cannot prove, not clearly, but it is clear that Warden Alford is contriving things, and most clear wants to cover-up his own failure as quickly as possible.

Major Hutto is a young newly minted major, beholden to Alford. So Hutto does not share his knowledge of the tools that Volunteer Tommie Dill confirmed, and changes his first inclination of shadow box or removal to *write the chaplains up* per Alford’s direction.

As in a previous disciplinary by Marvin Darbar, is it right for the person charging to also be the judge? Dunbar goaded Pierce to write a disciplinary that Dunbar judged at the first level, just as here where Alford goads Major Hutto to write a disciplinary that Alford judges. That is a conflict between branches of government, and a policy violation too. But the Letter of Instruction on tools and more importantly “inattention” from Alford through Hutto – that is a cover-up of years of their own inattention, and worse, to cover my own exposure and whistling.

Warden Alford is upset that I would not be as easily compromised as Major Hutto and turn hostile to volunteer Bennett for something Bennett was told was right. If Alford changes policy, fine, he is the chief. Bennett apologized, but was hurt, because he is as attentive as any; he was doing what he had done for *years* and was told it was okay. Moreover, the B-Side Prisoner Ho himself had been to the A-Side many, many times since my arrival, for months until discovery. But Alford’s charge to me to elevate a hostile demeanor to Bennett was not ethical or professional, only it did not work on me regarding this fine volunteer. I wrote the truth and was not going to change it.

Instead of correcting or changing direction, or even guiding us in his new direction, as with Bennett and other instances I could name, Alford is charging me especially to be hostile to volunteers and prisoners. I was not his dog to sic onto folks. The other reason for Alford’s harassment should become crystal clear: he knew he had goofed years ago and had now a public relations nightmare on his hands and he wanted Chaplain Maness to be the bad guy – and Maness would not – so Alford attempts to make Maness the fall guy!

Well, sirs, I have a pen too!

How many times in the past has Warden Alford played these elementary games? There are far better methods of supervision, and the class on supervision by supervisors is one, not mention a host of leadership books out today. It is a sorry tactic, but does not work with staff having grit.

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Quietly Investigate NOW. I chose to retire, just in the nick of time too, and then write this as soon as I could. Even if you gave all this to Alford, before you investigate, there are plenty of indisputably clear witnesses to the gross years-long failure that he is covering up. But if you, Brad, Bryan, and Rick will simply initiate a quiet OIG investigation, **within hours** you will know the basics. But you all **could get piles of evidence** that substantiates what I am sharing. Later, I will tell how Chaplain Collier is more innocent in this. And, what if?, truly *what if?* a portion of the prior escape attempt *was* covered up, to more truly fault the chapel than truly the chapel had culpability? And good *old* Chaplain Collier, the good guy that he is, just road with the flow, thinking he did a good service *for the wardens and dare I say others up the chain*, but in reality was used by them instead, rewarding Collier with carte blanche support. If that is case, then, wow – let you all discern that – but if so, likely the rewarding was not consciously accepted by Collier. He just accepted fault and built his department ... with favor *unseen favor* toward any chaplaincy department in the history of American prisons. Only speculation, but, given all, I cannot understand so much favor and so many violations going on so very long – to come crashing down the weeks after I share in writing grave concerns.

SUM OF SECURITY BREACH #3: that leads me to this outstandingly terrible breach of security that I undressed, that I discovered, that I even wrote up in that 5-page IOC attached and was essentially ISOLATED for it all – with another ominously threatening and even inconceivable twist **not in the 5-page IOC** attached! Let me introduce this slowly. After hours of talks with Chaplain Collier, only after hours, he was finally seeing the light here. Chaplain Collier is more innocent here than Warden Alford or Muniz will allow, that is for certain. Alford was the *hoped for* warden, remember, because of Alford’s support in the past. All the major CVCAs and major volunteers hoped for Alford to replace Simmons! That was strange to me. The media room is a huge investment in time and money, and certainly all knew my concerns. Here is the third security breach that **you should VERIFY before the crime scene is tainted or MORE cover up takes place.** Here is how to verify – have one of the OIG people pull his badge off his side and causally talk with any of the CVCAs to verify this or calmly call them. Here it is in its entirety: yes, prisoners YEARS in the dark, in the fortified media office (bars on windows), with \$1,000s of computers, software, scanners, cameras, color laser printers – oh yeah, did I mention the *live phone line* too – and printing material, and staff/volunteer restroom through which staff and volunteers had to go *through* the dark room to the restroom *with* a stairway portal to the 3-Gym’s roof – HOLD it, no, that is not all ... **hold your breath** ... here is the worst of all: **volunteers IN the dark fortified room with the prisoners with NO staff even in the entire building!**

Yes, it has been an essential part of Polunsky Chaplaincy success that volunteers can be in the 3-Gym and 7-Gym **buildings and locked in**, with prisoners and **WITHOUT STAFF** present (no staff chaplain or security staff). With up to 25 or 30 prisoners, and for years. That is okay by me, especially with the eyes-in-the-sky and all, but not something that ever happened at the Lewis Unit, and also a huge liability. But how much more odd is it that volunteers are allowed in a **lights-off off fortified room alone with prisoners within a locked building with NO STAFF!**

Come now! And years! After I write this up, are the wardens *just now seeing?*

What were – again – Chaplain Collier and I written “Letters of Instruction” for? For a toolbox and “inattention” – not my inattention, that if sure. Warden Alford thought I was an idiot to humiliate and threaten, cowed down because of previous disciplinaries. And then I get a call the day after my retirement – after months of fighting and isolation and rude behavior because of my stand on security issues – I get a call for *another* disciplinary for not calling the warden himself about being sick! Yes, another *change* of precedent *without warning*. What kind of professional behavior is being led here?

But, let me *drill* this in. Years in the dark, two months struggle by me to turn the light on, and written IOC, and prisoners *still* unsupervised in media room – and we chaplains are written Letters of Instruction for “inattention” when I myself and alone have made *more* security upgrades in the last month – the *last* month – than **all the previous chaplains and wardens combined.** It is a crime that I am being humiliated for bringing it forward!

If that does not speak volumes to you, I have oceanfront property in Arizona to sell you.

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Brad, Bryan, Rick, et al, you all REALLY need to look at this. If this can happen to me, who is the most vocal chaplain TDCJ has ever had – even the most bold – then think about what some wardens and Warden Alford have done to weaker chaplains and staff. No, TDCJ is not playing prison, there is no slide out front on the lawn; it is a real prison striving for professional standards among staff who are human beings with lives and family.

The staff are not dogs to goad to bark, but people with frailties.

What makes all this worse – and Warden Alford surely has been shaking his head AFTER my 5-page IOC was made aware to him, and Simmons told Alford of my own drive to Huntsville, and likely AFTER consultation with Reg. Director Michael Upshaw ... let's NOT let Chaplain Maness' credibility come to light here.

Can you hear it? “Run Forrest, Run!” is echoing from the Senior Warden's office!

Really ... the honorable way would have been, *thanks* Mike. Then, how can we correct this? Of all the wardens I have met, that is what Senior Warden Michael Roesler would have said, and – him – like Warden Ginsel I suppose – would have NEVER engaged in this kind of shameful behavior.

Instead of “*thanks*,” they chose *nothing*. Silence. And Alford mistakenly thinks because of my other disciplinaries he did *not* read, that I could easily be his whipping boy – his dog. Still, Alford comes on board in September and after sitting in the media room himself, **begins not there and then** like any good warden, and ordering the prisoners to remove the paper *covering* the lights. Instead, Alford **begins by humiliating** and threatening me. Going off the unit would “disrespect him,” he said as he humiliates me! And Alford talks to Collier *differently* who helped build all this up with Alford's own help and Simmons' help!

Cover-up makes me sick!

Even on the Bennett IOC, Alford told me he drilled Collier on Collier's claim that Simmons had allowed such “chapel” prisoners on B-Side to be escorted to A-Side, and that Alford himself had called Simmons. But when Collier and I talked about it, **Collier said Alford never said anything** about such (you can get a copy of the IOC that Bennett and I wrote about his escort from Warden Alford or Chaplain Collier). So, either Alford or Collier lied to me – and I shared that thought with Collier, too, saying there was no way could clarify that with Alford. I suspect Alford lied to Collier, at this point, and suspect Alford talked to Collier *differently* than Alford talked to me – whichever, it is crazy. Regardless, Bennett (936-756-1681, 713-851-7666) will tell you the truth, and tell you of his humiliation for something he himself was told was alright until that day, and Bennett was profoundly thankful for how I myself treated him – ask him! I will not be Alford's dog to *go* after others for his pleasure or his cover-up.

REAL REASON FOR HUNTSVILLE TRIP. The real reason, Bryan and Rick, I tried to see one of you two in August – was NOT so much to chatterbox about my discovery, not merely to expose and blow the whistle on the wardens and others that NO ONE knew what the prisoners were doing 10-15 hours a day, 7 days week, etc. – no sirs – but was **to redeem my reputation**. More important to me was to shove some of this on YOUR DESK Bryan, unbelievable security breaches that ALL who have been a party to disciplining me where a party to – even Ortiz, Dunbar, Reg. Chaplain Ulmer, Bill Pierce, Upshaw, wardens, majors, and – everyone – so then, **what I got into trouble for was NOTHING compared this!** Simmons even said legal sided with me on the photos fiasco, for which I had TDCJ lawyer created media releases! Here, at Polunsky Prisoners were taking pictures of fellow prisoners **every day with a digital camera!** By still digital camera and live digital video camera! DVDs of services have left the unit for years! without a staff member checking them, with only *claimed* media releases.

Just trusting the prisoners' DVD creations! Dare I share this too soon?

I should be rewarded for bringing this VERIFIABLE years-long super-serious **series of security breaches** by so many security chiefs, of so many broken protocols, too many to count, and by so many – heck fire! Now then, my own exposure is being covered up, making it all worse. Heck fire! again, by the standard I was judged, Upshaw, Simmons, Muniz, Hutto, McMullen, Ortiz, Dunbar, Pierce and so many others should have had 5 to 7 disciplinaries written! Why not? How many clear rule violations have you counted so far? Are you counting the rule violations at all? How often do you pass by a dark room with unsupervised prisoners at computers and SAY NOTHING?

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And after this chaplain, Chaplain Maness, reveals and blows the whistle, then such is *still* covered up, *still* going on, even – bet ya \$100 – *still* going on this week!

There is no timeframe on justice or doing the *Right Thing*. I want redemption of my honor. My record cleared. And more.

NOW? Chaplain Collier and I get what? Letters of Instruction for tools and “inattention to our department,” tools that were under double lock, that Major Hutto knew about as a captain, that Major Hutto immediately said “make plans for shadow box” (which we did), then Hutto is ramped up by Warden Alford to “write us up” and Alford’s other humiliation – It is a mercy to me, the wayward chaplain already under two disciplinaries for minor stuff – that I myself was *only given a Letter of Instruction* instead of another disciplinary. Alford wanted to give another disciplinary, but “consulted” he said, and chose the Letter – and Collier said Upshaw was the one consulted. Really, that is merciful. How many violations is Alford allowed? And a host of others for *years*? How many? I would say at least one for EVERY DAY of violation? And other for every day of cover up.

Baloney! \$@#\$\$@! NO SIRS. Alford is *covering* up his gross negligence with a cheap hat trick, sub-par supervision skills, just as several others did in the first disciplinary on my Valentine mess, and on the third about the photos I had TDCJ lawyer created media releases on – ironically enough here, where, strangely, Reg. 1 Dir. Michael Upshaw is interwoven in all.

And STILL prisoners are in the media room by themselves. Still, likely, a virus with a back door capability is on Collier’s TDCJ computer. Still, perhaps, there is a list of volunteer personal information hidden way in 30-plus gigabytes of storage on the *prisoners’* computers that no one except this chaplain has really tried to look at – and still cannot because of the *prisoners’* password protection.

EASY SOLUTION. The easy solution that I suspect Warden Alford is just giddy and ready and waiting for the right moment to invoke: just say, “Chaplain Collier, back up your pickup to the back gate and load all your stuff in it and take it home.” Agenda, volunteers will be mad for a few weeks, but because they LOVE the ministry, will adapt as Alford hugs them, as Alford hugged a few KAIROS volunteers a couple of weeks ago, CVCA Tommie Dill told me.

Do NOT allow Alford to destroy the good ministry there – after a good investigation, ask Warden Alford why he did not JUMP to my idea of a live video camera and sound installed into the media room with live feed to the main chaplaincy office? Why silence on that?

I have made repeated recommendations for a live camera and sound piped into main chaplaincy office, so we can **BEGIN** to supervise. Two times, Warden Alford just looked at me when I said that! After many hours over a couple weeks, good Chaplain Collier is finally willing to buy it – **something I wrote in our security pre-audit**. Yes, I answered our pre-audit *over* a month ago, and was just *this week* able to get Chaplain Collier to turn it in, days before the deadline (hope he turned in the one I filled out too – I trust he did). The major part was my recommendation for a camera and sound – to gain some supervision and allow us to keep the prisoners in that room.

HAVE OIG Pull a copy of the pre-audit and see if the prisoner supervision portion does not say in my handwriting – “recommend live video and sound or special warden’s permission.” I had to struggle with Chaplain Collier to answer that straight. We had a tiff over that.

Brad, Bryan, and Rick – I was in heaven when silent to a wonderful and most productive chaplaincy department as I sat and enjoyed the ambience, piping in with my experience on a dozen items, UNTIL I began to see that the prisoners were running nearly everything. Very much like a free-world church. Normal security, with eyes-in-the-sky, was out to lunch for years. Let me repeat – one camera positioned over the chaplaincy main office in 3-Gym can SEE CLEARLY the lights-out in the computer media room! For years, could see the lights out, vague shadows of prisoners in that room. There is no excuse there, *after* I notify verbally and in writing that *no one knows precisely what they are doing or what they are capable of doing!*

REST OF THE STORY. In July, after a month or so, I began looking closer, taking initiative to discover what was actually going on. I found a volunteer list with personal addresses, phone numbers, birth dates, and driver licenses on the **PRISONER computer network!** Yes, the prisoners have a live wireless network, not on the internet. I took that Excel list off and put it on Collier’s computer. No thanks there.

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Found list of computer passwords on prisoner network! Including power-on password to Collier's TDCJ computer, and took that off. No thanks there.

Several other things. No thanks.

Instructed prisoners to remove passwords from their computers so any staff can check them anytime. Prisoners fussed. Chaplain Collier intervened. Still cannot access some things on prisoner computers. Okeydokey – told Collier, darn. Was going to address that after lockdown, but decided to retire after last meeting with Warden Alford.

Found the virus on Collier's TDCJ computer, listed in 5-page IOC attached! IOC read by all! No one says a single thing! Not even to today! Read the IOC for the kind of virus, a virus that allows some kind of backdoor access! *God have mercy!* I said we should have Collier's TDCJ computer checked by TDCJ's experts to look at all this pronto. No response. Told wardens. Wrote in IOC. *Silence to this day!* A couple of weeks later in September, and new memo from Major Dickerson, newly promoted to Asst. Warden – NO MORE FLASH DRIVES on unit. Including mine AFTER my discovery.

Now I do not believe the prisoners are savvy enough to get into TDCJ's network with their high-dollar computers, not yet. And I do not believe, *believe*. Still, my point that has fallen on non-responsive ears – we DO NOT KNOW what the prisoners are capable of! How many times have I said and written it? Bear in mind, not just the SSIs either, but what a real expert is capable of with the high-end computers in that media room – we do NOT know! Totally unacceptable!

Computer Expert Finally Onboard? Just after Polunsky's Capt. Fitzpatrick's promotion, Warden Alford brags that we have a captain "that is computer savvy and that I am going to have him check out the computers." Wow. Fine. Okay. And Capt. Fitzpatrick got my cooperation. He gave a clean bill of health, which was no internet access. Yet, with no offense of Fitzpatrick, I am about as savvy as he, I suspect.

Still, come now, both of us are not experts, not in the business. Here's the kicker, if Capt. Fitzpatrick was a *real* expert, he would not be a TDCJ security captain, but making twice to three times as much elsewhere. Alford *knew this too*, that the true experts are in ITD and even more so in the free world. I respect TDCJ's ITD, yes I do, but the free world PAYS three times as much.

I suggested ITD *and* an independent computer expert that was also an expert in sound engineering, because we have more sound equipment here than most of the churches in most of the counties in Texas. Silence there too. What we have in Polunsky Chaplaincy is unique, but, still, we need REAL experts and certainty ... and I am talking to the wind here.

We are not playing prison here. There are no slides out front on the lawn. But who can tell?

WE DO NOT KNOW. To this day, we still do NOT KNOW – how can I spell it? Why do I have to spell it? Why is the *chaplain* taking the initiative, having to be persistent, and why do I have to repeat myself for months on end? We do not KNOW for certain what the prisoners are doing and do NOT, NOT, KNOW for certain what they are capable of doing.

Collier and I get a Letter of Instruction for a toolbox and "inattention to our department"? While just weeks earlier the wardens override Collier's annual evaluation.

I can spell cover-up clearly here. The wardens know what is going on, know what I was doing, and the *attention* was giving to everything! What I myself and you all will have to discern, is this: just how much was Collier used or in the loop with the wardens? I choose to believe Collier was used, the good old pastor that he was. But a real investigation should tell all.

After revealing and *fighting uphill alone* about all this? Now I am writing to you after retiring by the hair of chinny-chin-chin before they could again contrive more trash.

Moreover, my taking the list of volunteer personal information OFF the prisoner network does NOT mean is that the volunteer personal information is absent from the prisoner network. **I must repeat this!** I would like to believe the prisoners do not have the file stashed somewhere on their 30 or so gigabits of storage, but – hear this – I DO NOT KNOW. No one knows! Just last week, the prisoners received *another* 16 gigabyte external hard drive, signed off by Warden Muniz, and that is a lot of space into which one could hide files. Listen to this phrase, that just sounds creepy in prison, but hear this: *the prisoners have three*

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external hard drives now, I think.¹⁵⁰ Stuff comes in EVERY week, sound equipment galore; since I came in June, I suspect Warden Muniz has signed off on nearly \$7,000 or more of *equipment* and no end in sight. Really. What a gold mine for chaplains, until one sees just about anything the prisoners want is bought and cleared, that the prisoners are driving the vision without a really clear unit-based chaplaincy strategic plan.

On the recent 16 gigabyte external hard drive, let's not even talk about my struggle to get copyright releases for the movies and even to get a good list of the movies they have. Still working on that as cordially as I could since July – I cannot fix everything at once. Not cordially, and I refuse to be forceful too often or become a dog.

As mentioned in the 5-page IOC, I had to struggle to get a good inventory accomplished. A thorough inventory had NEVER been done. See the early inventory version on the cd. The prisoners received in their media room recently a spool of 100 dvds, as part of their supply train, and when I asked a key CVCA if he knew where they all went, he shrugged – didn't know. How much more attentive do I need to be.

Shutting Down. My version of shutting all down would be vastly different from Warden Alford's, to be sure. His would be permanent. Mine would be to clean, refine, and strategize *with* the fine CVCA's that helped build this. But sure as I am sending this, Warden Alford is waiting for the most opportune time to shut it all down with as little as flak from YOU ALL, with not much real concern for the volunteers or prisoners regarding his own failure help chaplaincy thus far.

I kind of believe – yes, I am a chaplain with 20 years – all of us know there are prisoners that are trustworthy to a point. We hope the chaplaincy SSI clerks are. One of them, Prisoner Ramy, I was told used to cook Alford's meals or bring Alford his meals – was told that many times by Collier and volunteers, as a kind of legendary trust between Prisoner Ramy and Warden Alford. I am sure the prisoners are protecting the chaplaincy department, as best they can. But that is NOT the point. Trustworthy as some prisoners may be, that is NOT the point!

Prisoners Ramy and Cavazos are just doing what all good prisoners do, getting what they can, feathering their own nest and, in this case, making their office as comfortable and, yes, *useful* as possible. They enjoy helping the church house! And they are doing good. I believe they are men of integrity and most of what they produce is outstanding church stuff. But our staff and volunteer *confidence* in them is NOT THE POINT! Why do I have to mention this? And over the years, good volunteers with deep pockets have been buying stuff without end – wow, nice.

WE DO NOT KNOW what they are doing 10-15 hours a day – even as you get this – and we do NOT KNOW WHAT THEY ARE CAPABLE OF – that is TOTALLY unacceptable. And the greater challenge is *not* to throw the baby out with the bath water, but to strategize on how to clean this up and recover good security protocols, even write some if necessary.

The fact that I have to retire to avoid more humiliation – and write this, expose this, is nearly as bad as the security breach itself, and is in fact a security breach in itself. I want credit for this. I want my record cleared. And the good volunteers need mercy. The good Chaplain Collier needs mercy, if he is truly being used and not a party to the cover up. And Polunsky needs a good senior warden who will lead them!

The **ONLY CERTAIN thing that makes this letter credible** – that makes me credible – is that the above would be bad if done for a single day of no prisoner supervision in the dark. One single day! Worse, would be one single week! Sirs, not a week or month, no sir. YEARS! And to this very day – *nothing* is actively being done. I suggested at least a live camera in the media room. We also need to clean all the hard drives to make sure no volunteer personal data is there. Need to clean the back-door virus off Collier's TDCJ computer.

But what about DEALING with those responsible for the YEARS in the dark with no prisoner supervision of computers, scanners, cameras, color laser printers, live phone line, and volunteers locked in building and in dark room? And under the eyes-in-the-sky camera that looks DIRECTLY at that dark office? Grab a hold of that – with the testimony of HUNDREDS of staffers and volunteers!

¹⁵⁰ Did you hear that: the *prisoners* have three external hard drives, but they are the only ones who use them. I know that sounds creepy for TDCJ, but I also hope that we can work that out where they can keep one, once we get the supervision issue solved. Still, remember, Chaplain Maness is bringing this to light, in the formerly dark room.

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And now – the whistle blower is *slammed* for the exposure! TDCJ is not playing prison here. No sirs, there is no slide out front on the lawn. And justice *ought* to apply to staff chaplains. Praise them for revealing security breaches, like this at the Polunsky Unit, and praise them and reward them for Titanic work as given to Brad and Byran a year ago in that 50-pager on Faith-based problems.

This letter is Titanic work too, that no other chaplain could have written. Even your most senior Regional Chaplain could not have discovered this. Only sitting in the chaplain's seat with 20 years of experience was this chaplain able to see all. And, if it is not clear now, it also took years of wardens looking away and – please add this – and years of wardens *not helping*.

Lewis Unit B-Team? Moreover – in addition to the multiple offenses already stated and implied from any human concern, let me add another. When I mentioned to Warden Alford that I missed Lewis Unit Warden Frank Helm, knowing him for 20 years and so many others that would not have put with this and who (silently thinking) would never treat me like this, Warden Alford said of the Helm and the Lewis Unit, “They are the B-Team, this is the A-Team.”

Not hardly. The Lewis Unit is the A-Team who would have never, ever, let all this get to this point – never have had prisoners in a dark office for a single HOUR! Thinking about this should turn the stomach. It is likely the most absurd thing in American penal history, it seems. No prison in the world would allow such, and certainly not crucify the whistle blower.

Staff need wardens who look out for them! Reward staff for revealing and exposing weaknesses and problems. When they do Titanic work, as I have done, reward them Titanically.

And, ask a few of the volunteers listed – I, Chaplain Maness, was scaring some of the volunteers, scaring the CVCAs for all my concern, lest they lose it all! Call them. See my isolation forced by Warden Alford, instead of being helped by the chief of the unit.

Also, likely, hopefully – discreetly – **ask Warden Butcher why he NEVER came** into 3-Gym. He will likely tell you that, one main reason, was because he would have to correct so much to the dismay of the senior wardens – I suspect he would say that.

In the first part of October after Warden Alford humiliated me, threatened me, and asked, “Why is the paper there?” So I had the prisoners take the paper off the lights. After the next meeting with Warden Alford and another general humiliation – I had had enough. Of my own accord, I had the prisoners take off **all the paper off the lights**, to their sadness and volunteers' and Chaplain Collier's sadness too, and I got maintenance to repair the lights that had been disconnected years ago. For the first time there was full light in that room, first time in years! And *still* a few of the lights are only half working, perhaps a ballast needs replaced.

Really ... did I win something here? Not really, because the more important thing of prisoner supervision has YET TO BE ADDRESSED. By all!

All my disciplinaries COMBINED pale in comparison to this.

So ALL of the security up-grades are DEPENDENT upon the new mean old Chaplain Maness coming in and trying to destroy their wonderful program and freedom. Warden Alford said nothing. Warden Muniz and Major McMullen said nothing. Chaplain Collier is not saying anything until last week. The prisoners, volunteers, and even Chaplain Collier portray me as nearly acting alone – am I acting alone?

NO HELP from Warden Alford there, or Muniz, or Major McMullen.

That is not team work. That is ramping others up to cover for YEARS OF GROSS neglect, and Chaplain Collier will be their next victim, almost certainly.

Please, do not let Warden Alford destroy the Polunsky Chaplaincy Program.

Chaplain Collier is nearly innocent, I suspect. Hear this – Chaplain Collier is a good man who was very, very comfortable, even PRAISED, and ogled at. The screen-saver on his TDCJ computer has a photo of his **Chaplain of the Year Award** (2009?), the last time chaplaincy gave one. Despite Collier's time at Polunsky and time in in-service, *please*, do not fault Collier too much. Chaplaincy HQ has *praised* and *rewarded* him, everyone coming and sitting his office, as a kind of **Chaplaincy Command Center** for the largest array of chaplaincy programs with more real estate devoted chaplaincy than any three TDCJ units combined has stood in awe. Also, to what extent was Warden Simmons' Administrator of the Year Award given to him in August (just before he retired) owed to *his* Polunsky Chaplaincy Department's vast array

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of programs and volunteers? That is a good question, and if any debt, then all those who participated in the recommendation for Simmons are a small party to this years-long security breach as well – so, CAN we find an answer to that question too? Should we?

Addendum on Other Things – I was “Attentive To”

Ramadan. While I am thinking about, and my “attention” to things, the Muslim prisoners met at seven places twice a day during Ramadan, and came by every morning to get 7 rolls of toilet paper every day! I was shocked that Muslim prisoners were assigned by chaplaincy to work in the food service that were *not* food service workers, according to the 25-page Ramadan collection of IOC’s, all signed by Warden Muniz. I had one page at the Lewis Unit A-Team for Muslims, still, Polunsky is unique.

Property Control. Regardless, the week before I left, during lockdown, I returned to Property-Supply a whole case of toilet paper and four six-packs of two-inch tape. We already had two cases of toilet paper in 7-Gym, and over a case in 3-Gym – result of prisoner orders, only beginning to get a handle on that.

Chemical Control. And I was making head way about chemicals, having the week before returned six gallons of hi-light and cleaners to A-side turnout boss that was NOT being tracked. Told Warden Alford about these, but these did not make into my Letter of Instruction or likely was said to Reg. 1 Dir. Alford.

Utility Prisoner Gone Wild. And week prior, I called newly minted Major Hutto about his major’s utility squad led by Prisoner Ricky Dotson, who “had done a lot of work for us” said Chaplain Collier, after hours maintenance and electrical work “for the administration” Prisoner Dotson told me – YES, as this prisoner was discussing *more* electrical upgrades, I fumed that all should go through maintenance first, as only maintenance knows all of the transformer loads, etc. After my call to Major Hutto – don’t see Prisoner Dotson anymore, and no “thank you” either from Major Hutto for revealing that security breach, just a week or so before he himself was ramped up to write us chaplains up for a toolbox and “inattention” to our department. *Think about that.* But as far I can tell, the prisoner got no disciplinary for work UNAPPROVED by maintenance, and no real investigation for that security breach either. But you can ask Collier and the CVCA’s about Dotson’s “help” for the last years.

Key Control. I got our keys under control. Most were on a ring in a cabinet for years, and the prisoner SSI’s were unlocking the media room camera cabinet, all the storage areas, and office filing cabinets. I got the keys standardized, common locks, per the – what do you call her? – the key officer. And just a week ago, began to initiate to some hesitation that ONLY staff and volunteers should unlock locks and lock them. I doubt you want to read more about that? Told that to the Warden Alford too, yet I still get a Letter of Instruction for the toolbox that says in essence I was lax about my department! No, sir. So after grieving Warden Alford’s Letter that he had initiated through Major Hutto, that is, I am appealing what he himself initiated ... and Warden Alford *knowing* all I have done ... it is clear. Warden Alford is seeing clearly his own mistakes in years past and wants to chuck blame away from himself as quickly as possible, and he is ramping up Warden Muniz, Major Hutto, and Major McMullen to help him cover all of their own tracks. Lesser extent to Major Hutto, since he was just promoted.

No Non-Clerks Prisoners on Computers. Just prior to the lockdown, I cancelled the use of the computers to prisoners NOT SSI Clerks. Collier and others, sad again, had trouble understanding. Several prisoners, including a couple in the high-dollar media room, were prisoner janitors who were “in training” and regularly used all of volunteer-supplied computers. No thanks there either, from any warden, though I made a point to tell them.

No Commissary and Necessities Bags. I was about to initiate a policy of no commissary bags, no craftshop bags, and no necessities bags in the chapel. Unlike the Lewis Unit, prisoners are allowed almost unrestricted within bonds to carry pillowcase-type bags around, which in and out of the chapel meant *carte blanche* for contraband. Especially given the \$1,000 of purchased free-world equipment. Just recently, the Religious Practices Committee DENIED a Hare Krishna prisoner (ironically from the Lewis Unit on my own HQ 150) permission to have a small bag to put his prayer beads in, but here at the Polunsky Unit prisoners carry LARGER bags, about a third the size of a pillow case, ALL over the unit, and IN AND OUT of the chapel, NEVER searched! One CVCA Ratcliff commented, “Come on now, chaplain” to me when I asked one of the prisoners what was in his bag. Warden Alford told me, “You should have told the

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volunteer to take off for the day.” Easy for Alford to say. The prisoner said his craftshop clothes and obviously some book or something. I did not bother to look closer. Just putting an end to bags in the chapel ... then, anyway.

All of the above Warden Alford knew, and made no mention in my Letter of Instruction!

Most Attentive Chaplain EVER! All this can be verified rather quickly. And my Letter of Instruction was on what? A toolbox and inattentive and lax, when the truth is that Warden Alford certainly knows is this – I, Chaplain Maness, have personally been responsible for MORE security upgrades and corrections in the last month than ALL the previous chaplains *and* – check this – ALL of both Warden Simmons’ and Warden Alford’s staff as well to date!

Mark that down, please. And Reg. 1 Dir. Alford is aware, yes?

No Changes by Maness – Per Manager 1 Bill Pierce. Still – EVERYONE has been by and seen the lights-out room, and of late because of mean old Chaplain Maness, the darkened room with paper over the light – and now hated chaplain – the room is **lighted** after years in the dark. Please, hear this, EVERYONE saw the years-long DARKROOM, including Reg. 1 Director Michael Upshaw, Ortiz, Bill Pierce, and Reg. 1 Chaplain Steve Ulmer; Polunsky wardens, majors, captains. Hear this too: CVCA Ed Reeves (936-425-1095) told me in a huff just the other day – oh, I trained Vol. Ed Reeves at the Lewis Unit 10 years ago, and he left the Lewis Unit for reasons to be told over coffee – CVCA Reeves was *the* Polunsky chaplain for many years, and has given perhaps \$20,000 dollars of equipment to Polunsky Chaplaincy. Yeah – they love him. As I started to negotiate, cajole, persuade ... hours on end ... tedious with Collier and others ... at one time and in a huff, Ed Reeves KNEW me and when I was coming asked Chaplaincy Manager Bill Pierce about me, afraid I would change things.

Ask that fine honest man Ed Reeves about me BEFORE Alford gets to him. Ask Reeves (936-425-1095). He is HONEST and will tell you what he told me, **“I asked Bill Pierce about you [Chaplain Maness], and Pierce told me there would be NO CHANGES!”**

That is nice. Kind of confirms my letter to you, Bryan, in which I said something about Dunbar and Pierce and about – you remember – a paraplegic and a bicycle.

God have mercy. We are not talking about bicycles anymore, but about the largest security lapse of judgment to come ... and I caught it. Dog gone it! I caught and had to FIGHT for it, and still have to fight for it.

Preserve Polunsky Chaplaincy. I am *fighting* to preserve the media room with the proper security, and I am challenging to high heaven Warden Alford’s attempt to hide my exposure of it, and hide my work to preserve it.

What is sad – no “thank you” to date. None. I am sure all are glad I am gone, except perhaps Chaplain Collier, as we had spent hours upon hours of my explaining to him how so many have let him down. Wardens and Chaplaincy HQ especially let him down. Not that a really need a “thank you,” but the worst of all is this – I reveal this, and am driven, harassed, and threatened for it ... and expected to keep quiet about it.

At this point – I might as well say what I am thinking, so I will put it in writing too. I fear that Warden Alford may ramp up an prisoner about to be released to come and get me for this, if this letter gets the attention I am determined it will get. Maybe not something to worry about.

Brad and Bryan – it is likely too that Upshaw is aware of that 5-page IOC and a party to the cover-up and indeed a party to the harassment. I got into trouble for that 50-page letter that you, that no one really responded to, though the concerns are very real. And now this. It would take more access than I have link the 50-page letter in December of 2011 to all this, and the disciplinaries – but one thing is certain, most of THIS letter is easily verifiable.

MY REQUEST – RECORD CLEARED: I would like my whole record cleared and my record reflected to “rehire” for this discovery and attempt to right these gross years-long negligence.

MY DREAM: I would even like to be able to rehired at the Lewis Unit as a Chaplain III without retiring, a reward for services rendered, after Chaplain Joe Vitella transfers back to Polunsky. I could regain my soiled reputation at the Lewis Unit for the crap ramped up ... and even help one or two days a week at the Polunsky Unit, to help Collier and his fine volunteers restructure their program more into compliance

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with minimal depletion of morale, if Warden Alford was moved. **I can dream.** My preference is Warden Michael Roesler, one of the most honest and articulate wardens I have ever had the privilege to work with – as new Polunsky Unit Warden.

Dream 2 – clear my record and hire me as a consultant to help guide the recovery.

Addendum Two: you know they extended the Region 1 Chaplain’s vacancy. I was told by a good source that the reason was NOT because of unqualified candidates, but because they wanted Vance Drum to apply. Drum knew of the posting and deadline, and let the deadline pass. But he was convinced to apply if the deadline was extended, and he did. But after cajoling, and an extension, applied – an application process tainted with undo favor there. Only, unlike the others I documented 10 years ago, Drum will be the most qualified for a lot of reasons. Still, even with Chaplain Drum’s experience, even he could not discern all

Just thought you should know that too.

WHAT MAKES ALL THIS WORSE – ITD IS THE FLAG SHIP ☺ - with the largest and most long-lived security breaches in prison history. Yes, if that is not ironic, including its own history of prisoner with cell phone, that prisoner comprising a staff chaplain, a CVCA getting arm cut off, AND an escape staged in Chaplaincy! Come now – ask me why I AM RETIRING again? Here, we have a super-ironic twist. The Polunsky Unit Chaplaincy is the model by Chaplaincy HQ, with everyone loving it without a real knowledge of how it works, and it has the longest lived super-whopper security breach in American Prison History, that even make a mockery of Colonel Clink’s Stalag 13 comedy of a generation ago.

WHY WRITE AT ALL? Listen to this, dear sirs – this is the best time I have ever had, until the honeymoon ended! Keeping silent and riding this luxury Flagship cruise all the way to retirement ... why NOT? I had nothing to lose here but my friends at Polunsky, and of course lose my honor and duty to TDCJ. Because this is NOT secure and RISKS to hell the professional chaplaincy I have labored for on and off the TDCJ time for 15-plus years, I write to you all one last time. And am not sure where else I will send this.

WHY ITD CANNOT BE DUPLICATED. Hitherto, Polunsky Chaplaincy was the model at HQ, even Ortiz believed. Though hidden from all other chaplains, still, “How much we need more CVCA’s” is pushed on other chaplaincy departments as though CVCA’s can be plucked from trees. Because it looked easy at Polunsky with its 17 CVCA’s. Yet no one really knows WHY Polunsky Chaplaincy is such a success, not *specifically*, and even more specifically *why* its unique programming set cannot be duplicated. So, here, let this Chaplain Maness be the first to tell you why it CANNOT be duplicated. Does anyone why the Polunsky Unit Chaplaincy APPEARS to be the best?

Three Reasons for Success (?– or doomed?). FIRST – Volunteer Supervision. One thing not mentioned at meetings, as I believe Chaplain Collier might think this standard, was that the Polunsky CVCA’s can supervise up to 25-35 prisoners in a building WITHOUT any staff! That is crucial, and a great need now with so much real estate given to chaplaincy (1 Bldg Chapel, 3-Gym and offices, 7-Gym and offices, sometimes 8-Gym and offices, 3-MPR, 7-MPR, and 8-MPR¹⁵¹). Always, on the Lewis Unit (Alford’s B-Team) and most others (I assume but do not know), a staff member (staff chaplain or a correctional officer) HAD TO BE in the building when any prisoners were in the building, be that one prisoner, or twenty or a hundred prisoners. In other words, except for the 1-Building Chapel next to the searcher’s desk, there seems to be a huge liability in 3-Gym behind a locked gate when a volunteer is allowed to supervise prisoners in a building with NO STAFF. Still, forget not, that is a CRITICAL REASON for the success of so many programs.

SECOND – Prisoner Clerk Use and MS OneNote Sophistication. Another reason is the use of prisoner clerks AND the additional personal computers that the prisoner clerks use, in a sophisticated fashion using Microsoft’s powerful “One Note” archiving that allows prisoners to “manage” all the non-secure affairs of chaplaincy under us staff chaplains.¹⁵² I could take up several pages here. Obviously,

¹⁵¹ MPR – Multi-Purpose Room by the picket in those respective buildings.

¹⁵² I could say super-sophisticated compared to other chaplaincy departments, but no one is comparing them statewide, even as I did 12 years ago, much less across the nation. MS One Note is COMMON across the country and, likely, ONLY utilized like [continued from previous page ...]

TAB 1. Primary Letters and Fateful 21-page Letter 10-29-12

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even as yet, I have not learned it all, but it is clear a crystal that – at present – we ARE dependent upon the prisoners to help manage all the I-60s, property, lay-ins, faith changes, literature requests, and – super important – all the logistics for all the multitude of classes. This is taxing and time consuming, and the volunteers *with the prisoners* utilizing the Microsoft One Note archiving on the prisoner network is, in TDCJ Chaplaincy, unprecedented and dependent upon the donated computers. One problem here, if it is a real problem, the Muslim prisoners have chosen which of “their” prisoners were allowed into the Food Service (FS) kitchen at all the many times to help during Ramadan – that is, a bit scary, prisoners NOT regularly assigned there allowed to COME during chow times to “help” prepare. Many Muslim prisoner volunteers have worked in FS before, but still ... regardless, this is chaplaincy submitting to the wardens a rigorous 25-page schedule for extra non-FS prisoners for the FS supervisors to manage above those officially assigned – as best as I can see – PRISONER directed.

THIRD – COST. Another reason for success should not be a surprise, but it is a secret to all the rest of the chaplains elsewhere. Also, and importantly, it is the essential question I asked *at length* in the 50-page letter on Faith-Based Housing that Marvin Dunbar skewed and laughed at, a reason that is still not addressed to any degree. Cost comes to play here at Polunsky as THE model and Flagship for other prison chaplaincy programs – COST. Really, no one is counting the cost at all! Brad, you can appreciate that more than most, since you are more of a finance person than most of the other administrators, yes? Not for any chaplains as they (Ortiz, Dunbar, Pierce, et al) govern us, as Warden Bill Lewis said to me in one investigation, “You are just a bureaucrat.” Directors or supervisors or others that want all the prisons to add programs, *add, add, add* without doing what all good businesses have done for a thousand years and COUNT THE COST. I brought that up in writing in that 50-page letter to NO avail. And now, at Polunsky Chaplaincy, which is hailed as a secret model, but with no cost studies. If any of you have Microsoft OneNote on your computer, you can pull up Polunsky’s Chaplaincy OneNote database on the cd attached, I think, or if it is copied to your hard drive somehow. If so, you can check the passwords section for passwords to some before I took that off the prisoner network (I hope). What is the cost – to date, likely \$50,000 or more. See also on the cd the now dated fixed asset list, first ever, that I had done, to which in the last couple of weeks several more thousands of dollars of equipment was added per Warden Muniz – but, I could not longer carry my flash drive on the unit, so my tracking of all is inhibited.

THREE REASONS – above, why it cannot be duplicated.

CARE FOR COLLIER. Let me say that Chaplain Collier inherited this and built upon it. It is HARD for me to conceive that the wardens and others did NOT know that Collier did NOT know what the prisoners were doing. But, heck fire, I did not either until I began see from day to day just how things went. I might add that this deficit included all the previous chaplains to date and the most experienced Regional Chaplain, and Mr. Marvin Dunbar. Chaplain Collier is among the few chaplains that was SUCCESSFUL in his pastoring of a single church for 19 years prior to entering TDCJ, no small accomplishment in ministerial life! And this is largely why he is successful here, too, as this is the church in prison, sort of, but with a stretch.

CARE FOR PRISONERS. Let me say that the seven or so prisoner clerks working like champs are not to be faulted so much for doing what, as they say in prison, “what prisoners do.” On the contrary, the prisoners are doing outstanding work. Last I looked, I believe, four were in for murder, three for aggravated sexual assault, all serving serious time, and I DO BELIEVE saved by the grace of God and good fellows. This is THE church at work. What a privilege I have to work with them and for the prisoners, as well as being charged with supervising them. Still, this is a prison first! No play slide out front on the lawn.

DANGER. Since Mr. Dunbar ridiculed me for my fictitious newspaper clipping in the 50-page letter, let me give you all another newspaper headline. You all already know, perhaps, where I am going, but we MUST go there.

DALLAS MORNING NEWS. Eleven prisoners escape from the TDCJ Polunsky Unit using free-world and officer clothes smuggled into the chapel, and finely crafted counterfeit

it was meant to be used here at Polunsky. Wow ... that would make a good program at a chaplaincy conference, if anyone was interested in REALLY helping chaplains.

TAB 1. Primary Letters and Fateful 21-page Letter 10-29-12

State Employees Are Supposed to be Treated Equally

TDCJ Identification Cards and Texas Driver Driver's created with laser printers in the prisoners' darkened Media Room Command Center, shockingly allowed unrestricted access to thousands of dollars of high-end computers, scanners, and printers for years. This comes not long after a previous escape staged in the chapel. This same prison also had a volunteer arm's nearly severed in an attack by a death row prisoner and also was recently responsible for the increase in security statewide because of another death row prisoner used a contraband cell phone to threaten Texas Senator John Whitmire's family.

All the prisoners were serving long sentences for murder or rape and had tied up the two volunteers who were locked in the gym with prisoners. The volunteers were not hurt. But as the prisoners got to the parking lot during shift change, they hijacked two vehicles, killing one officer, raping another, and releasing a third officer down the road severely beaten.

The search continues for the fugitives. Governor Perry is asking for the resignation of Brad Livingston, Byran Collier, and the governor wants to meet the unnamed chaplain that brought this to light.

I do NOT think that is very funny. But that is the reality. No playing prison here, nor "inattention" by the most scrupulous and attentive chaplain the Polunsky Unit or TDCJ has ever had in its history. Nor is the practical ignoring of me funny. Nor the FACT that this would have continued for years to come, until ... certainly ... UNTIL CERTAINLY some crazy prisoner got just such an idea as given above!

I am the only one in the state ABLE to bring this forward. I expect a reward for it! And recognition for it. Even exoneration from all wrong. I would also like to be reinstated at the Lewis Unit as their chaplain, and wardens informed there of my *super-contribution* here. Or the **dreams** mentioned above. Hire me to consult for a couple years! Reward me for services rendered.

Sirs, ANY warden can cancel ALL. We all fear that.

Can we work on a peaceful solution together? And clear my record. Bear in mind, only because of the above 20 pages, with them in hand, could *anyone* in TDCJ really guide a truly efficient transition. With me record cleared, I am available for consultation with stipulations.

Sincerely,

Michael G. Maness

c.409.383.4671

main email: maness3@att.net

cell email: mgmaness3@gmail.com

Enclosed: DVD with Polunsky Chaplaincy on prisoner network and selected documents – only sending to you three!

1. MS OneNote Database (partial)¹⁵³
2. 5-Page IOC to Muniz, July 11, 2012 (pdf)
3. Volunteer List (Excel), bold are main CVCAs, give them a call
4. Auxiliary Docs (pdf), containing mainframe email to Muniz on 5-page IOC virus, Major Hutto mainframe, etc.
5. ESET Virus Description
6. This 21-Page Letter 10-29-12 (pdf)¹⁵⁴
7. Just for fun, original 50-page Letter on Faith-Based Housing sent December 2011

¹⁵³ To access, you must have MS OneNote installed, which is usually installed with MS Office Pro or better. Plus, I believe you need to copy OneNote folder to your harddrive, then access your Programs folder, then Microsoft Office collection, then just click Microsoft Office OneNote 2010, and your computer should pull of the folder.

¹⁵⁴ PDF – personal document file, needs Adobe Reader to read: <http://get.adobe.com/reader>.

TAB 1. Primary Letters and Fateful 21-page Letter 10-29-12
State Employees Are Supposed to be Treated Equally

NOTE –Enclosed: DVD with documents and Polunsky Chapel prisoner MS One-Note network with many of documents in these Tabs
CRITICALLY IMPORTANT



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Tab 2.

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 ▲ **Wardens KNEW Prisoners could see Staff BETTER for YEARS** ▲

Years? - this single PHOTO alone is grounds to fire someone!

but Maness is essentially fired for exposing!

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TAB 2. Michael Maness: What I Corrected, Could Not Correct, and Exposed
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**Tab 2
Item 1**

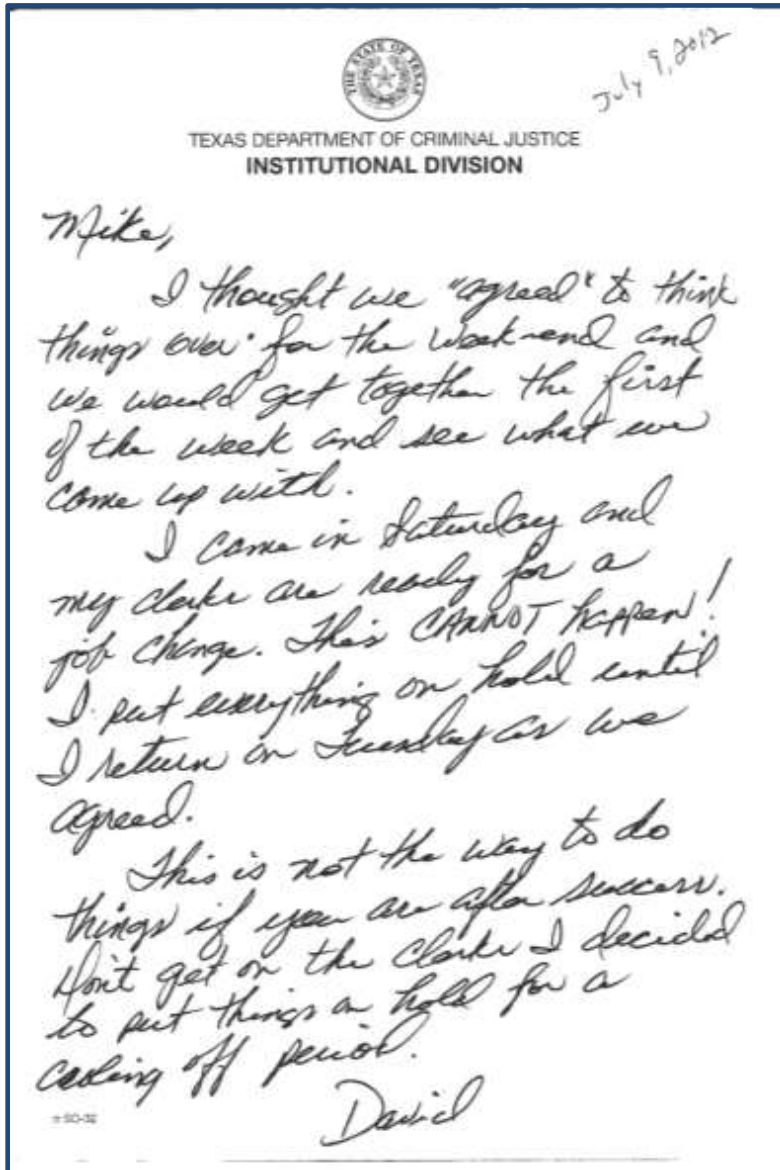
Item 1. 07-09-12 – Chaplain David Collier Note – Stop Compliance!

After confronting Chaplain David Collier and agreeing to leave a few things for later, I *still* had to supervise prisoners in Dark Media Room and continued to *order prisoners to finish the full inventory draft*. Left on the desk for me, I almost shredded it – *for his sake* – as no senior in-prison employee would never *order* another to STOP supervising prisoners IN WRITING. Normally, we “look out for one another” with just such a *shredding*, but *no one was looking out for me* at this point. So I kept it.

Almost more than anything else, this note reveals the utter naiveté of six-year Chaplain Collier on so many levels and likewise reveals HIS confidence in what he

was *supervising* for the last 6 years! It says volumes by itself of HIS perception of his relationships with the wardens and security and even his *passion* to *preserve* the policy-violating behavior of prisoners. It reveals our relationship toward the end, too. And Regional Chaplain Susan Mathis will recall my call to her, to get her involved, and Chaplain Collier telling her all was “okay” in so many words.

It is prime evidence of my own *working hard* to bring things into compliance – *uphill* – and how Collier **felt supremely confident in the Wardens’ full support of his program.**



**Item 2. 07-01 to 10-20-12 – Maness’ 50-plus Security Actions
PRIOR to Retiring**

**Maness’ 50-Plus Security Actions while Employee
PRIOR to Retiring October 31, 2012**

More than ALL the previous Chaplains and Wardens Combined in last Four Years

I. Maness’ Security Actions while Employee Prior to Retiring Oct. 31, 2012

1. I reported many of the worst to many security rank who deferred to the wardens
2. I reported the worst to the wardens, who did nothing
3. Confronted Chaplain Collier, several volunteers, and wrote IOC to Warden Muniz and sent a copy to personnel to put in my file
4. Removed list of volunteer with volunteers’ personal data on it from prisoners’ computer network and put on Chaplain Collier’s state computer
5. Removed list of Computer Codes that included power-on password for Chaplain Collier’s state computer and other codes for hidden files from prisoner computer network and placed it on Chaplain Collier’s state computer (see tab 11)
6. Stopped Chaplain Collier from leaving his timesheet with his social security number on his desk for prisoners to see
7. Stopped non-SSI prisoners from using computers at will.
8. Stopped prisoners from using keys to unlock all cabinets
9. Stopped prisoners from locking all cabinets at end of day
10. Stopped volunteer chaplains from using Spanish-speaking prisoners from translating for chaplain crisis calls for other prisoners (taught the volunteers how to utilize gang intelligence translators)
11. Stopped Major’s Utility Squad from making changes to electrical outlets and “maintenance” changes after hours and outside of the Maintenance Work Order process
12. Stopped prisoner from writing, publishing and disseminating “ministry” newsletter *without* any staff or volunteer from reading it first
13. Stopped Chaplain Collier and SSI from issuing weekly gate list without Approved Volunteers (see old list in Tab 2) with volunteers Non-Approved
14. Added Certified Volunteers to gate list (they were entering facility with *no* gate list).
15. Stopped prisoners hording chemicals outside of chemical policy, but had trouble, as Chaplain Collier and/or volunteers were continuing to allow prisoners to store chemicals like floor stripper and wax and cleansers
16. Stopped hording of *cases* of toilet paper, and returned many cases of over orders
17. Stopped prisoners in their dark Media Room from storing their personal items and extra clothes in there and in locked cabinets
18. Removed cabinets from prisoners’ dark Media Room to make shaking down of prisoners’ Media Room easier
19. Instructed Chaplain Collier and Volunteer Chaplains that prisoner work areas were *supposed* to be shaken down at the end of each day – which was too strange a concept for any of them to grasp. Warden Simmons here affirmed that, of course
20. Stopped Volunteer Chaplains from preparing Durable Power of Attorneys for prisoners – and Chaplain Collier did agree, but how many were there? See tab 16, item 5. This was under the Vol. Chaplain Ratliff folder on the MS OneNote system.
21. Stopped use of Chaplain Collier SCANNED signature, but there was no way to know among gigabytes of storage if it was fully deleted. See tab 16, item 6
22. Stopped prisoners from bringing their commissary bags (that no one could see into) and their craftshop bags into the chapel
23. Stopped prisoner Art Team from painting behind barricades (see below on no supervision)
24. Stopped prisoners from handling and screening staff chaplain mail

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and ExposedState Employees Are Supposed to be Treated Equally

25. Started the first comprehensive inventory of all items and put it on proper forms
26. Removed clothing iron from prisoners' Audio Cave
27. Removed digital *still* camera from prisoners' Media Room and put it in chaplain's office
28. Removed digital *movie* camera from prisoners' Media Room and put it in chaplain's office
29. Instituted policy that *ALL* cameras were to be only used AFTER checking out by chaplains or volunteer chaplains – oh, how Chaplain Collier and Volunteer Chaplains *hated* having to do that. Did not do it at first. The idea of *supervision* of the cameras and minimal “checking out” was *totally* foreign to them. Super whopper nonsense!
30. Removed telephone from box in prisoners dark Media Room (yes, there was a live phone line in that office – though Chaplain Collier thought it was not live; on inventory, there are four phones on his personal property list).

II. Actions Attempted Repeatedly to No Avail

31. **Tried to get lights on in dark Media Room, but only prevailed in October (see maintenance repair of chapel, as lights had been dismantled for a long time)**
32. **Tried to get prisoners SUPERVISED in dark Media Room, but got no support from Chaplains, Wardens, or Volunteers**
33. Tried to get Chaplain Collier and asked Warden Simmons about getting a live camera and sound feed into the Media Room with monitor in main Chaplaincy Office, but to no avail
34. Tried to get Chaplain Collier to get his computer checked by TDCJ ITD in July 2012 and several times later
35. Tried to get all equipment properly donated, as whole donation process was completely circumvented – using the “personal property” procedure to bring in all manner of equipment for prisoner use without restrictions
36. Could not get volunteers to *constantly* supervise prisoner Art Team, so prisoners could steal any amount of paint, as no prisoners were ever shook down after “working” with paints or computers and office supplies
37. Tried to stop a few of the volunteer from PHYSICALLY engaging prisoners and rough housing together – sheer nonsense and disrespectful of “chaplaincy” office
38. Tried to get copyright releases for ALL videos, but Chaplain Collier and volunteers balked (one, Volunteer Chaplain Tommy Dill did try to get a few)
39. Tried to establish that NO DVD would leave the unit without a staff viewing it first
40. Tried to a simple list of all DVDs created for volunteers
41. Tried to make sure all such had proper TDCJ Media Releases, but since the prisoners had complete control, that was another piece of nonsense.
42. Tried to get Audio Cave tore down, so prisoners in Audio area could be supervised or watched
43. Tried to keep tall chair in chaplain's office out of the way from viewing prisoner SSI computer screens, but volunteers regularly put it back
44. Tried to get ALL programs on bulletin board to be accurate, and proper list of programs, but there were too many changes from week to week – and too many staff involved, as with the #45 below
45. Tried to stop Muslim from meeting in off hours, but the staff was too acclimated to them meeting in the wing “Multi-Purpose” rooms, with doors closed just about any time they wanted, hours and hours on end – the “Multi-Purpose” room in one building was essentially the “Muslim” room
46. Tried to get the Muslims to record all of their meetings, but we did not even know when all they met in all the of rooms
47. Tried to talk Chaplain Collier to *not* put prisoners “selected by prisoners” on list to enter Food Service (FS) during Ramadan, but he did it anyway (FS told me he was used to it during Ramadan but was uncomfortable with it, though several were *former* FS workers)
48. Tried to get cabinets in Audio Cave removed, so prisoners could not store contraband in those locked cabinets or simply share TDCJ-supplied supplies without supervision
49. Tried to get the volunteer's key to a filing cabinet in 7-Gym and consolidate volunteer junk in chaplain's office, because several volunteer chaplains did not trust one another; that is, there was

a filing cabinet in 7-Gym that no Polunsky Staff or Staff Chaplain could open without destroying it, so no shake down was possible

III. Things I Frowned Upon but Took No Action

50. I did not voice any disapproval to Chaplain Collier sharing his personal commissary with prisoners
51. I did not like and should have said something about prisoner Jesse Hernandez giving back rubs to Chaplain Collier
52. The prisoners spent all day in the dark Media Room and used Art Cabinets and came and went all day and no one shook them down; felt it was “security’s job” when they were there. But that was nuts. Normally, at most units, the prisoners did not bring things to chapel or work with stuff unsupervised, much less paint, and this was obviously supported.

IV. Warden Alford Did Not “Clean” Anything,” but Covered Up Many Violations – Still Verifiable

Then, Warden Alford has his major write me and Chaplain Collier up for *being lax* and for tools COLLIER had had in his office for years, that Alford *knew* about, and of which security had audited – all the while, ALFORD did NOTHING about the unsupervised prisoners’ Media Room.

There are few things more nefarious in prison than this kind of behavior by a warden, of all people, *the captain of the ship*, in whom we should have the utmost confidence. What is clear is that no warden would simply have written a “Letter of Instruction” for two chaplains if they had actually had a LOAD of unauthorized TOOLS for prisoners to use. The real story comes out later, as Alford has to *begin* to document something, instead of helping me a super-sized load of non-compliance into compliance.

It will take an OIG Sherlock Holmes find out why then Senior Warden Alford was afraid of Chaplain Collier and why he ignored serious violations for so long.

After that bogus Letter of Instruction on me being LAX and my grievance hearing – and all of the violations above that Alford avoided and his attempts at bullying – I put in my papers for retirement, knowing Alford was a liar and would certainly concoct other things. It was clear Alford did NOT want the chaplaincy *really* cleaned up, and he fabricated a strongman façade to me while ignoring security breaches. In spite of the progress I had made above, that he knew I had made, still, at any time any warden or major could still come and “write us up” for a dozen things. Instead of helping, Alford chose to run me off to PROTECT the violations and so he could PROTECT Chaplain Collier (who was wanting to move to the Walls Unit) – Sherlock Holmes help me here – a PLAN Simmons, Upshaw, and Alford, et al, worked up months prior. Whether THAT plan is the full story or not, it is clear in this Sourcebook that a multitude of lies were perpetuated to protect Chaplain Collier and cover up many years of verifiable violations.

Fortunate for me, this effort to retrieve my honor is made easier by the seriousness and multitude of violations that even after a year of cover up can still be verified. Just how bad is it?



Item 3. 07-12 to 04-29-13 – Unique Exposures by Letters Sent to Livingston, Collier, Thaler – from Maness

Date of Main Letters Sent

07-11-12 to Warden Muniz and Personnel File

1. I talked with Warden Simmons, then Chaplain Collier said all was okay with Simmons.
2. Prisoners in Media Office all day in the dark.
3. Collier said everyone knows about it including Upshaw, Ortiz, Dunbar.
4. Collier said Warden Simmons appointed the room, Simmons saying A/C keep computers cool.
5. DVDs for Dir. Hazlewood did not have right media releases.
6. DVDs cut for volunteers as a matter of course, without due process.
7. I suspect prisoners bugged office, explained to Collier.
8. Collier asked prisoners of they bugged office – outrageous.
9. We did NOT know what prisoners were doing all day in 3-Gym!
10. We did NOT know what the prisoners were capable of doing in 3-Gym!
11. Private computer expert of DCS Computers gave other concerns.
12. No supervision for computers, color laser scanners, printers, and cameras.
13. No key control – prisoners come and got keys to unlock anything in chapel!
14. Board in window obstructing, met with shrug.
15. Found Win32/Peerfrag.FM virus on Chaplain Collier’s state computer, expressed need for TDCJ ITD to address it.
16. I told Warden about ALL this, confirmed twice with Muniz that he received this IOC, confirmed with Simmons too, who sent Muniz and Major McMullen to “investigate” chapel over a WEEK later, but did NOTHING!
17. No accurate inventory – so I began one, and it quickly became apparent they had *never* done a full inventory.
18. Orders for lights to remain on were NOT obeyed, countermanded by Collier!
19. Chaplain Collier *stopped* all inventory and orders for lights to be on because *prisoners* were ready to quit – amazing, see his note Tab 14 Item 2!
20. Compliance Sgt. Stringer was NOT aware prisoners were NOT supervised, which I found hard to believe.
21. Chaplain Collier said Warden Simmons said “as long as spirit of the policy was followed” it was okay – really absurd then, but perhaps Simmons DID say it then, given how Simmons and Alford and Upshaw have PROTECTED Collier.
22. Chaplain Collier makes threat to my job, as he was protecting ME, which said my personal CONFIDENTIAL information had been REVEALED to Collier!
23. Has money funding TDCJ Chapel that is NOT accounted for, though the prisoners are making orders *through* volunteers and tracking this account.
24. We did NOT know what prisoners were doing all day in 7-Gym!
25. We did NOT know what the prisoners were capable of doing in 7-Gym!
26. Volunteer list with personal data on prisoner network, and passwords to computers too (I transferred all to Chaplain Collier’s state computer).
27. Prisoners shredding count sheets.

10-29-12 – 21-page Letter to Livingston, Bryan Collier, and Rick Thaler

28. My 50-page Faith-Based Housing letter sent to Livingston in 12-2011 was present and rattling during TWO disciplinary hearings at all levels of appeal.
29. Violation of policy on initiating OIG investigation, when this was sent and no OIG was initiated.
30. In addition to Media Room in 4-page IOC, here I exposed Audio Cave too that had prisoners not supervised and in near darkness.
31. In Audio Cave, prisoners also had access to use locked cabinets at will, to traffic and trade toilet paper and batteries and only God knows what else.

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and ExposedState Employees Are Supposed to be Treated Equally

32. Exposed that Warden Alford was covering all up, and still is.
33. Collier said Simmons asked Polunsky Chaplaincy to take “rap” for others.
34. Exposed Warden Alford using humiliating language, snide remarks, trying to bully, of course just his word against mine – to which I ignored as he *was* the warden.
35. Exposed that something exists about Chaplain Collier and escape attempt.
36. First indication that then Reg. Dir. Michael Upshaw had to have knowledge.
37. Exposed same as before, but added that NO ONE had turned lights on in Media Room for YEARS – the more one thought about it, the worse it got.
38. Chaplaincy Manager Bill Pierce and Reg. Chaplain Steve Ulmer come to unit and sit in office and say NOTHING about prisoners in the dark Media Room.
39. Exposed that Polunsky Unit mail room had to initiate *special* procedures for chaplaincy because of the load of equipment SHIPPED to chaplaincy, unprecedented in the history of TDCJ.
40. Exposed that Chaplain Tommy Dill said of prisoners in Media Room, “We trust them 100%” which is the craziest thing in any prison in US prison history – Nonsense.
41. Exposure – not a real violation, but an odd indication of things, Chaplaincy Volunteers talking up a storm on “hopes” for Warden Alford to “return” because of his prior support. (Now Alford is Regional Director, indicating that Upshaw and likely Stephens too were knowledgeable of security breaches for years!).
42. Volunteer Chaplain Tommy Dill (936-933-1545 or 936-328-4959) said Warden Alford sat in Media Room for entire two-hour church service and did NOTHING, as prisoners sat behind *him* not supervised – which no warden worth his sand would ever do.
43. Regarding 42, another breach of security and a violation to NOT investigate that.
44. New Major Hutto all up in airs about extension cords but NOT 20-foot ROPE woven from TDCJ bed sheets!
45. Exposed obvious question Polunsky has cameras everywhere, how many times have OTHERS seen dark room and prisoners weaving rope and did NOTHING.
46. Alford has Major Hutto write Letters of Instruction on both Chaplain Collier and I up for tools that had been checked by his own security and used in chaplain’s office for years before I got there – clearly a bigoted, unprofessional gambit.
47. Warden Alford wants me to BULLY volunteer Walter Bennett on prisoner escort, and saying disparaging things over history I wrote that both Bennett and I signed. (Now, after open records request, Alford has destroyed that we signed!)
48. Alford was angry that his bullying and goading of me to be arrogant and overbearing to Volunteer Bennett did not work – a real piece of work there. Violation by Alford for NOT being interested in the TRUTH and acting like a child instead of a warden.
49. Alford furthermore covers up then and later that it was Chaplain Collier who said Warden Simmons ministry prisoners from B-side could come to A-side.
50. Clarification on nature of the unsupervised prisoners and grave ramifications.
51. Exposed LIVE phone line – need I say more?
52. Exposed *three* Polunsky Cameras in 3-Gym SAW this for years! Nothing done!
53. Violation by Rick Thaler or someone for NOT initiating an OIG on all of these.
54. Exposed Warden Alford threatened me for “going off the unit” in words referring to my attempt to Byran Collier and Rick Thaler early – unethical bullying, which would “disrespect him” as he humiliates me. Alford needs a spanking.
55. Exposed further how no one knows what is on 30 gigabytes of prisoners’ computers.
56. Exposed how Chaplain Collier manipulated chaplaincy audit forms.
57. Wardens and Chaplain Collier refused to get live video and sound monitoring in Media Room so we could *BEGIN* prisoner supervision – something I had been asking and asking and asking for MONTHS.
58. In addition to volunteer personal information, I removed list of power-on passwords from prisoner network to Chaplain Collier’s state computer.

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and ExposedState Employees Are Supposed to be Treated Equally

59. Warden Alford plays GAMES by having his Captain Fitzpatrick to review computer, himself *knowing* Fitzpatrick was not a real expert. All Fitzpatrick did was check for internet access and some elementary items BEFORE I left during the lockdown! (Months later, Alford LIES and says this precipitated TDCJ ITD, but ITD did not come until after this letter was faxed.) NOTE: I mention Fitzpatrick in THIS letter, that Alford says and lies and deceives in his IOC to APPEAR like something else.
60. First exposure that Wardens and then Reg. Dir. Upshaw in loop ABOVE Chaplain Collier, knowingly allowing serious violations.
61. Exposed prisoners have three external hard drives NOW, and no one thinks it strange, including Warden Muniz who has signed off on \$10,000-plus in assets so far.
62. Exposed prisoners had spool of 100 DVDs and now no one knows what happened to all the blank DVDs.
63. Warden Alford makes false claim to Polunsky being A-Team and Lewis Unit being B-Team, which is a lie, especially given that HE HIMSELF knew of these violations and with Upshaw, his own protection of Chaplain Collier.
64. Exposed security Warden Butcher never came to 3-Gym, I respected then, but how odd and against EVERYTHING TDCJ values that as I was exposing all this the “security” warden never comes to 3-Gym – how many policies are violated here?
65. Exposed how I had maintenance repair the lights in Media Room that had been dismantled at some time, perhaps years earlier.
66. Exposed Chaplain Collier’s Ramadan schedule that was put together by prisoners and full of violations, including the chaplain granting prisoners access to Food Services, verified later by talking to Food Service supervisor.
67. Property Control – prisoners making orders to Property and Supply for hording supplies for trafficking and trading.
68. Chemical Control – exposed how prisoner SSIs were getting cleaning supplies and hording them, and NOT following chemical policy.
69. Prisoner Ricky Dotson of Major Hutto’s Utility Squad making physical and electrical changes OUTSIDE of maintenance work order process, for years – only fixed AFTER I got a hold of Hutto.
70. Key Control – got key officer to standardize keys, limit keys and STOP prisoners unlocking and locking locks on cabinets.
71. No one, none, Chaplain Collier or any Volunteer Chaplain had heard of concept of “shaking down prisoner work area” – crazy. Prisoners used chaplaincy locking cabinets to store personal items. No control whatsoever.
72. Non-SSI Prisoners were allowed to use computers! Put a stop to that, against Chaplain Collier and sadness of volunteer chaplains.
73. Tried to end prisoners bringing commissary bags to and from chapel, especially without them being searched.
74. \$20,000 from Volunteer Ed Reeves in a single year – without any accounting.
75. Volunteer Ed Reeves (936-425-1095) said he talked to Chaplain Manager Billy Pierce about me, Maness, and he said Pierce said there would be “No changes” meaning Pierce and Division HQ was OKAY with all the violations!
76. Exposed that 25-35 prisoners were allowed in LOCKED 3-Gym and LOCKED 7-Gym with NO STAFF present, one of the secrets to Polunsky Chaplaincy appearance of success with so many programs, but at a HUGE liability unseen anywhere else in TDCJ. (To date, with several Open Records requests, have NOT been able to get unit-based written policy on this – more cover up.)
77. Use of Microsoft OneNote Sophistication, but the exposure is that Chaplain Collier AND Volunteer Chaplains did NOT know how to use OneNote thorough and did NOT track general prisoner use (non SSI) and did NOT track chapel prisoner SSI use of OneNote.
78. With 77, staff Chaplains are DEPENDENT upon prisoners for running chaplaincy.

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and Exposed

State Employees Are Supposed to be Treated Equally

79. Cost – no one is keeping track and accounting is NOT reported to anyone for \$1,000s and \$1,000s and \$1,000s of equipment coming and going for YEARS.
80. Personal Property used by prisoners freely for years, violation enough, but it is worse in that prisoners were essentially ordering all *through* volunteers with Chaplain Collier not really knowing all.

02-13-2013 – 14-Page Further Exposures at Polunsky Chaplaincy

81. Note on potential DVDs departing Polunsky, of course, not verifiable, but viable.
82. NO OIG investigation yet???? This a violation of policy for such exposures.
83. Exposed that Warden Simmons had to, HAD TO know – yes, he most certainly knew of ALL the violations prior to my coming to Polunsky, which is the KEY to exposure’s depth.
84. Who was the highest ranking person ABOVE Simmons who knew of violations and did nothing for years? Certainly, it was then Reg. Dir. Upshaw too. Who else?
85. Did Div. Director Hazlewood know of violations and continued to USE prisoners and Chaplain Collier for his church’s gain?
86. There is a huge ethical violation in failing to give to a Purple Heart for a chaplain trying so hard to defend policy and TDCJ’s mission.
87. Exposed for first time that certainly violations were seen 1,000 times at least.
88. Exposed for first time that Wardens KNEW for years about this – certain now.
89. With 88, then I, Maness, was being made a scapegoat, a clear violation for the wardens to cover up and then try to pin such on an employee.
90. Exposed that Volunteer Gate List Clearance contained “denied” volunteers and did NOT have most all of several regular Volunteer Chaplains. Yeah, NO clearance for volunteers coming and going. And a clearance for “denied” volunteers.
91. The volunteer access badges were being made by chapel SSIs, yes, taking photos of volunteers and laminating them! Need I say more.

**Note – In November 2012 Warden Alford signed Chaplain Collier’s
third GOOD annual evaluation in a row –
Protecting Collier as Simmons and Upshaw had done before him**

92. Exposed volunteers PINCHING prisoners – really foolish.
93. Exposed for first time prisoner Art Cabinet with PAINT that was NOT supervised. (After an Open Record request, it revealed NO supervision of paints six months).
94. No searching or shaking down of chapel prisoners allows them to steal ANYTHING they want, and walk out with ANY amount of Paint! Inexcusable.

**NOTE – almost a 100 clear violations and unethical items
and I get a Letter of Instruction for “inattention and lax” to department
while wardens have said NOTHING for years**

95. Exposed for first time degree of DVD production – how NO ONE knew how many DVDs have left unit without any staff or even volunteer scrutiny, 100 or 700. Inexcusable.

**NOTE: see IOCs from both Stephens and Alford,
no mention of DVD production and Paint Accountability
and, of course, No Mention whatsoever of ADDRESSING
prisoners WITHOUT supervision**

96. Did extortion or sex trafficking take place from chapel? No one knows for SURE!

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and ExposedState Employees Are Supposed to be Treated Equally

97. Why was prisoners FREE video production have ZERO supervision? That went on every single day. No one viewed what was done, ever. And even TDCJ ITD could not access some files AFTER my exposure.
98. Exposed how chapel SSIs and just about any prisoner could slip stuff into outgoing chaplaincy mail. Chaplain Anderson was fired years ago for taking a letter off the unit, but no need here with how loose chapel mail was handled.
99. Stopped prisoners from screening chaplaincy email first.
100. Exposed Warden Simmons betrayal of chaplaincy and me in particular, simple and plain betrayal of my trust, for NOT sharing his knowledge of chaplaincy violations and NOT helping correct them ALL prior to his retirement – ugly, nasty!
101. Exposed how what I, Maness, was disciplined for was NOTHING compared to what I was exposing at Polunsky (now, almost a year later, the exposure has grown and is 100-fold worse than what I did).
102. Exposed, or connected dots, how this recent exposure CONNECTS with Polunsky Unit’s PRIOR major incidents, including prisoner with cell phone sending letter by chaplain, volunteer getting attacked and his arm nearly severed, and of course the escape attempt set in chapel – and NOW all this under the warden’s knowledge, and then refusal to do much of anything. And even a YEAR LATER still covering up all this trash by Alford.
103. DVD with Texas House Rep. James White with OTHER prisoners without media release, a regular kind of production.

**02-18-2013 – 35-Page Exposure of Polunsky Unit and Lewis Units –
no rehire without Purple Heart**

104. Exposed unethical suspension of interview, as young personnel lady innocently just repeated what wardens said, “not enough qualified applicants,” which was a lie, since I was among qualified in history of TDCJ with most of the credentials obtainable for any prison chaplain. Simply, Warden Helm did not want me back, since I told the truth about his unethical firing of volunteer Melvin Bell almost a year earlier. Nasty what Helm did, and 100 times worse than my first disciplinary, and yet – unfairly and unethically – Helm did not get a disciplinary for far worse; that is, on the same unit within about 3 months time, I got a disciplinary for treatment of volunteer (an unfavorable email) and Helm did NOT get a disciplinary for running Bell off unit for NO reason other than 6-year-old gripe! UNETHICAL. And no one has called Volunteer Melvin Bell (409-429-3289).
105. Exposed unethical favoritism in hiring of my good friend Vance Drum, an excellent choice, but still how it was done was not ethical.
106. Recalled my exposure 10 years earlier that is still applicable of Chaplain Manager Bill Pierce ... certainly, no rehire without Purple Heart from Polunsky.
107. First exposure of Chaplain Collier THIRD good annual evaluation in a ROW, last by Alford AFTER my exposure of multitude of policy violations and Alford, Upshaws, and only God knows who else’s cover up of violations.
108. Exposed Chaplain Collier giving substantial personal commissary to prisoners for years.
109. Exposed Electrical Code Violations, serious, and nothing done. (In July 2013, six months AFTER exposure, I call Texas Fire Marshall, and, no, electrical code violations still NOT corrected).
110. In addition to prisoners carrying commissary bags, exposed that prisoners also brought their craftshop bags to chapel. One cannot see into these, and they were NEVER shook down. Pitiful. Wardens knew about this.
111. Noted the new Chaplain Joe Vitela was NOT appraised of these exposures, so very unethical and a disservice to Joe. While Warden Helm WAS given copies of these, so he could NOT rehire, and himself protected.
112. Exposed, by connection, with actual Serious Incident Report (SIR) on escape attempt how prisoners used chapel and colored their clothes, but SIR did NOT show how prisoner colored clothes – and

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and ExposedState Employees Are Supposed to be Treated Equally

- paints in chapel NOT properly surprised! (Not even a year later after Open Record Request revealed no supervision.)
113. Exposed Fire hazard in that there was no key to fire hose, which was corrected in 3-Gym after letter, according to Fire Marshall, but they had NOT been corrected in 7-Gym in July 2013. So sloppy.
 114. Exposed TDCJ ex-Chaplain Rick Anderson's book, *God's Feet in my Sandbox*, Simmons had NOT helped him, a new chaplain, in his work. (Listen to tape of my interview with Anderson who exposed Chaplain Collier's policy violations YEARS earlier – meaning, Simmons and HOW MANY OTHERS knew of Chaplain Collier's PROTECTION and freely-violating-department for years!
 115. Other Lewis Unit Exposures – Tied to Polunsky and Reg. Dir. Upshaw!
 116. Exposed very difficult precedent – how the cover up of all of this leaves TDCJ chaplaincy vulnerable yet again, when, in fact, at Polunsky the violations were exposed by several chaplains, only more forcibly by the most senior Chaplain Maness – and violations that Wardens *knew about for years* and did *nothing!*

04-29-2013 – 8-Page – Not Rehired BECAUSE of Exposures and Wardens' Cover Up

117. Without Purple Heart and Letter of Commendation, there would be no rehire, for Wardens and Regional Director have gotten away with COVERING UP their years-long knowledge of major policy violations, COVERING UP their protection of Chaplain Collier, and COVERING UP my exposure of it – nasty.
118. Exposed how prisoners could hear staff flush toilets, as staff had to enter the prisoners' DARK office in order to use Staff Restroom. Ridiculous, isn't it?
119. Exposed Lewis Unit ending use of Windham School Classrooms that have been used for 20 years, for no good reason (Call Pastor Keith Bellamy 409-429-6315 and Pastor Jack Lewellen 409-283-5529), who have used with no incident. The reason, Warden Helm's simple philosophy that chaplaincy is a bottom feeder, and any complaint results in chaplaincy cancellation, as he has for years. Simple.
120. Chaplain David Collier's belly-to-belly hugs of prisoner Jesse Hernandez.
121. Exposed how Chaplain Collier's lead volunteer Chaplain Ed Reeves did NOT have proper Volunteer Chaplain Certification – need I say more – and upon further investigation Reeves does NOT have it today in August 2013 (from calling a favor from an old friend still a TDCJ Chaplain to look at his record).
122. All in all, the REAL reason I was fired was for my long history of advocacy for professional status for TDCJ chaplains, 15 years and running, which included clear exposures of unethical conduct 15 years ago, as well as today in that 50-page Faith-Based Housing Letter that *still* has not been professionally addressed – I was fired for STANDING UP FOR TDCJ's MISSION and good principles.
123. And 123 led to my exposure of the longest-lived security breach in TDCJ history, and that has now led to the longest and worst cover up of security breaches and multitude of WARDENS KNOWINGLY allowing policy violations in US PRISON history!

Given that a few of these, like extortion in the chapel, are *possible* violations, that is by in large what every staffer is supposed to look out for, and given the degree of lack of supervision all across the board with the tide of violations, we may never know all. Furthermore, the above are most of the exposures, yet, for the experienced in-prison supervisor, one could easily see many other exposures of the Polunsky status quo.

See See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf for more, including exposure of Lewis Prison.

Item 4. 06-2012 – Power Point Photos of Violations

Slide 1. Polunsky Prison Ariel – Location of Chapels for Fire Marshal

Except the first, of course – all were from screenshots of the videos the prisoners took as they pleased without supervision, often every day, and “processed” in their Prisoners’ Computer Control Room.

**Polunsky Unit—Code Violations for Years
Are They Still Present??**

3872 Farm to Market Road 350, Livingston, TX 77351

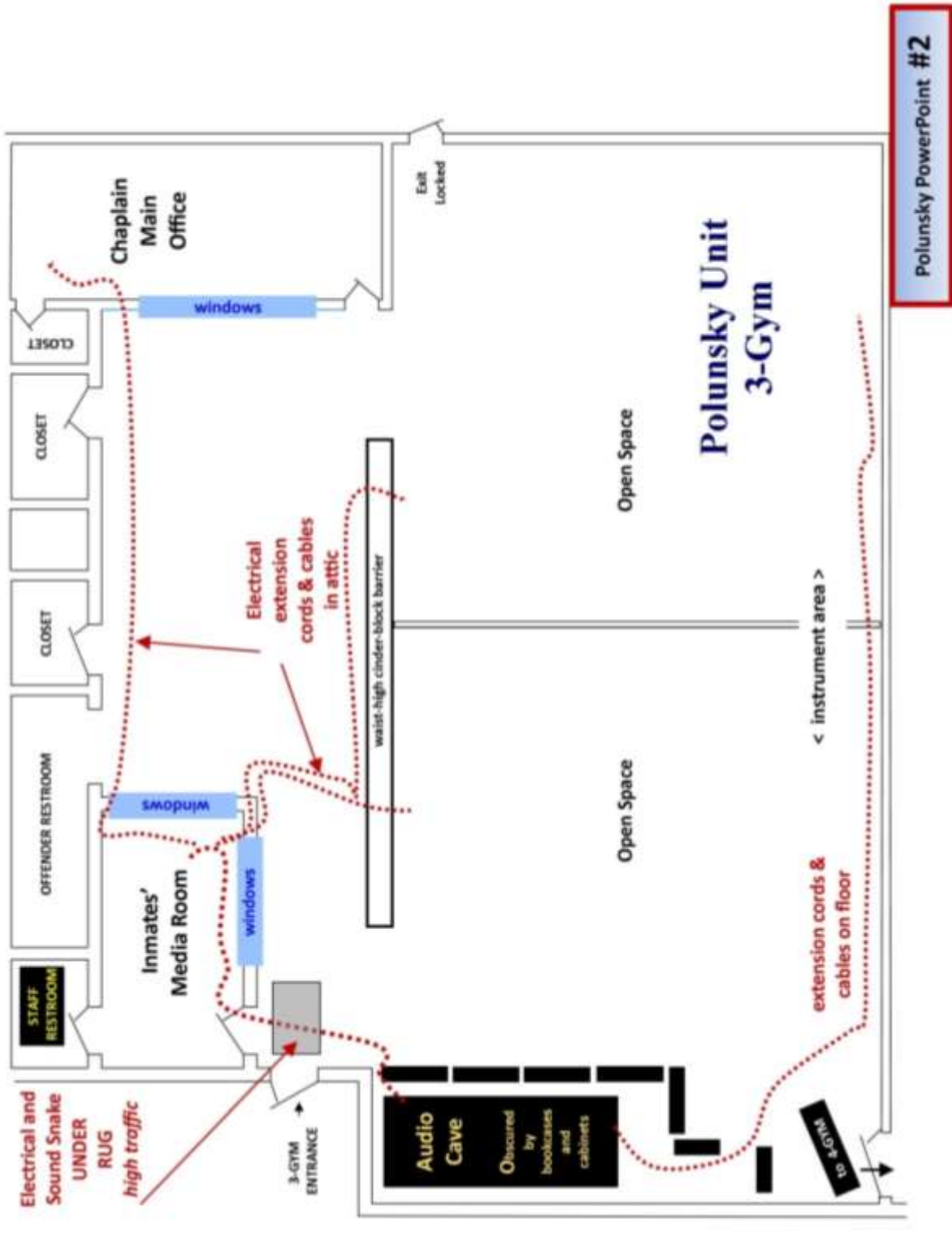
3-Gym is lower right, divided into two halves, craftshop in yellow-X, chapel with **red-X** with most violations (cords under rug, in ceiling).

4-Gym is upper right, divided into two halves, chapel with **red-X** only has cords in ceiling, and other half with white X is not used much.



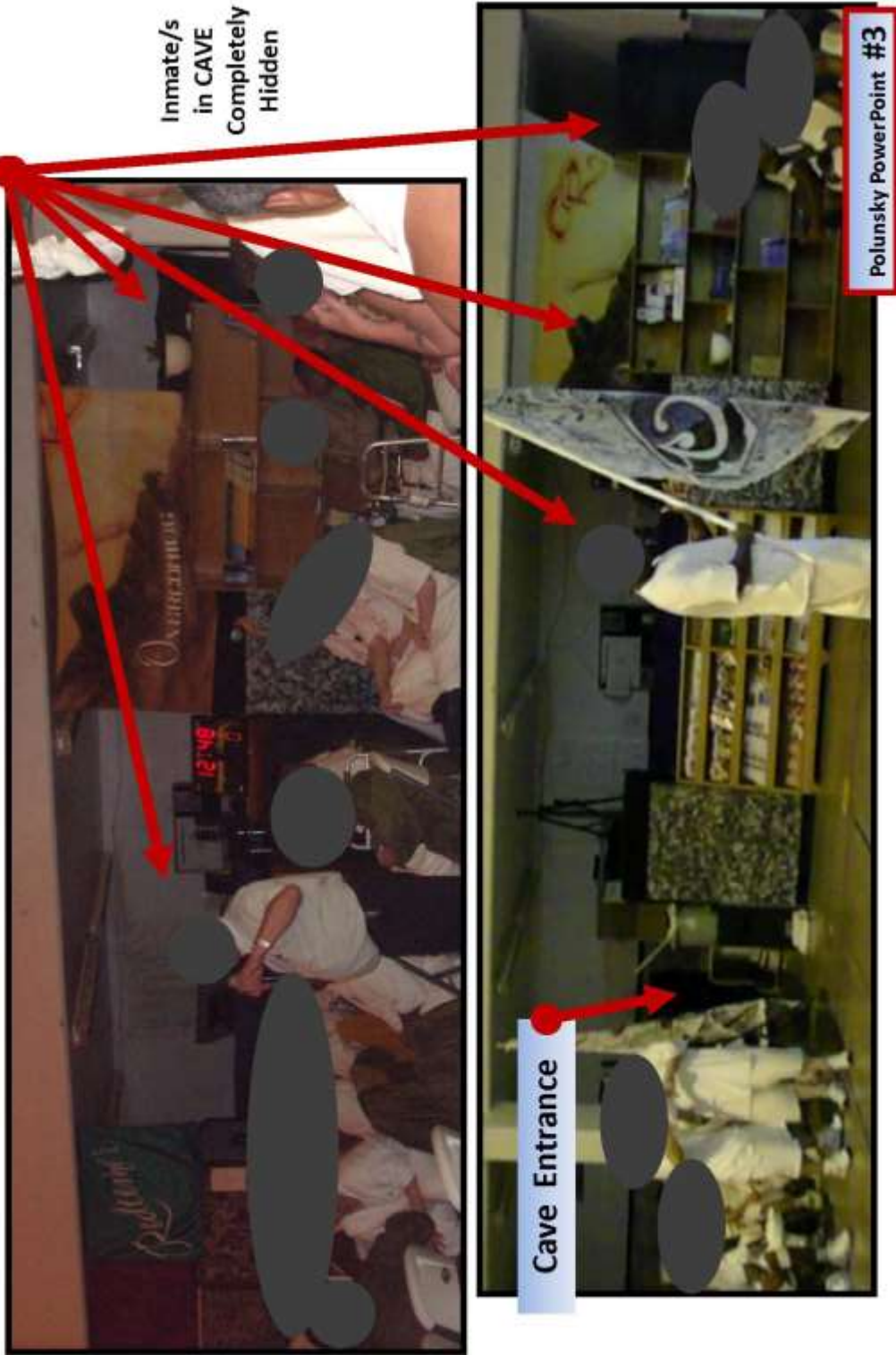
TAB 2. Michael Maness: What I Corrected, Could Not Correct, and Exposed
State Employees Are Supposed to be Treated Equally

Slide 2. 3-Gym Chapel Floor Plan with Electrical Cord Fiasco



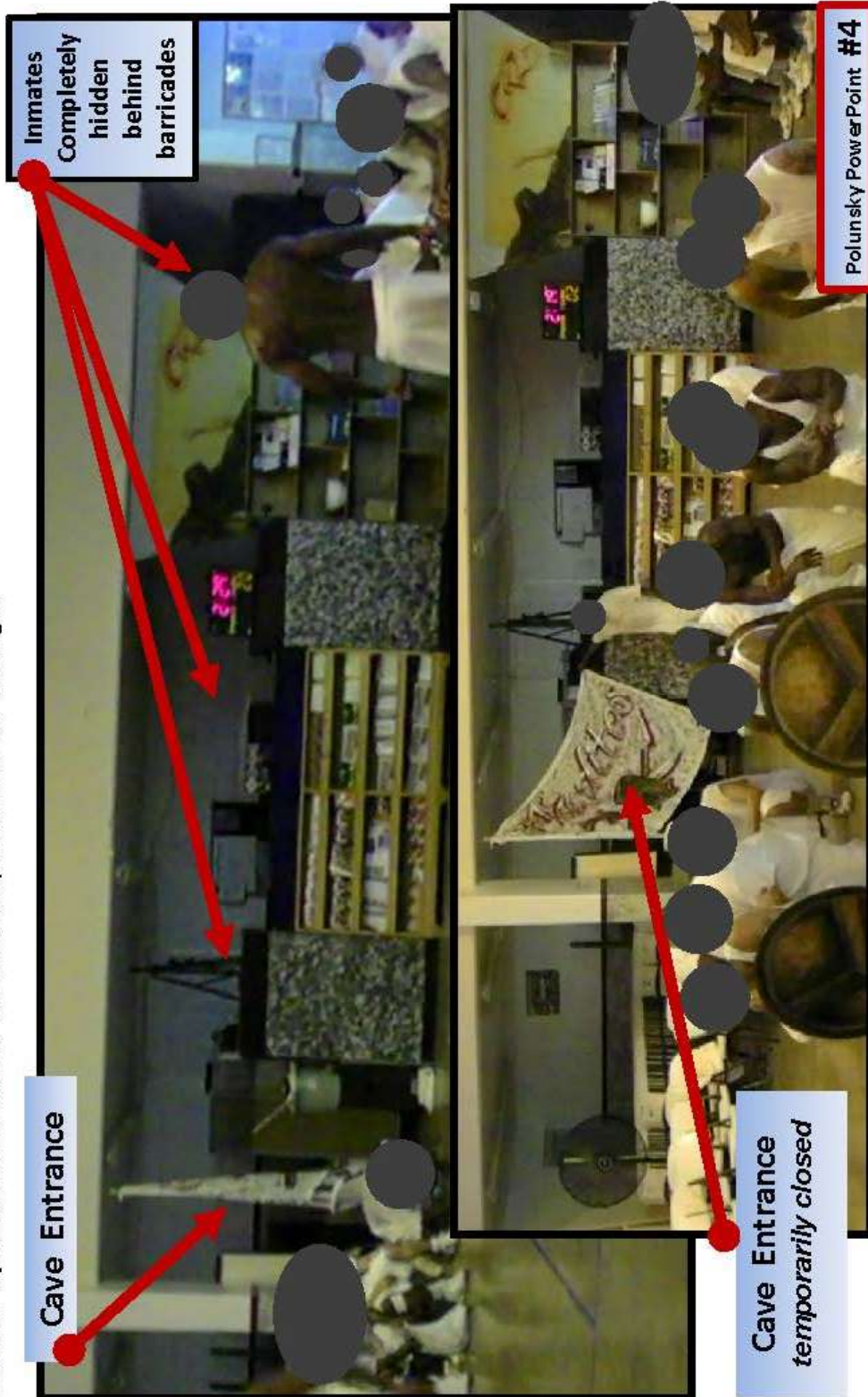
Slide 3. Chapel Audio Cave – Prisoners Completely Obscured

Polunsky Chapel Audio Cave Area aprox. 9 ft x 25 ft completely hidden by bookcases about 4.5 feet tall, cabinets for storage.



Slide 4. Chapel Audio Cave with Book Cases Obscuring

Polunsky Chapel Audio Cave Area approx. 9 ft x 25 ft completely hidden by bookcases about 4.5 feet tall, cabinets for storage.



TAB 2. Michael Maness: What I Corrected, Could Not Correct, and Exposed
State Employees Are Supposed to be Treated Equally

Slide 5. Prisoners' Computer Office – Windows Blocked from Inside

Polunsky Inmates' Office, euphemized as "Media Room" - Windows Blocked from INSIDE

Windows Blocked

Windows Blocked

Printer Nice Computers better than Staff Chaplain just two of four used in the Inmates' OFFICE aka Media Room

Chris

THE ONE PERCENTERS
TESTIMONIES FROM VICTORIOUS

Polunsky PowerPoint #5

STAFF RESTROOM

Inmates' Media Room

windows

windows

Slide 6. View of DARK Prisoners' Computer Office

Volunteer Chaplain
Supervising
The Games
while NO one EVER
supervised the
Prisoners' Office

View of Inmates' OFFICE, aka Media Room, LIGHTS OUT, within
which is staff restroom and \$1,000s of computers, color scanners,
high-end color laser printers, and cameras for years!

Portion of
FRONT window
covered too.

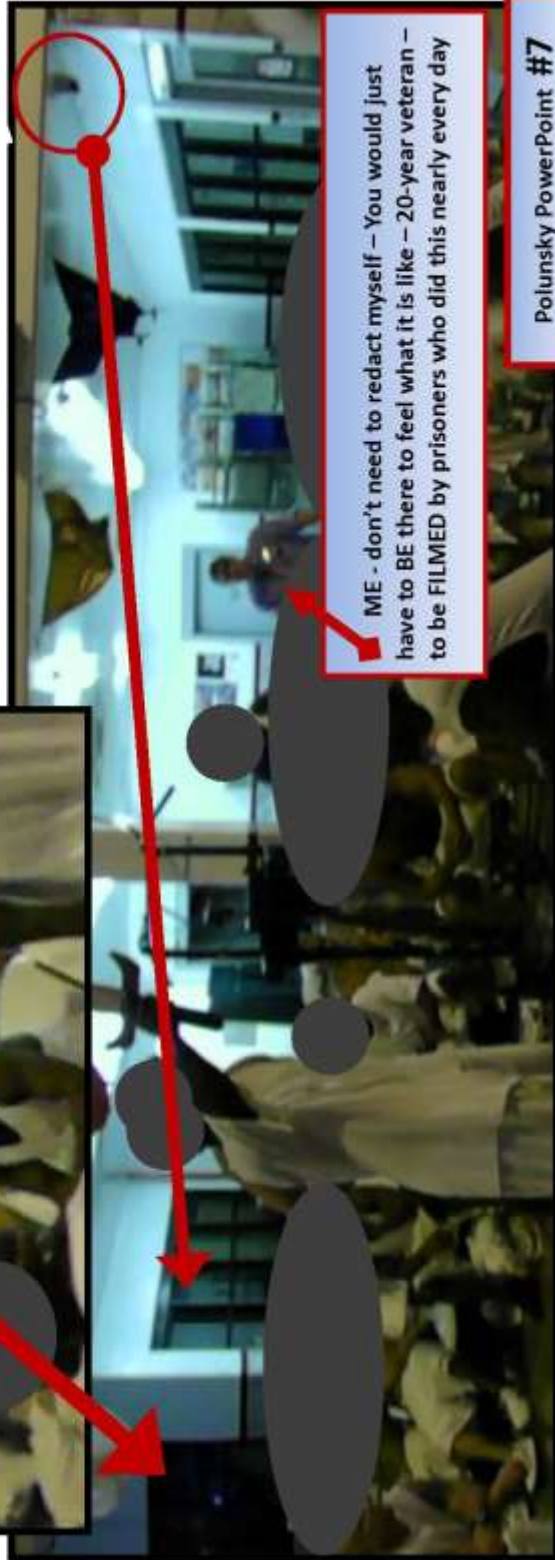
Polunsky PowerPoint #6

Slide 7. View of DARK Prisoners' Office with Polusny Security Camera

Prisoners' Office – euphemized into “Media Room”



About 13 x 13 feet, **LIGHTS OUT**
BTW – inside the inmates' OFFICE
resides the Staff Restroom
Camera above Chaplain's
Door LOOKS DIRECTLY AT
dark-daark Office for YEARS
Windows mostly covered with
cork board from the inside



ME - don't need to redact myself – You would just
have to BE there to feel what it is like – 20-year veteran –
to be FILMED by prisoners who did this nearly every day

Polusny PowerPoint #7

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and Exposed
 State Employees Are Supposed to be Treated Equally

Slide 8. Prisoners' Computer Office – Lamp On, Lamp Off

Lamp, Lamp ... Where Art Thou Lamp?
Some Hours – Lamp ON *Most Days – Lamp OFF*

Polunsky Unit Work Order
 #105413002402
 Start 10-9-12 to 10-10-12 < took two days
 3 Gym lights out in media room
Rebuilt light fixture

After bugging – Alford finally ALLOWED me to turn lights ON ...
I rushed Maintenance to FIX lights

They used lamps most of time ...
 Overhead lights not destroyed were used only when they "REWired" their computers!
 NO - they NEVER ASKED anyone when they "rewired" their computers ... for YEARS.

Inside Windows Covered with Cork Board?
 yah know - to pin their Sticky Notes to

NOTE TO SELF
 Check stock for Sticky Notes for prisoners!
 Also, see if they ink need more color for, and DVDs for, ahhh, whatever?

some hours – Lamp ON
 still Dark with Lamp ON
 must Look AROUND Junk in widow to see a ... prisoner?

most DAYS – Lamp OFF
 Lamp OFF – cannot see in at ALL!

Work Order Number	Start Date	Completed Date	Deficiency Noted	Corrective Action Taken
105413002402	10/9/2012	10/10/2012	3 Gym lights out in media room.	Rebuilt light fixture.

Polunsky PowerPoint #8

Slide 9. Prisoners SEE Staff Better than Staff Can See Them – for YEARS!

From Their Office the **PRISONERS** could **SEE STAFF BETTER** than Staff could see Prisoners – FOR YEARS
... and Warden Alford Promoted
oh ... well ... no one is looking at prisoners anyway ... for years

TDCJ Polunsky High-Resolution Security Cameras WATCH for YEARS
– Cameras Can Read Inmate IDs –
but **CANNOT** See Inmates in the Dark
behind cork board

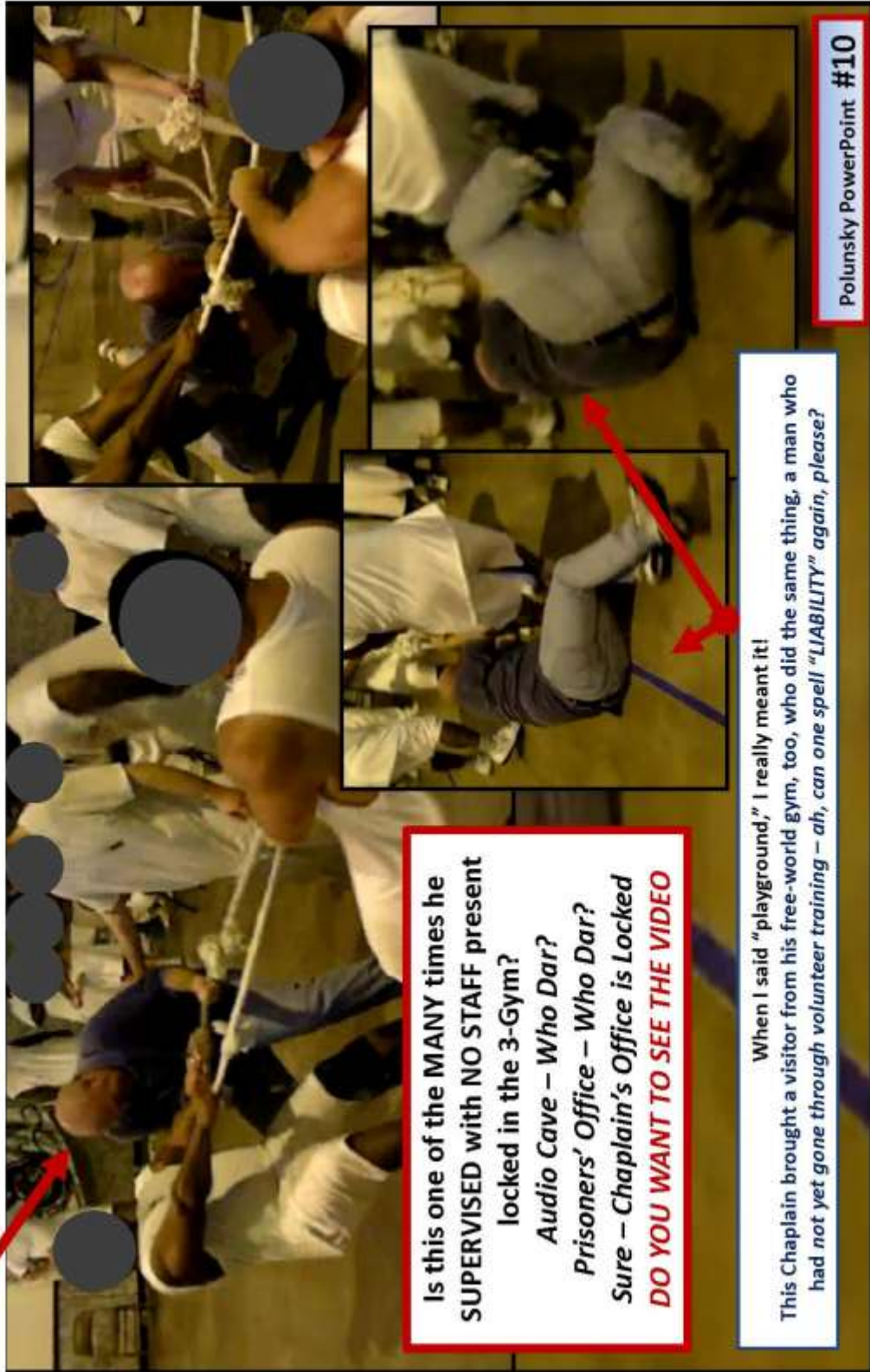
Look **REAL CLOSE** at door above, you'll see a **PRISONER** sitting with his **BACK** to the Chaplain's door.

Polunsky PowerPoint #9

Me – looking at it all in June 2012.
Prisoners took very good photos of **everyone**, including officer to my left.
-from screen shot of a video -

Slide 10. Volunteer Chaplain DRAGGED across Floor – Whose Watching??

Polunsky Certified Vol. Chaplain David March – Strength Contest with Inmates
Remember, for YEARS, one Volunteer Chaplain could supervise 30-40 inmates with
NO STAFF Present in the LOCKED 3-Gym and LOCKED 7-Gym



Slide 11. Restricted Doors OPEN without Supervision, again

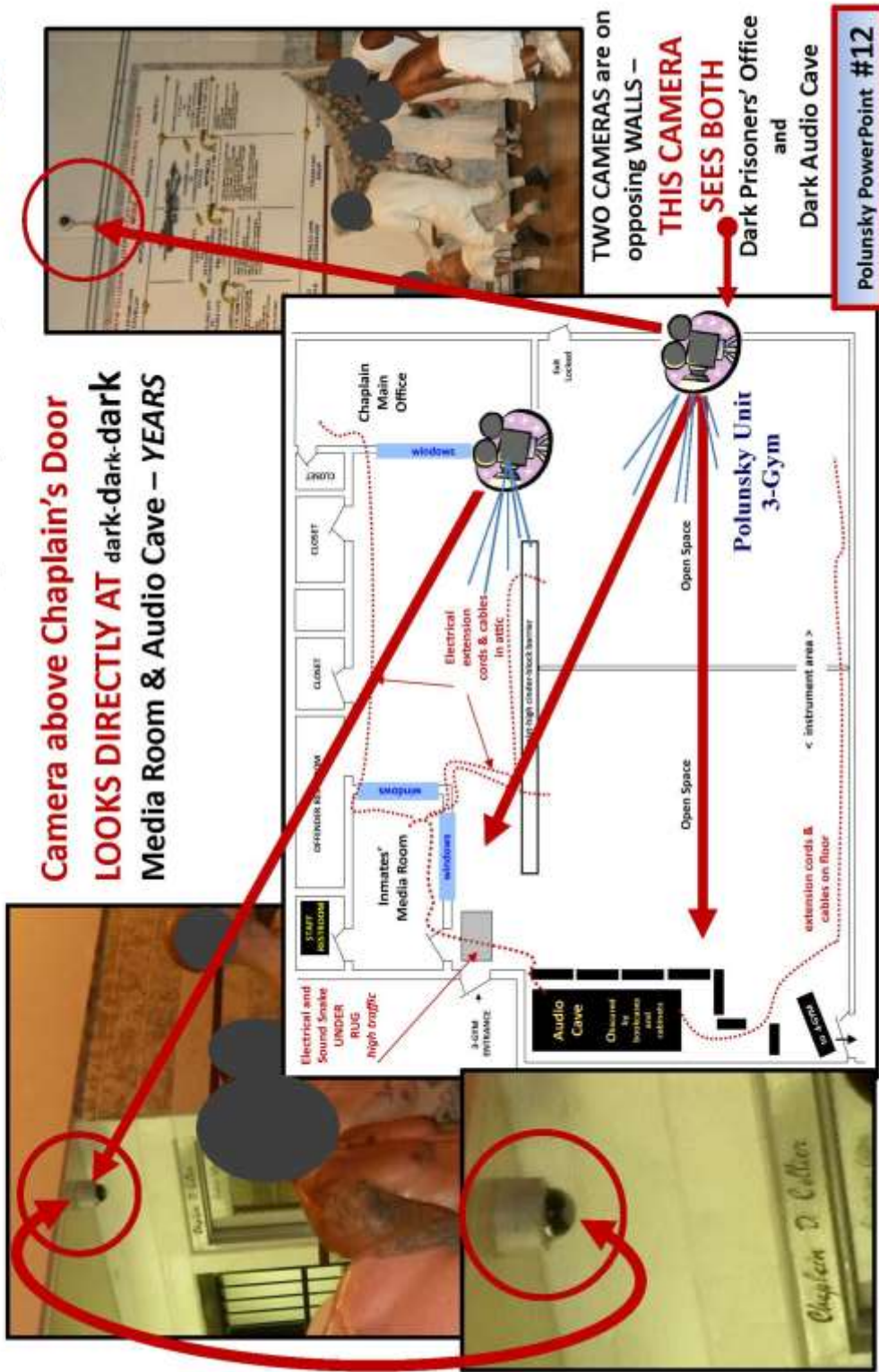
**Chaplain's Office with Men Working Out
notice storage room open – with sign**

**What Chaplain's Office
Normally Looks Like with
LIGHTS ON – easily see in**

Polunsky PowerPoint #11

Slide 12. THREE High-Res Security Cameras See ALL ... but Prisoners

THREE (3) HIGH RESOLUTION Security Cameras – THREE (3) – all linked to Admin. Control and to Warden’s Office in 3-Gym Chapel Complex – THREE (3)



See the Videos of These on Disk 3

Item 5. The Stack – Maness’ Work for This Book of Secrets

While it might not seem relevant to some, this is how much I loved my job and the ministry, that was undermined in many ways as I was retaliated against for supporting TDCJ’s mission with exposures of violations of policy and exposures of ethical violations.

Here is a photo of the stack of Open Records requests for the year and a half alone.



This does not include dozens of emails with documents, nor does it include the data sent on several CDs, including a CD on August 2012 Chaplaincy Conference documents and a disk with two huge Excel files on the 80,000-plus disciplinaries written on staff for the last 10 years. Nor does that include the data from the Polunsky Chaplaincy office MS OneNote System or the data from the My Documents folder, huge stores of information.

From that and data from the Polunsky Chaplaincy, this Book of Secrets was put together with less than 3% of the documents available, just a selection of the most critical. Best of all, most of the above photographed packages came *not* directly from the responding department but from that department to TDCJ’s legal liaison, meaning most of the material is in a box with my name on it, kept for safe keeping for time immemorial.

This has been a lot of work, and this paves the way for OIG to solve the mysteries here that I cannot solve, which is as I have said in several ways: how did Chaplain Collier enchant so many wardens and directors for them to turn away from obvious security risks for so long?



TAB 2. Michael Maness: What I Corrected, Could Not Correct, and Exposed
State Employees Are Supposed to be Treated Equally



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Transition



A good portion of what I did in **Tab 2**
and was prevented from doing
was witnessed by several

In Preparation for **Tab 3**
reminder of End of this entire Book of Secrets:

Syllogism Finis: OIG's Finest Hour

Never has there been a greater effort to
avoid an OIG investigation in TDCJ history! ...

Therefore, never has there been a greater
need for an OIG investigation in TDCJ history!¹⁵⁵



In **Tab 3** – REMEMBER

No Employee or Volunteer
has yet been investigated, interviewed
– God Have Mercy –
but NO ONE has even been given a CASUAL call!

the only testimony taken by Maness
a *non-experienced* interrogator

What Would an
Experienced Interrogator
Find?

Stephens, Upshaw, and Alford
intended to CONNIVE the avoidance of OIG



¹⁵⁵ Op. cit., fn. 8.

TAB 2. Michael Maness: What I Corrected, Could Not Correct, and Exposed
State Employees Are Supposed to be Treated Equally



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Tab 3.

TAB 3. OIG Witness List with Suggestions

Names and contacts for 23 TDCJ employees and Volunteers and what they *know* of the Polunsky Chapel playground, with documentation on (then) Senior Warden Richard Alford and Major Hutto– 30pgs

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OIG Witness List – Who Knows What and Suggestions

Introduction – OIG and Sherlock Holmes

Four TDCJ Polunsky Chaplains (the three previous to Maness on the Disk 1, Tracks 1-3) all had a terrible time with Chaplain Collier, a *terrible* time, not a simple conflict here and there. All four had a *terrible* time with Collier’s refusal to allow basic supervision of prisoners. These provide evidence critical and hitherto covered up evidence to a significant portion of Polunsky’s sloppy affairs for years, sloppy affairs that wardens *knew* fully and refused to help the chaplains. Yet, this is not simply Chaplain Collier, as mentioned in previous letters; though a smooth talker, Collier did not simply fall to the ruse of the prisoners alone. There was something that Chaplain Collier had on the wardens – *something* – that kept the wardens from doing what *good* wardens routinely do across the world and help chaplains stay within a basic perimeter of good security protocol. In other words, simpler, sillier, and even nicer words: either Chaplain Collier’s enchanted magnetism fooled and drew the wardens (and subordinates) into a trance to avoid serious security and safety policies and common sense, or Chaplain Collier had something on the wardens that the wardens were afraid of, keeping the wardens from providing basic guidance.

I recorded the testimony of several, since no one else was calling them. This was extremely difficult for me, for I was not a police officer, had no training in covert activities, and just did what should have been done years ago. It is terrible that it has to come to this, but here it is, extraordinary and clear proof of years of cover up of a years-long chapel gone wild, made all the more worse that it is Polunsky, home of Death Row.

Warning – for those who get this. I sent CDs to Brad Livingston with a 4-page letter on September 3, 2013. I pray they were handled with discretion. If the three chaplains knew I had recorded them BEFORE a talented investigator got to them, then the investigation will become more tainted than it already is after a year of my exposures.

It is beyond comprehension that an OIG investigation has been delayed this long.

TAB 3. OIG Witness List with Suggestions

State Employees Are Supposed to be Treated Equally

OIG – among the investigations that ought to take place, I pray you find your best Sherlock Holmes to dig out whatever it is that Chaplain Collier has on the wardens that caused them to lose their sense of security. Strange as it is, there is something terrible there.

Furthermore, it would be wise for OIG to not use any investigator that has had any significant time at Polunsky in the last ten years, or with significant ties to Wardens Simmons and Alford. And there was one OIG officer at Polunsky who had prisoners put together a DVD for him; perhaps prisoners Hozifeh and Cavazos can help with that, or whatever that was about, as I handed the DVD to him, personally, when he came for it. That was strange, and out of order, having prisoners under my supervision creating DVDs for OIG and I knew nothing about what was on them.

Chapel Media Room Prisoners Operated Independently! Worse, Chaplain Collier did *not care at all* that prisoners under our supervision were making DVDs *anytime* a staffer wanted them or wanted help. There is no telling what went on. Prisoners Hozifeh and Cavazos especially worked independently a lot of the time, providing consulting services for Division Director Hazlewood and others, and Chaplain Collier did not care what the prisoners did. Naiveté, perhaps, but he was supported by the wardens – that was clear – like the Shawshank Redemption where actor Tim Robbins did Tax Forms officers, the Polunsky prisoners helped staff all over Polunsky, and Chaplain Collier and the volunteers were just *happy* that “their” prisoners were there to help. Are you hearing this? Happy! Without any supervision at all, that non-supervision going on for years with full knowledge of wardens.

That is, until OIG and OIG’s Sherlock Holmes finds out just how far this cover up runs, I, myself, *still* do not have a clue as what precisely Chaplain Collier had on the wardens. Have no idea how Collier enchanted them. It buggers the mind that it has gone this far.

Security? – A More Botched Investigation Has Never Happened. Having been around a bit, with many friends over the years in various law enforcement, FBI, CIA, Army Intelligence, and some in private security with few having done Private Investigator work, and some persecutors, public defenders, and having read a couple hundred novels, not the of which are a few John Grisham legal novels – I really hurts that justice has taken a vacation and cover up has become the rule. Knowing the law and TDCJ policy and normal business ethics just a little – oh my – hurts even more.

Criminal Displaces both Victim and Victim’s Witnesses. There were *years* of serious security breaches, now a years of cover up of those breaches – protecting Chaplain Collier – and now a year of cover up of my exposures of those security breaches. I lost my job for exposing it and other things. Then the extent of the *investigation* of the most serious security breaches was – what? – asking (then) Warden Richard Alford to write an IOC *months* after several written exposures. They asked the criminal to declare what happened, and ended all investigation there. It is a crime to ignore the victim and the victim’s witnesses, especially in TDCJ, where security is paramount and the victim – me – was prevented by Warden Alford from supervising prisoners. There was no *investigation* at all, and there were years of staff and volunteer *witnesses* to the lackadaisical, policy-violating, prisoners-run-wild Polunsky Chaplaincy Department. Read the critical letters in Tab 1, and if you want the whole story behind the evidence in this Sourcebook, then read previous letters sent in the PDF compilation in Disk 2.¹⁵⁶

OIG – please, the word is already out that I have recorded something, for I have called several others, and they have balked, when – you know – normal people would have just carried on like normal (like the several of the recordings). If only I had thought of getting recorded testimony earlier. But, again, I trusted; I thought too well of several, believing as soon as the major 21-page exposure hit the road, OIG would be dispatched without further ado. I don’t know how, precisely, you all might formulate an investigative plan. Most of interviews should pan out as outlined, unless fear powerfully grabs some.

¹⁵⁶ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf for a copy of all five letters, plus the 50-page Faith-Based Housing Letter; password to open is “Love-Honor.” In the earlier version – for which I apologize – it had the October 21, 2012, 21-page letter needlessly duplicated. Pay attention the contents ... if one reads that far.

1. Chaplain David Collier, then Lead Staff Chaplain at Polunsky, now at Walls Unit

Chaplain David Collier – this will be an easy nut to crack, as he simply cannot help his advocacy of the prisoners. It became clear early on that most any truly seasoned security person could see Chaplain Collier was “taken in” by the prisoners who played him for all he was worth, which turned out to be \$10,000s of all kinds of “chapel” stuff that was personal property that the prisoners used, including \$1,000s of his own personal commissary. Disgusting! Collier is a bit clever, and thinks himself witty too, and he is more socially intelligent than he looks; he has an easy way to him, making it easy for him to convey compassion. Having decades of pastoral ministry, his skill in listening has many remarkable points, though actual empathy struggles and his understanding of developmental stages is woefully lacking. **STRATEGY:** Just about ANY investigator will yield something, but Chaplain Collier he will *not* say anything of real importance. Unless he knows the tables have turned, seriously and irrevocably turned, for this is certain – he is supremely confident in those who protected him so far.

How to hit the gold mine? What is the gold mine? First, I suspect by now Chaplain Collier has had a lot of “talks” with Wardens Simmons, Alford and Muniz – only God knows who else.

Hocus pocus? I have no idea what really took place. As mentioned in my November 2013 letter to Livingston, human nature and the makings of a real prison warden – and Simmons and Alford were real wardens – it is impossible that the Polunsky wardens, et al, were simply lax themselves and likewise impossible – utterly impossible – that Chaplain Collier just *hid* everything or deluded the through his personal enchanting magnetism. The impossible removed, then it is clear that there is some mysterious reason – motive – behind the wardens *knowingly* allowing Chaplain Collier and all the volunteers to violate so many policies for years.

And to me, it is extremely sad that four chaplains, especially the three previous with less experience, had to endure so much, and it should embarrass TDCJ to high heaven that so many employees have been ignored or nixed – as I was – for standing up for what was right. What OIG must know, *seriously know*, is that just as it is a foregone conclusion that other employees have been treated with knowingly deliberate indifference. And worse, that there are also several ranking officers who sided with Wardens Simmons, Alford and Upshaw, and promoted based upon their willingness to back them for whatever purposes that drove them to compromise security and protect Chaplain Collier.

What a mystery. See all the evidence of the Polunsky Chaplaincy gone wildly afar from every major security and chaplaincy policy herein in the Sourcebook, and all that among the policy violations and favoritism outlined in Tab 18 and further proof of my innocence.

I *suspect* when simply asked about prisoners in the dark lights-out Media Room, Chaplain Collier will simply repeat what he said to me, that “Warden Simmons and all have seen and said it was okay.” Collier will claim he was following policy all along. Really, it was the chapel SSI prisoners who adapted policy as they did most of the work for him. For instance, until our regional chaplain meeting in August 2012, the Polunsky Religious Property Policy (Tab 15) was not followed at all, and I really did not care at first. I got with the key officer to bring keys into line with policy; see the 30 things I *was* able to bring into compliance, among other minor things (Tab 2). But Chaplain Collier will not remember much about policy, because he did not care about policy. The prisoners *wrote* up clearances and IOCs *for* Chaplain Collier to sign, prisoners essentially running the chaplaincy. It will be useless to ask him about prisoners on the computers, as he had no little idea what they did, the nature of the computer programs they used, much less what they were capable of doing. Even non-SSI prisoners – prisoners *not* certified by classification to be on computers – just came and got on the computers in the chapel. I tried to put a stop to it: Collier’s and the volunteers’ explanation was that the non-SSI’s were in “training” to help. Ridiculous. Because Collier is no longer at Polunsky, he will not admit that I cleaned up his weekly clearance and tried to get chemical control in order. But, saved from the prisoners’ computer before (then) Reg. Director ordered ITD to clean the computers, you can see the MS OneNote system and see the dates of the files yourself of about 30 “Volunteer Weeklies,” the earlier ones listing the volunteers; a good look at those, and one will find what I found, several on the list “denied,” several not on the VS00 at all, and – worse – none of the volunteer chaplains. You see, the Volunteer Chaplains had access to Polunsky with badges “signed” by the warden and created

TAB 3. OIG Witness List with Suggestions
State Employees Are Supposed to be Treated Equally

by the prisoner SSIs – yes, the prisoners creating the badges that allowed the volunteers to come and go from the prison and all around inside the prison – as they pleased – and not on any written gate clearance for years.

a. Big Lead – the 2012 Annual Evaluation – Upgraded??

BIG LEAD – Chaplain Collier’s Annual Evaluation for 2012 Upgraded?! See Tab 14, Items 2-5, for three good Annual Evaluations in a row from official Open Record Requests. Question for OIG is “how” could that happen? Clarify this: Chaplain Collier told me not long after I got to Polusny that his 2011 Annual Evaluation came back “not up-to-par,” and the wardens “refused to sign” it unless it was a good evaluation. So there was no 2011 evaluation at all, and his 2012 came through with a shining star. It was returned with all good marks and the wardens signed it. That says more in this light than can possibly be determined by me. **STRATEGY: an OIG investigator could, incognito, set with Chaplain Collier during lunch, hopefully catching him in a chatty mood, and OIG brings up what he heard about Collier’s time with *crazy Chaplain Maness*, and brags on outstanding program he had heard from his old friend Warden Simmons. Then, ask the question, “Tell me, Simmons said he refused to sign your Annual because old Ulmer was a stick in the mud – is that true?” It was a strange piece of business, maybe not worth the time. But there appears to be a trail mix that should have plenty of fresh nuts and dried fruit that could even lead to the DIAMOND MINE below. Next, after verifying to OIG’s satisfaction the utter nonsense, then dig into Richard Alford for *why* – really why – and how he could give Chaplain Collier a good Annual Evaluation given all the violations still going on.**

I suspect now that it was part of the plan to help Chaplain Collier be able to be transferred to the Walls Unit for the execution process. Chaplain Collier told me his desires there, frequently, but so much of his story telling lacked cohesion.

b. Gold Mine 1 – How LONG Were Computer Control Center Unsupervised in Dark?

GOLD MINE 1 is this: how long were the *lights out* in the Media Room? More importantly how long did the prisoners have *unsupervised* access to the \$1,000s of computers, cameras, scanners, and color laser printers? Years – yes – but *how many years?* Why in the world is that not an important question? When did that start? Why is that still a mystery? But I suspect Chaplain Collier will be cagey. One has to know that given the horrendous security breaches in the Media Room for years, the most severe *knowingly* allowed by the wardens for years, then just think about how much more was whacko for so long. And then, with all that looseness, the prisoners helping with count. And no prisoners were ever shook down, not after 10 hours in the dark Media Room, not after 10 hours of access to chaplaincy supplies in the dark Audio Cave, and not after 10-12 in the chaplain’s own office. Who cares?

And never once, in months, had the prisoner work stations been shook down, except by me. Chaplain Collier and the volunteers thought I was crazy when I mentioned it was *standard* policy for prisoner work stations to be shook down. Out of this world crazy.

c. Gold Mine 2 – How and Who Stringed Extension Cords in Attic?

GOLD MINE 2 is twofold: 1) who and how did you string the extension cords in the attic and 2) when did you? Sound innocuous now, but that will give an indication as to how long ago it was that the Major’s Utility Squad first got to do Attic Work, did electrical work, modifying and drilling holes (using power tools!) in the wall AT NIGHT OUTSIDE OF THE unit maintenance work order schedule. See Tab 2 for a copy of the work orders of the lights that I was finally allowed to get fixed by Warden Alford, against the wishes of Chaplain Collier and the volunteers.

d. Gold Mine 3 – When Did PEER Program Langley Donate Her Computer?

GOLD MINE 3, when did the PEER program supervisor Lisa Langley *donate* her computer? How often did she check it? And you’ll need to talk to Ms. Langley too, about all of her donations, and what she saw. Did she, too, sit in the dark with prisoners in that Media Room from time to time? Then you will know how long the prisoners had unrestricted access to her state computer. Or, was it her personal computer that she donated? Did she really “donate” it or did she “loan” it for long-term use? See Tab 13 – Inventories,

TAB 3. OIG Witness List with SuggestionsState Employees Are Supposed to be Treated Equally

Item 4, for the clearance Chaplain Collier sought from Warden Simmons to allow the computer to be brought into and *leave* the prison, apparently there must have been another clearance that allowed her computer to *stay* in the prison.

e. Gold Mine 4 – What Did Chaplain Collier Know of**MS OneNote System – Nothing?**

GOLD MINE 4 could begin with a question, “Chaplain Collier, you are aware of the Microsoft OneNote system that the prisoners SSI’s and Volunteer Chaplains have been using for years to manage all facets of the chaplaincy?” I doubt if he will remember what it was called, but if so, “Yes, of course,” will be his answer. “How often did you get on the OneNote system yourself?” I suspect it is crucial to ask that first, to establish first that his use of it was minimal. Then, the question “Are you an expert on it?” “No,” will be easy. “How do you add a folder to the OneNote system? Yes, really?” What is shocking is that Chaplain Collier did not know much about how the OneNote actually works. And that means he as well as new novice Chaplain Jose Vitela do *not* know how their own chaplaincy department is run. In other words, in maintenance and in the TDCJ factories, like the furniture factory at the Lewis Unit, and the laundry services, *everywhere* else in TDCJ where prisoner SSIs do computer work, there is *nothing* on the computers that the supervisor does not also know how to do. There are checks that all the supervisors do that let them know *precisely* what the prisoner SSIs have done. Not in the Polunsky Chapel, for at the end of the day, every day, for years, and even NOW, there is NO knowledge of ALL that the chapel prisoners have done on the computer OneNote system. Worse, Chaplain Collier and even new novice Chaplain Jose Vitela donot know what the SSIs actually do all day on the computers, other than the normal output, as they are usually hidden outside of line-of-sight supervision *inside* the chaplain’s main office. Kind of pitiful that was and is likely continuing today.

The Polunsky Chaplain was and is to this day dependent upon the prisoner SSIs in a fashion that no other TDCJ Chaplain and certain in a way that no other department head is dependent upon their SSIs. In fact, it is surprising that this very exposure of mine has gone along so long, and not thing has been done about. NO STAFF is supposed to be DEPENDENT upon prisoners to do their job, but prior to my retiring in October 2012, the Chaplaincy was critically dependent upon the SSIs, and was dependent for months after, at least – my sources tell me – through July 2013. The pretense of supervision by novice Polunsky Chaplain Vitela can be seen by just about anyone, if they look today.

f. Gold Mine 5 – Chapel Paint Completely Unsupervised, even LATE in 2013!

GOLD MINE 5 will be found with the extensive prisoner access to paints in the chapel, see Tab 10. Ask, *why in God’s name are prisoners allowed to use PAINT without any continuous and direct supervision?* And since Chaplain Collier *knew* they were not supervised, why was no one measuring the paint used? Worse, even after several letters of exposure, and Open Records requests, see that I had to request, re-request, and go through appeal to the Texas AG’s office in order to get the information that, even in July 2013 – *still* – Chaplain Jose Vitela (apparently) responded that he is not supervising the prisoners using **PAINT** either. Ridiculous. Supervision of prisoners in the Polunsky chapel was not in the Chaplain’s policy, all under the complete knowledge of now Warden Hunter, the warden that “fired” me for posting photos I had permission to take and signed Media Releases – and Hunter allows prisoners *unsupervised* use of paints! Since I have been harping on these things for over a year, then follow up with both Regional Director Alford who *knew* of prisoners using paints with no real supervision, too.

WHY IS THIS GOING ON TODAY, October 31, 2013, a *year* after I faxed my first 21-page exposure? This goes way beyond me, but still vindicates me, yet – how disrespectful to TDCJ’s mission and the executive director’s office, that *after* these exposures are given, this continues. Not only have they been covered up, but the exposures themselves were ignored. It is almost like Warden Alford and Upshaw *want* the Polunsky Chapel fail, or be the source of another atrocious escape or worse. Unbelievable.

The chaplain or volunteer unlocks the paint cabinet, and the prisoners take the paint and just *paint, paint, paint* with volunteers or the chaplain just yawning as they pass by – no supervision at all for hours. Then, after the prisoners are through, the prisoners – the prisoners *alone* – put all *their* paints back into the cabinet and the prisoners used to lock the cabinet themselves (likely still are). Never are the paints even

TAB 3. OIG Witness List with Suggestions
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looked at, much less weighed in or out. I tried to stop the prisoners locking things up, as that was the chaplains' and volunteers' responsibility. Regardless, the prisoners painting are never searched or shook down, and there is no telling at all how much paint could have been stolen over the years.

So, I strongly suggest the investigators get to this before the wardens know a *real* investigation is under way. What makes this so absurd, especially since the Serious Incident Report (SIR) on the escape attempt reflected prisoners "coloring" their clothes and using the chapel to stage the escape, and the SIR did not say how the prisoners colored their clothes (see Tab 10, Escape Attempt 01-29-10).

g. Emerald Mine – When Did Chaplain Collier START to Get Away with This?

EMERALD MINE is something only the OIG's best Sherlock Holmes will be able to discover. When did Chaplain Collier begin to get away with all these violations? When? It appears to me, from my research, that he was getting away with these violations from day one after his employment. Or, in stupid chaplain-go-lucky terms, when did Chaplain Collier get so fortunate to be able to "do so much of God's work" without a real nitpicky concern for policy? The latter is very clear, how the experienced volunteers perceived Chaplain Collier's favor as to his "silver tongue," the volunteers thinking Collier "special" for his extraordinary ability to get from the wardens what no other chaplain in TDCJ was able to obtain. When did this start? You have the recordings of the Chaplains Anderson, years ago, and Chaplains Edwards and Barry, that preceded Maness by years and years. Years ago, Anderson recollected how prisoner Ramy Hozifeh had a remarkable savvy with computers back *then* – catch that, years ago – and has been using the computers since then with zero supervision.

Can *anyone* find out why no OIG investigation was initiated long ago?

h. Ruby Mine – Who Was the Highest Ranking Person to Know and

Did Nothing?

RUBY MINE will be found outside of Collier, but pertains to him as the signal protected staffer in TDCJ history. Chaplain Collier may not even know, but rubies will be found if this can be answered clearly. I have asked already in several letters. And I wonder and have asked, is Chaplain Collier related to Dep. Dir. Bryan Collier? If so, then it appears that nepotism has trumped policy. Still, again, who was the highest ranking person *above* Warden Simmons in July 2012 that knew about the security breaches for years and did nothing? Unsupervised prisoners in the dark room and did *nothing*. At least, now, Div. Dir. Upshaw knew, as I saw him on the Polunsky Prison a few times. But was there someone higher? Did Division Director Hazlewood know, as he had several DVDs of his services recorded? Did Thaler know before he retired?

i. DIAMOND Mine – What Happened? –

How did Chaplain Collier Enchant Wardens?

DIAMOND MINE is really the most important of all, and the hardest of all, for all of the Polunsky Chaplaincy failures and security risks and multiple violations were not wholly Chaplain Collier's fault. Impossible that Chaplain Collier was solely responsible. If he had any guidance at all from the Polunsky chaplains that preceded him, like Dan Chapman. I talked to Chapman, knew him for years *while* he was the Polunsky chaplain before Collier, and Chapman ran a tight ship. Shoot fire! – Chaplain Collier could have gotten minimal guidance from a staff sergeant on day one. The **DIAMOND MINE** is why – why in heaven? – or hell – did the wardens knowingly SUPPORT and PROTECT Chaplain Collier? Why? And like onto it is this: Who knows why? All *four* TDCJ Chaplains for the last seven years had *miserable* time with Chaplain Collier regarding his refusal to follow basic policy and his allowing the prisoners to run wild. See how after Chaplain Collier leaves to go to Walls Unit, in the recording, how new and still novice Polunsky Chaplain Jose Vitela came *into problems and was still working on bringing things into compliance* at the time of the phone call in August 2013! Then look at Warden Alford's February 2013 2-page IOC to Stephens that essentially knocks me about and takes credit for getting TDCJ ITD

Who is Chaplain Collier to have such enchanting prowess?



Other than the years of security breaches and unsupervised prisoners, that is greatest mystery in TDCJ history. Never before has a single chaplain enchanted so many top security rank!

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to chaplain computers that had a laundry list of problems, but mentions nothing about Chaplain Collier; and then, good investigators, ask why would Warden Alford give a good annual evaluation to Chaplain Collier in November 2012. Chaplain Collier got three GOOD annual evaluation in a row by November 2012, even though he was leading the most policy-violating department in TDCJ history! Foolishness galore for years! The **DIAMOND MINE** is *what did Chaplain Collier have on Simmons and Alford* (and others) that kept them from correcting Collier *years ago*? Years ago? Collier will not turn that over easy, certainly *not* immediately. No chaplain in the history of U.S. prisons has *ever* been so protected as, at least, Simmons and Alford have protected Collier, and coerced others under them. Not ever. And now, even Warden Hunter is a party to that, the very man who *fired* me for no good reason, and Upshaw who would not let me return to Lewis Unit for no good reason.

**2. Alford Part One – Reg. 1 Dir. Alford and Div. Dir. Upshaw –
“Special” Polunsky**

Richard Alford, promoted to Region 1 Director shortly after the exposures and will be key to unraveling all. Though I have not been able to obtain his full service record, Chaplain Collier and several volunteers told to me that he was at Polunsky before and really supported the chaplaincy program as it was. It was clear he did, and it was also clear that he and Warden Timothy Simmons knew all about everything, though I had a hard time believing it prior to Alford’s refusal to help me clean the chapel, and then his other shenanigans. As mentioned in a previous letter, Cert. Vol. Chaplain Tommy Dill (Witness 16 below) told me plainly how Warden Alford sat with him, Dill, in the Media Room for an entire Sunday service as the prisoners working behind their backs *unsupervised* and the darkened room in August 2012 – effectively *endorsing* the unsupervised prisoners as the wardens had before him. Alford on the witness list number 9, after we deal with just a portion of the overburden of cover up *prior* to Alford.

Div. Dir. **Michael Upshaw** was a party to everything. I do not know how an investigator could approach them, except perhaps after the fiasco is nearly complete in law enforcement terms to go after them for the full truth. Without a doubt, they *know* why Chaplain Collier was protected and catered to; that is, they *know* the full extent of Chaplain Collier’s enchantment of them. What possessed them to allow Chaplain Collier so many security and safety violations without so much as a slap for years, endangering staff and volunteers?

They know how far up the chain of command the full cover up goes, to Div. Dir. Stephens and the full amount of involvement or non-involvement of Dep. Exec. Dir. Bryan Collier. As mentioned in a previous letter to Livingston, it was an odd thing that so many volunteers, including the Cert. Vol. Chaplains mentioned below, were *looking and hoping* for Alford to return, because even the volunteers knew how “special” the Polunsky Chaplaincy Department was, “special” serving triple duty here,

1. “Special” as truly supporting God’s work from the volunteer and prisoner perspective,
2. “Special” filled with all manner of serious security and safety violations under the *knowing* permission of the wardens and majors and even Reg. Dir. Upshaw, and
3. “Special” in the sense that the Polunsky Chapel as a whole was mentally handicapped from every form of policy and common sense in Maness’ understanding.

No, God does not support violation of security and safety policies!

3. Rick Anderson, former TDCJ Staff Polunsky Chaplain (Disk 1, Track 1)

Rick Anderson, former TDCJ Chaplain at Polunsky, had a horrendous time, was isolated and by his own words was *under* Collier and even *under* Volunteer Ed Reeves, as prisoners ran amuck *prior* to their move to 3-Gym. Hear this, even *prior* to move to 3-Gym, in 4-Gym (before the craftshop was moved there), prisoners were allowed on computers *not supervised*. Yes, Anderson took a letter off the unit from a Death Row prisoner, but the letter, he said, was to the prisoner’s mother; as outlined in his book *God’s Feet Are in My Sandbox*,¹⁵⁷ you’ll see evidence of cover-up and scapegoating by the wardens then, and read Anderson’s own fear to name names. It is clear that both publically via TDCJ’s public relations that

¹⁵⁷ Rick Anderson, *God’s Feet Are in My Sandbox – Faith Chronicle of a Texas Death Row Chaplain* (Mustang, OK: Tate Publishing, 2011; 227p.).

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subtly allowed and within TDCJ that his wardens (Simmons, et al) wanted the letter to Senator Whitmire to be the very one that Anderson took. There is no defense for Anderson's action, and it is normal for any institution's public relations to handle this the way they did. But on the cover up and blame, after all that has transpired, what of that? Anderson's book clearly reveals that he gave enough sources to say that there was not good work done on his case, that even a fabrication was present that forced the letter he took for not being the actual one sent (not the one addressed to Whitmire). Anderson most likely would not have violated policy like this if he had had decent support and the mentorship by an *experienced* chaplain and the others – even wardens – to help him (see page 88 compilation or page 16 of Feb. 19, 2013, letter/exposure). I don't think Anderson would have failed under an experienced chaplain, and herein is more than can be said here about the subtly of true chaplain expertise. The dire state of pastoral care at the Polunsky Chaplaincy was allowed for years as detailed in his book and that could only be fully appreciated by experienced TDCJ chaplains with CPE training.¹⁵⁸ **STRATEGY:** the investigator should be kind to Anderson. Ideally, I think a soft-spoken investigator, after reviewing Anderson's allegations in his book, will see how proud Anderson is of his book and could utilize that to gain trust. The allegations of officials *forcing the death-row prisoner letter* to be the same letter that Anderson took to be the actual one that went to Senator Whitmire – that is a trail that may be dead now, but perhaps not. If that actual truth can be found, that *could* vindicate Anderson and substantiate further the conniving that has been going on, instead of the simple search for truth. A clear resolution to Anderson's case could yield another form of traitor. What is relevant today, as then, is how long the "protection" of Chaplain Collier was going on, as is Anderson's testimony to Collier's slickness, and how Anderson says Warden Simmons was deceived by Collier. Wow, only a novice chaplain such as Anderson would believe that Collier was so clever as to be able to deceive a seasoned warden. While no excuse, it will be obvious that even rookie Anderson saw violations every day. No, Collier never had Simmons snowed. Yet, Anderson's testimony is critical evidence that Simmons was *knowingly* allowing Collier to violate many policies before 2012! Why? Further, knowing that Simmons *knew* this, a good investigator will also be able to piece together many and perhaps most of those with Simmons, further indicating how Warden Alford and then Reg. Dir. Upshaw also *knew* of these violations for years. Goodness, an investigator can see Anderson's fear in his book. Anderson said he sent a copy to Livingston. Anderson's home (936) 559-5219 cell (936) 652-6313 rickanderson913@yahoo.com.

4. Loren Edwards, former TDCJ Staff Polunsky Chaplain (Disk 1, Track 2)

Loren Edwards, former TDCJ Chaplain at Polunsky, still with TDCJ at another unit (forgot which) will tell of the intransigence of Chaplain Collier and Collier's inability to be truthful, Collier's violations of TDCJ policy and allowing prisoners to run amuck. Edwards has little fear of saying things as they are, and – just as with me – Volunteer Chaplain Ed Reeves made him angry. Ed Reeves most of all defied most attempts by ALL THE TDCJ Chaplains (Anderson, Edwards, Barry, and myself) to bring things into compliance. Hear this: a volunteer *defied* four staff chaplains' effort to bring things into compliance, supported by Chaplain Collier all the way. Oh – that insight from all these chaplains tells how very sick the Polunsky Chaplaincy was, the model by Divisional HQ, Chaplain of the Year Collier and Administrator of the Year Warden Simmons. Edwards will open up to the right investigator give more clear stories of Polunsky. **STRATEGY:** He'll be open to any honest investigation of Collier, readily admitting Collier's lack of value of the truth. Edwards will truly appreciate another opportunity to share his still hurt feelings. However, if, if he was told of my recording of his conversation *before* OIG gets to him, well then, find out who told him and follow that lead too. Edwards will tell the truth, blatantly, and look closely here, for he will hate me for recording and will not be as open if he was told of my recording before OIG gets to him; furthermore, he might shut down completely, as he lives in the woods, has no internet, and is almost in survivalist mode. So, if he was told before OIG gets to him, then whoever did this actually impeded the investigation. Edwards is a blatant and truthful fellow who cannot stand games and almost came to blows

¹⁵⁸ Much as an experienced law officer can tell a novice officer over a cup of coffee, and a counselor and a banker and a medical doctor or nurse; the ministry profession has its experts and novices, and prison chaplaincy is a world unto its own with many unique challenges. Would that Anderson had a truly caring warden then.

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with Vol. Ed Reeves and Chaplain Collier, despising Collier's lies, and hating the prisoners being allowed to run amuck, and saddened to his core over his inability to get the warden's help. Yeah, give Loren Edwards a call: cell 936-329-1438.

Edwards is a prime witness to my own case of not getting the warden's help and seeing Chaplain Collier as a prisoner advocate.

5. Mary Barry, former TDCJ Staff Polunsky Chaplain (Disk 1, Track 3)

Mary Barry, former TDCJ Chaplain at Polunsky and currently at Jester 4. Goodness, she and I hit it off and shared a bunch at the BOQ during the last regional chaplaincy training in August of 2012. We chatted for hours. In the recorded call, she and I reminisce about Collier's lying, about her and Collier, and about Collier allowing prisoners to run amuck. It was normal, by then, for prisoners to use computers without supervision. After having heard all three TDCJ chaplains that came before me, now then, read Stephen's and Alford's bogus "reports" which, in the light of these chaplains and the certainty of Wardens Simmons, Muniz, Butcher, and then Reg. Dir. Upshaw's *knowingly* allowing those violations – oh, what a big soup pot of cover up and traitorous behavior that was then and is now. **STRATEGY:** She is a caring individual who will NOT appreciate being recorded, but will be honest. I suspect, though, that recording or not, she will be the same with any investigator, disappointed in the recording, but honest through and through. It would be best, I suspect, to approach her from the standpoint of substantiating allegations of Collier's simply allowing prisoners to run amuck. And of course Collier lying about her, which really, really hurt her (as it did all of us); she has some sensitive feelings, as all of us chaplains do about our honor. Lead softly, I should think, and a female investigator with good empathy skills in an informal setting off the unit could be a good strategy. Starting a line of questioning with a bit of disgust over prisoner freedom, like, "We understand that prisoners had freedom to use computers by themselves (gulp!), volunteers and staff had to enter that *damned* lights-off-office to use the restroom with no staff in that office??"

She did not know then, but walked into that as the *norm* – for God's sake – as the *norm!* Of all things to obtain, rock solid proof, that for her entire time there, loosey goosey and zero supervision of prisoner SSIs and the absurd Media Room – just crucial for this to be seen as *the norm* for Polunsky, just slams again the lies *written* by Richard Alford and William Stephens in their IOCs in Tab 5a, especially Alford's lie and clear manipulation in the attempt to intimate, oooops, let's get TDCJ ITD there (when it was my exposure that got ITD there), and zero mention of unsupervised prisoners for years. Alford and Stephens simply covered up the major security breaches of prisoners unsupervised for *years* in the dark with \$1,000s of computers, cameras, high quality scanners, and color laser printers. Color laser printer!

We know the wardens *knew* about it all then, and perhaps she has insight into the warden's feelings then. She now knows, thanks to her current Regional Chaplain Susan Mathis, how foolish that was. Be sensitive to her own feelings of guilt for not doing more about it then, but – again – how could she *know* being a novice chaplain then. Mary Barry's contact info is 281-340-8729, pager 281-308-0404, hm 281-277-3700.

6. Susan Mathis, then TDCJ Region 4 Chaplain

Susan Mathis, TDCJ Region 4 Chaplain, who I called August-September about problems with Chaplain Collier. I had had it with Collier's balking and had it with the wardens ignoring all I had done already, including having already written a 4-page to Warden Muniz and put in my file, and Collier's simple-minded yet adamantly determined defense of his prisoners. I have already written a book about it in the previous letters. So I called her to get her help. When she called back, Chaplain Collier told her all was fine. She'll verify that. And she'll verify all the stuff I sent her in November *before* Warden Alford's alleged call and *before* TDCJ's ITD started to accumulate their laundry list of things found.

7. Steve Ulmer, then TDCJ Region 1 Chaplain

Steve Ulmer, then Regional 1 Chaplain, who had to fight Warden Frank Helm after Helm after fired Volunteer Melvin Bell, which became tied to the end of Maness' time at the Gib Lewis Prison, but did not know it then. Ulmer will verify how absurd and cold Helm's firing of Vol. Bell was then, because of Helm's adolescent dissatisfaction with Warden Michael Roesler's decision five (5) years prior – Helm held onto a grudge over things not even his business. Ulmer really had to fight that, and at the same time I was

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written a case for a mere email about nutty Volunteer David Valentine; see Tab 18 for the extensive detail and comparison of infamy between what Helm got away with and what I had to endure, and where fair treatment and justice took flight in my case. That business with Vol. Bell became the reason for my end at the Gib Lewis Prison, because I told the truth of the history of Bell, instead of being silent as Helm wanted; that became one main reason why after my dismissal hearing I was not allowed back at Gib Lewis and the plan to send me to Polunsky. **Any STRATEGY**, as Ulmer has no compunction whatsoever about telling the truth, something I did not realize soon enough. First, though, it would seem prudent to get the full story of Bell out and onto paper, as it were, including who overruled the Gib Lewis Prison wardens and overruled then Reg. Dir. Upshaw, for that was a marvelous piece of honor winning over. And therein, one can determine the shear and utter nonsense of Helm's actions and also the unfair treatment of me compared to the favor for Helm; that is, two men with similar tenure and similar pay grade over a similar category of violation (volunteer), and I get slammed while Helm gets off free. We truly need to hear Ulmer's side of the Helm favoritism. After that, then to the more sensitive side of his take on why the Polunsky chapel prisoners were allowed such freedom in the darkroom unsupervised. I sat in the Polunsky Chaplaincy office as Bill Pierce interviewed Chaplain Collier and me about Volunteer Chaplain recruiting, for the up-coming regional chaplaincy conference. As we all sat in that office, Ulmer chatting with an prisoner, the two SSI prisoners were in the Media Room IN THE DARK unsupervised – remarkable! At this time, I was really taken back. A pivotal question to Ulmer will be: “How come you said nothing about prisoners by themselves in that dark office where the staff restroom was? How did that escape you?” But this latter questioning should come *after* the Helm business, it seems.

8. Asst. Warden Muniz, Polunsky Unit

WardenMuniz, Polunsky Unit, acknowledged receipt of my 4-page IOC in July, twice, and said he “was looking into it.” After my attempt to come to see Bryan Collier and Rick Thaler, and after a second talk with Warden Simmons, Simmons sent Muniz and Major McMullen to 3-Gym Chapel in late July 2012. They spent about 30 minutes in the chapel, 15 minutes of which was in the dark Media Room talking to the unsupervised prisoners! They both left the prisoners in the dark and came into the Chaplain's Office. They did NOTHING. It was not clear then, but a year after the fact, and after mulling over that, it is clear today that Warden Muniz led Major McMullen there under orders from Simmons and to *bide their time and my time* until Warden Simmons retired. Why in heaven's name did they do nothing? **STRATEGY**: I don't know. Muniz just never said much of anything to me, never responded to questions, and only came to the chapel that one time during my entire time there. I suspect he simply did not care or was told to stay away from the chapel. But Muniz knows for certain what Senior Warden Simmons knew.

And my last week there, as my retirement had been locked in, on October 29 I had faxed the 21-page letter of exposure, calling in sick that Monday the 29th and Tuesday. I called in just as I had several times before. Yet, Warden Muniz calls me for the *first time* on Tuesday and says he wrote me a disciplinary for **not calling him personally**– my dismissal recommendation on the way again, and as yet no response for the unsupervised prisoners. I had the privilege of telling him my retirement was effective on the following day, Wednesday. While there is little use in retracing those steps, outlined in previous letters, it came about just as I had feared; there was no honor at all there. Wardens Alford and Muniz were going to use me as a scapegoat, but – thank God in heaven – I had written the 4-page IOC in July and in July had attempted to see Dep. Dir. Bryan Collier and Div. Dir. Rick Thaler, had the Polunsky chapel visited by several trusted volunteers from Woodville, even state Representative James White saw it – an incorruptible witness, one might say – and by October I had called Reg. Chaplain Susan Mathis and talked with most of the rank at Polunsky, connections they were aware of. It was a cover up simple and clear.

The strategy here – I just don't know. Muniz was simply Simmons and Alford silent lackey, just doing what they told him to do. Sadly, you will find a load of chaplaincy computers and supplies that Muniz signed off on, without as much as a second thought, \$1,000s of equipment. Another portion of study, relevant here only, would be to see what the total combined donations were of all the other TDCJ chaplaincies were in the last three years, and I would bet you \$100 that Polunsky's incoming *personal* property donated exceeded more than the combined total of all the others, and perhaps more than any other in TDCJ chaplaincy departments in TDCJ history. And all in violation of policy, as it was *personal* property

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that Warden Muniz' signed off on, instead of properly donated. Furthermore, the mailroom was so very afraid, scared even, that they had to institute *anew* unseen-in-TDCJ-mailroom-history policy of extra-signing for "incoming chaplaincy" shipments to be signed by Warden Muniz mostly. That is a policy still going on, but, unfortunately, I have not been able to get copies of everything through Open Records. It would be a great asset to compare ALL the chaplaincy departments equipment and free-world office supply deliveries with those to the wacko Polunsky Chaplaincy.

But the incoming hoard is really small compared to the *zero* supervision of prisoners and all of the other violations that Warden Muniz clearly allowed *under* Wardens Simmons and Alford. I suspect, though, that with the right pressure and some of Alford's and Upshaw's guilt clearly established, that Warden Muniz loves his job will enough – perhaps with a plea bargain – to tell all. On the other hand, Muniz may just not have known all, fully, and may have just thought it was part of being an Asst. Warden. One thing is for certain, he knows a lot, or should know. His deliberate indifference was epic and unconscionable.

9. Alford Part Two – Senior Warden Richard Alford, now Region 1 Director

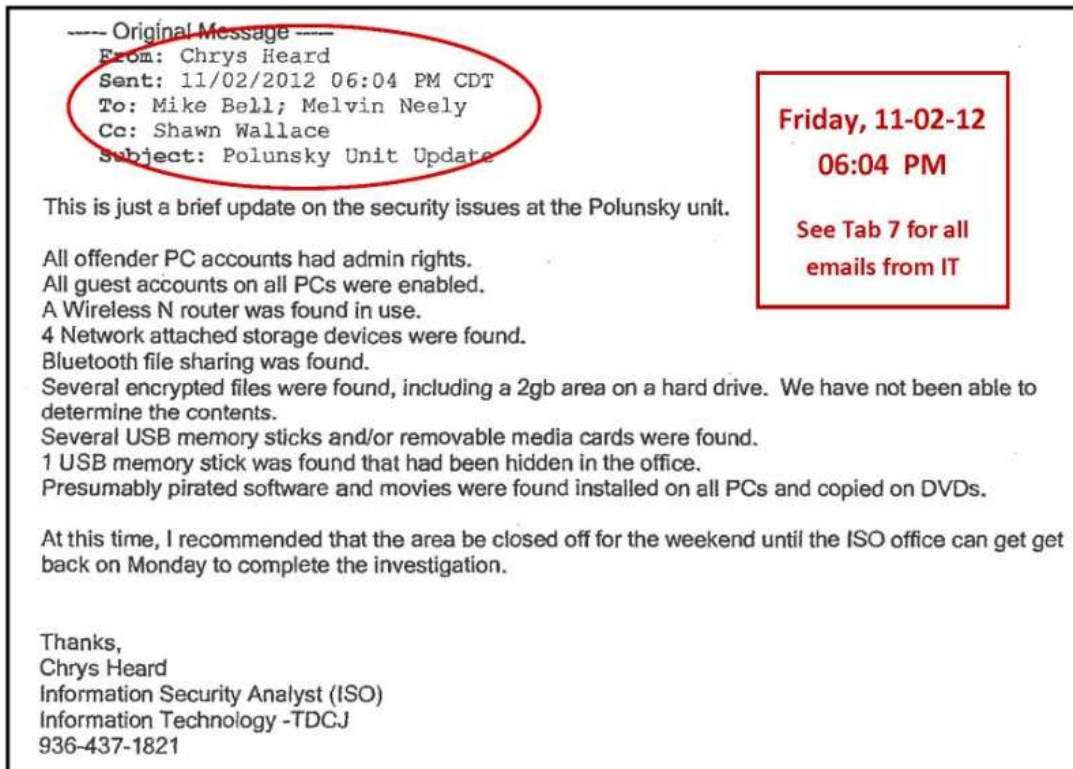
Oh, he will not be easy to crack, not at first. But with not only the facts from the interviews, his precise time at Polunsky in the past (which TDCJ would not give me), and the vast and prolific testimonies of many volunteers and staff, and those coupled with these Sourcebook Tabs stuffed with evidence of wholesale violations and how the Polunsky Chaplaincy was dependent upon the SSIs *managing* it through the computer network, goodness, treason cannot be clearer. Since the volunteers were *so excited* that their hopes and dreams and longings had been fulfilled with Alford's arrival, one wonders what Alford would say to those longings.

What is important to note here, the 21-page letter I constructed was *faxed* on October 29, and it was not something that could be created overnight. That letter itself is one critical piece among a host of evidence contrary to the Polunsky Prison's integrity and has been covered up with several concerted efforts. Note again Alford's January letter and the *alleged* timing of *his claimed* initiation and consult with Upshaw, to get ITD Techs to Polunsky (Tab 5a). See how that timing conflicts, though Alford struggles. I had been trying to get Collier and the Wardens to allow ITD and even an outside computer expert to fully examine all since July, mentioned it to Simmons and Alford, even suggested that Chaplain Collier's "ministry budget" could pay for it (Tab 12). Even though ITD were experts, see their own report in Tab 7 and the weaknesses therein noted, from Wallace's testimony on Disk 1, Track 8, he said Upshaw ordered the Chaplaincy prisoners' computers be "cleaned" erasing more evidence. Still, from Tab 7, the esteemed and honest ITD Techs did not discern all of what the prisoners were fully capable of doing, because they were *not asked to*. Most of the ITD Techs have not spent a lot of time *managing* prisoners inside of normal prison protocols. But I asked plenty of times in the many letters – *none of us* knew precisely what the prisoners were **capable** of doing, and now, with Upshaw's order, we will never find out. That is not simply an oversight on Upshaw's part.

I stress that no action, period, was taken until I faxed that 21-page letter on October 21, 2012. Alford lies and covers up. What is neat, and could be crucial, is that I could have faxed a less-refined draft the week before; I had been working on it the better part of October as I finalized my retirement. But I needed to wait, before I faxed it, until I was out the door (proverbially), for I knew another disciplinary was coming from somewhere (you'll see in a moment). That was clear with Alford's goading of newly minted Major Hutto, forcing Hutto to "find" things Hutto already knew about as captain, that I personally told Hutto about that Hutto "forgot" in the recorded interview on Disk 1, Track 7. Regardless, with the 21-page letter faxed on October 21, I rested in a confidence that I just *knew* a full OIG investigation would start and my redemption would come soon after, but it never did.

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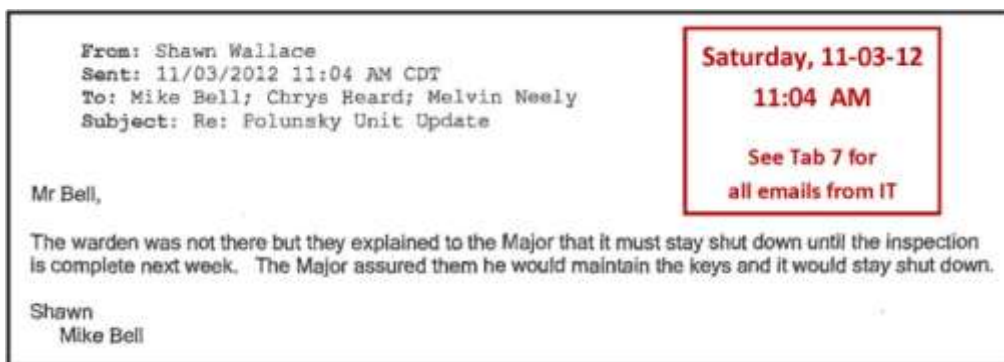
Photo 1. The Mother Load in First Contact, November 2, 2012, 6 PM



Be interested to know how long that ITD's Chrys Heard was there? But that is a Mother Load that took years to build. Hear this, please: there was no concern – **none** – about *anything*, even up to my last day of work at Polunsky, on Wednesday, October 24. There had been no concern – **none** – for five-plus years; shiver my timbers, we have no idea precisely **how long** there was no concern, while the good Volunteers bragged for *years* at how God was blessing the Polunsky Chapel, calling Polunsky a Faith-Based Prison. God does *not* bless security violations, not even for a day! Take the word of a real chaplain on that.

Photo 2. Techs HAVE to Explain – Saturday, 11-3-13 – 11:04 AM

No One Knew Seriousness Until November 3, 2012? – BULL_ _ _ _ !¹⁵⁹



Really, no one knew the seriousness *portrayed* is one cover up. It is actually light years *more* serious than portrayed, with is another cover up. For, still, we don't know all of what the prisoners did or were capable of doing. The only thing we know is that the prisoners were *actively* using it for five-plus years!

¹⁵⁹ Op. cit. fn. 75.

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But the last Senior Warden over that mess was promoted? Contrary to Alford's "consultations" which draws Upshaw into the negotiations as clearly as anything, that Alford alleges takes place after at some mysterious time of my October 19 Grievance Hearing and his declared scurry to fix things; Alford gave the intended appearance that such took place at his initiative – a fudging? Well, not a lie, because Alford does not give the dates, but he certainly purposes that the reader will read it as such, as Stephens does, apparently. Read the two IOCs, according to both of them in January and February, there was a little bump in the road that ITD Techs fixed, with no mention at all of the more serious things: that was *the* investigation! The reality and truth of the matter, despite both Alford's and Stephens' cover ups, is greater lie they foster. *Nothing began until after* Dep. Dir. Bryan Collier or Div. Dir. Rick Thaler gave his hard copy to Upshaw (or a copy of it) that Collier acknowledged to me that he received on November 1.

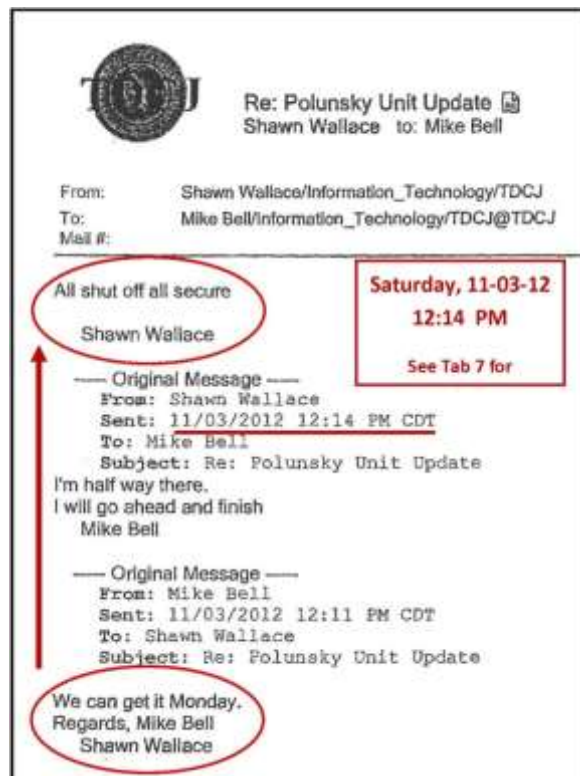
Photo 3. Saturday, 11-3-13 – 12:14 PM – All Shut Down

Upshaw and Alford *began* their consult on what to do *after* November 1, when Upshaw (or Thaler) was forced to send ITD Techs. See the emails. The first time they arrive and *begin* is the afternoon of Friday, November 2, with Chrys Heard reporting first to Mike Bell and Shawn Wallace at 06:04 PM. Look at what the initial discovery found, with Bluetooth sharing and all, which was *not found* by Alford's Capt. Kirkpatrick.¹⁶⁰ See Tab 7 for all the emails. The short story is that the ITD Techs return Saturday, November 3 and had to *explain* to the Major that "it must stay shut down until the inspection is complete next week."

On Saturday, November 3, at 12:14 p.m., Shawn Wallace reports to Mike Bell that "All shut off all secure," with the comfort that all will resume on Monday, November 5. And – low and behold and *finally* – the appearance of the *first serious look* at the Polunsky computer playground is not complete until November 28, 2012, as seen in the emails in Tab 7 and the extensive inventory and some of the history of transport of computers to and from ITD's workshops in Huntsville.

If anyone believes that Alford just *forgot* to include those dates, I do have a Brooklyn Bridge to sell them. Herein is so much more, but clearly the lid is open and nasty junk is just pouring out and cover up upon cover up is swinging like playground swings. See the **Epilogue** for much, much more.

Let me now rehash my side. I called in sick the weekend before the Monday I faxed that fateful 21-page letter on October 29; I had been literally sick, sincerely, and also truly sick of Alford's shenanigans. Dep. Dir. Collier's letter to me of his receipt of the **hard copy** is dated November 1, 2012 (Tab 1, Item 3), also verifies Alford's duplicity in his January 15, 2013, IOC (Tab 5a, Item 2). Alford gives the appearance that he notified the "regional chain of command" soon after my own disclosure to him in my own Grievance Hearing. The *bold lie* is that Alford told me about Capt. Fitzpatrick knowing computers earlier.¹⁶¹ That was a lie too. Fitzpatrick was looking to see if the prisoners were connected to the internet,



¹⁶⁰ What were the prisoners capable of doing? Oh, my, now the question is this: What in the world were the DOING with the Bluetooth CAPABILITY? Thanks to Upshaw's order to "clean," we will never know. But, know, I documented my concern in July 2012, asked that a copy be put in my file, Polunsky Personnel Tabitha Taylor said she read it, and Muniz confirmed he read, and Warden Butcher told me he read it too. And it was a part of the 21-page letter that everyone had seen by November 4, including Alford and Upshaw, as the real look was just starting.

¹⁶¹ At about the second or third time I approached Alford about my discontent about the unsupervised prisoners in the dark on computers, Alford told me late in September that he had just hired a Captain (Fitzpatrick" what was "knew computers" and he [continued from previous page ...]

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and Polunsky was on lockdown. I gave Fitzpatrick the passwords we had at the time. And, no, there were no documents from Capt. Fitzpatrick's report either – confirmed – presuming the truth of the Open Records returns in Tab 7. The passwords Alford mentioned (that we chaplains did not have) were those discovered by the ITD Techs the following Monday.

I called and talked to Alford myself on Tuesday, November 6, about a craftshop item I was having made. And Alford asked me for the passwords *then*, noting in a slightly trembling voice that ITD Techs were searching the Chaplaincy computers. Alford was nervous, and – take my word for it – the ITD Techs were a surprise to him.

Alford should have been nervous.

Traitors. ITD did not come until after my 21-page letter was faxed, and it is out-of-this-world crazy and a lying cover up to think – look at what ITD found – that Alford *did not already know* until my Grievance Hearing. I pursued the Grievance to get Alford's "Letter of Instruction" in the permanent file, as it were, and began filing my retirement papers that day, for it was a forgone conclusion that Alford was now committed. Read his own Januray IOC, that should be his own undoing, for he clearly says it was I that first gave him a clue of "potential concerns" – a lie of horrendous traitorous proportions – which should be clearly seen with just the three testimonies of the three previous chaplains and the inventory list. No investigation needed to see that "potential concerns" covers up him trying to *begin* to unravel the horrid mess he inherited from his predecessor Warden Simmons with (then) Reg. Dir. Upshaw's full knowledge – perhaps even Thaler's knowledge – but Alford has no alibi. In all, Alford's and Stephens' IOCs say ALL one needs to know – Tab 5a – if even a half-hearted sleepy investigation had been done on them alone on November 1, along with the ITD Techs. Their two IOCs are clearly self-incriminating evidence of their complicity in traitorous behavior to all that TDCJ holds dear, a terrible and disgusting betrayal of security complicated now by despicably cowardly cover up. Read their deflections to me, Chaplain Maness, as a wee little bullied chaplain, a bit confused I was – ahhg – just lies, like a magician's magic trick, to deflect from verifiable craziness that has endangered staff and volunteers for years. Stephens and Alford made a mockery out TDCJ and the chaplaincy profession. And, should something else have really happened – like another escape or murder or hostage – again the embarrassed TDCJ would – what? – blamed Chaplain Collier? No. Chaplain Collier's immunity is epic here too.

Let's look at the facts versus Alford's and Stephens' IOCs. Polunsky was the busiest chaplaincy in TDCJ, with prisoners walking on the runs between A and B sides and from there to the chapel in the Administration Building with **laptops under their arms every day!** There has never been any prison in TDCJ where prisoners have done that. And, please, for God's sake, notice that Alford had no concern, did not mention in the slightest, or give any hint of the laundry list of things in the 21-page letter. Nor did Alford even hint at the laundry list of computers and printed the ITD Techs found. Shout it from the mountain tops – notice in both IOCs that neither mentions the **prisoners in the dark unsupervised for years**. Please catch Alford's own conspicuous absences, where neither he or Stephens mention how the prisoners remained unsupervised until Thursday, November 1. In fact, on Saturday, see how the Major is instructed to make sure all would remain secure. Neat. Finally something is done after *years*.

No sir – both Alford and Stephens lied and covered up what they knew for years was a boat load of security breaches in the 3-Gym chapel – years – so did everyone else. But there is more treason to come.

In fact, listen to the Disk 1, Track 8, and Shawn Wallace's testimony, and view the emails from ITD in Tab 7, as it was *clear* the ITD Techs were concerned about **Chaplain Collier's resistance** as they were helping bring things under control! That is November 1-28, I need to remind the reader. Need I say more? Of course Chaplain Collier was concerned, his wonderland world was falling apart and – hear this – Warden Alford had not *yet* gotten with Chaplain Collier in *November* about what Alford alludes to in his January IOC. And the volunteers are irritated too, especially CVCA Ed Reeves. It was no mistake on Alford's part that he very clearly and nefariously and with intent to deceive those who read his IOC (Tab 5a, Item 2)

would be sending him to look at things. Really, as articulated in the letters, that was absurd, as if Kirkpatrick *really* knew them, he would be in ITD or working for *more money* in the free world. Herein, another witness surfaces, for, likely, Fitzpatrick will confirm that Alford had gotten with him prior, perhaps even questioned Fitzpatrick in his interview. Though a bit moot at this point, it clear that Alford did NOT want ITD there.

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above Upshaw, because Upshaw and he had already talked about it all, compared my 21-page letter that Dep. Dir. Bryan Collier handed to Upshaw, and so when William Stephens crafted his IOC to Thaler – the circle of truth has been broken up many times.

Every Time Alford Puts His Pen to Paper – some cover up is revealed. After Upshaw was griped out by Thaler, the ITD Techs were sent, pronto, and at the same time the ITD Techs were on the way, Upshaw is on the phone or having lunch with Alford. A portion of their cover up was surprisingly exposed in my 21-page letter, but that was the short story and more is revealed *every time Alford puts his pen to paper*. Their IOCs also reveal and ironically *uncovers* what they are also covering up, including Upshaw in the loop by virtue of the ITD Techs being overseen by Upshaw.¹⁶² Look, read, and weep – or rejoice if you love truth – for there is not a whisper of Chaplain Collier’s responsibility for a single thing. Not a whisper! What kind of enchanting spell had Chaplain Collier cast upon *all* of the executive leadership? What happened here was clearly, again, Alford and Upshaw and, now Stephens, all protecting Chaplain Collier. How does one get that protection? And they were protecting themselves, too – but, oops – with a sense of impunity that comes when one thinks no one else *but* your superiors will be reading. On the half-shell, Alford and Stephens betrayed TDCJ and betrayed the trust of Thaler and through Thaler – at least – betrayed the Dep. Exec. Director, and therein Brad Livingston too.

Worst of all, they betrayed Texas!

That is just portion of what their IOCs reveal. There actually something worse. Security is first, especially – by God – on Polunsky. And by now, it should be painfully clearer that there are multiple reasons why Polunsky had so many problems related to its chapel (escape attempt, letter via chaplain from Death Row prisoner to Senator Whitmire, and volunteer chaplain getting his arm nearly cut off by Death Row prisoner). It is not the only chaplaincy department with Administration Segregation prisoners, just the one with the most problems in the last ten years, compared to the others. But I am rambling, let get to what else Alford and Stephens reveal.¹⁶³

Prisoner Supervision Addressed First Time in Years ... by ITD Techs!Friday, November 2, was the very first day in five or six years that *anyone* addressed the non-supervision of prisoners. Sadly, it was ITD, not the wardens, that began the real supervision. When Stephens writes his IOC on February 7, 2013 (Tab 5a, Item 3), and he states that Alford “began taking immediate steps,” either that was the word of Alford to Stephens or a concerted effort with Stephens to help aid and thereby cover up Alford’s failure to take steps *when* Alford sat in the Media Room for a whole Sunday service in August 2012 with Vol. Chaplain Tommy Dill (see Witness 17 below and 21-page letter and other letters). Furthermore, as mentioned, I had gone to Simmons in July and in July went to Huntsville and *tried* to see Dep. Collier or Div. Dir. Thaler, and then on the three occasions I had asked Alford for help prior to the end of September. In October, after all that, Alford finally let me get the Media Room lights fixed; ah, pardon me here for being picky, but it took *two days* for maintenance to *rebuild* the destroyed light fixtures on October 9 and 10 (Tab 2, Item 5, for work order). Of course Alford lied, because I had been harping about the *prisoners in the dark!* *In the DARK and would not let up.* Just as Simmons and all the majors, including those promoted under Simmons – yes sirs – just like them, Alford was allowing prisoners in the **DARK**, where the staff restrooms were! Not just a lie in his January 2013 IOC, but treason to all that TDCJ holds dear. Adding that Stephens gives a good IOC for anyone not really paying attention, for it the truth is that Stephens knew from the 21-page letter of the “allegations” and he notes Alford’s “steps”; so Stephens, too, dodges the bullet.

Who is Chaplain Collier to have such enchanting prowess?



Other than the years of security breaches and unsupervised prisoners, that is greatest mystery in TDCJ history. Never before has a single chaplain enchanted so many top security rank!

¹⁶² Disk 1, Track 8, ITD tech Wallace’s testimony.

¹⁶³ Oh yeah, let me remind the reader that I had to appeal to the Texas AG’s office to get those IOCs too, which means, if TDCJ had had it way, these crucial pieces would not be here among the other hoard of evidence.

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A Dog! I am not a police officer, but have has many friends who are, and I truly appreciate the good investigators. Let’s call the four-legged hairy barking animal a dog. In both their IOCs Alford and Stephens say, in so many words, “Let’s not sully our pens with ‘prisoners not supervised,’ much less address that was going on for years under the eyes of their own million-dollar cameras.” Anyone – a high schooler even – can see how sadly the two IOCs pull together Stephens, Upshaw, and Alford into the canine kingdom. Among all the “steps” taken, there were *no steps* taken prior to my written exposures. Worse, the very beginning of prisoner supervision – **DOG!** – starts when ITD Techs arrive, and only a pretense after that. Not the wardens or majors or Chaplain Collier, and, sadly, it will not take long for all to see that the volunteers are disheartened because of the ungodly downsizing with Chaplain Collier aiding and abetting and empathizing with the volunteers’ grief, instead of backing up *four* previous chaplains that worked with him. Instead of Chaplain Collier backing up Brad Livingston and TDCJ policy, no Sigmund Freud will be needed to see Chaplain Collier’s total alignment with the security breaches. Shoot fire, look no further than the *non-unit based* ITD Techs who themselves saw his resistance to proper security. **DOG!** That is what Alford’s and Stephens’ IOCs were, just dogs, run off in the hope that somebody would pat their cute little heads and let the doggy run home.



That means that Stephens, too, lied, simple and plain, to cover for his warden. The proof of all this is easier than one can imagine. Everyone is promoted shortly after! And, Alford’s IOC particularly – what was that, coupled with Stephens IOC? – how in the world did I, Michael Maness, have anything to do with the acquisition of about \$50,000 of computers, scanners, printers, and gobs and gobs of sound equipment over years?

I, Michael Maness, did not. As is noted in Tab 13 on the Inventories, notice how all was personal property! Perhaps as much as \$10,000 or more in the last three years came through under Warden Muniz’ signature.. Let’s be clear here. Personal property in order to *purposely* circumvent the donation process and the second level of checks and balances. Let’s be clear here, Warden Muniz *purposely* allowed Chaplain Collier to circumvent the donation process for everything, especially for computer equipment. Let’s be clear here, too, that the donation policy has separate guidelines for computer equipment, that *must* go through TDCJ’s good ITD folks. Oh yeah, Alford *knew* what was going on, and so did Muniz, but the normal rules did not apply to them, and – low and behold – see my precious Grievance Hearing, where Alford had the gall to have me written up for being lax! More proof of Alford’s cover up!

Chaplain Collier 2012 Annual Evaluation. In spite of whatever happened to his 2011 evaluation as seen in 1.a. above (whether it was or not upgraded in 2012), the fact remains that the, low and behold, he got a good “evaluation” signed by the warden just one day *after* ITD finished its overhaul of Chaplain Collier’s eight-plus “personal computers” illegitimately brought in, or rather brought in with permission of the wardens for *years* yet *not* according to the donation policy. Other than the promotions across the board, further proof of a especially Alford’s lying cover up is nearly sealed with – again – the honest hard work of the ITD Techs. The ITD Techs started on November 2 and had just finished ferrying computers back and forth and finished their “cleaning” all of the chapel computers on November 28, but as their email said at 11:33 AM on that Thursday, “The chaplain has been out when he returns we will do a follow up” (Tab 7, Item 2). Four weeks – it took *four* weeks for TDCJ Techs to *clean* the computers, and we today still do not know what was on them, as the *cleaning* did not include *discovery*. Another record is broken at the Polunsky Chaplaincy, and let’s give them the **Most Complicated ITD Fix in TDCJ History Award**, just a few years after Chaplain Collier receives his Chaplain of the Year Award and just six months after Warden Simmons receives his Administrator of the Year Award from Alan Polunsky himself. But that is only a portion. After all that, on the **day after** the last ITD Techs emailed each other the completion of their four-week fix of the ten computers, etc. – really, the *day after* – both Senior Warden Richard Alford *and* Chaplaincy Manager Bill Pierce sign Chaplain David Collier’s third good Annual Evaluation in a row on Friday, November 29. **The day after!** I suppose Alford and Pierce met together at Polunsky or in Huntsville, as snail mail would not work to get *both* signatures on the same day.

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Photo 4. Chaplain Collier Evaluation “Exceeds Standards” 3rd Time in a Row

Chaplain Collier 2012 Annual Evaluation
Written Justification REQUIRED for “Exceeds Standards”

TDCJ IT finished its **four-week** overhaul-investigation of the Chaplaincy Computers and network, including a laundry list of 10 computers, all but one had not been properly donated, and had been loaned to inmates without supervision. It was signed by (then) Polunsky Senior Warden Richard Alford (recently promoted to Region 1 Director) and Manager I Bill Pierce on 11-29-13, both on the same day, and It was signed by Marvin Dunbar on 12-04-12. The hand written portion on Chaplain Collier’s 2012 Annual Evaluation reads as follows:

Chaplain Collier works well with Staff and volunteers. He is a benefit to TDCJ, RPD Chaplaincy. He is very active in the execution process and does an excellent job.

Written justification required for ratings of “Needs Much Improvement”, “Needs Some Improvement” and “Exceeds Standards”:

Chaplain Collier works well with staff and volunteers. He is a benefit to TDCJ, RPD Chaplaincy. He is very active in the execution process and does an excellent job.

Employee may attach comments or provide comments within 3 workdays of performance evaluation review:

EMPLOYEE SIGNATURE (For Performance Evaluation): *David J. Collier* DATE: *12-17-12*

The employee's signature acknowledges receipt of this Employee Performance Evaluation form and does not indicate concurrence or non-concurrence with the performance assessments.

Now, since Collier “exceeds standards” the evaluation required some “justification” and look what someone wrote. We indicated a few of the ramifications of that in the Treason Outlined (Tab 00) and in the Conclusion, section A. Penultimate Caveat – the Alford Effect, not the least of which is the possibility of a felony falsification of state records. But this Annual Evaluation actually says more about the evaluators, in the light, than it says anything about Chaplain Collier. Here, this just begs the question further, clearly, and with robust interest: how did Chaplain Collier get such protection, immunity, and favor, or more simply, how did he *enchant* so many top administrators?

Notice this: that third good Annual Evaluation in a row was signed by Alford and Pierce *before* the ITD professionals had a chance to give Chaplain Collier their final briefing. Chaplain Collier did not sign his evaluation until the following Wednesday, December 4 (Tab 14, Item 3).

In other words, and ironic, it buggers the imagination. How in heaven’s name and for the sake of professional chaplains everywhere, could Alford and Pierce sign Chaplain Collier’s third Annual Evaluation in a row a full week *before* Collier is finally briefed about the arduous completion of the Polunsky Chaplaincy just receive TDCJ’s **Most Complicated ITD Fix in TDCJ History Award?** Well, it is just a **DOG!** That is all. No mystery at all, rather facetiously speaking, because *no one* is going to touch Chaplain Collier, hands off, and it does not matter what happens. What kind of enchantment is this?

I suspect, after a good ways into a real investigation, a gritty OIG investigator will be able to sit down with Reg. 1 Director Richard Alford, with a plea deal, and Alford will give up all.

I don’t know what Chaplain Collier has everyone, but this much I know, TDCJ is better than this. Something did happen that Stephens, Alford, Upshaw are hiding, and who have pulled with them many majors and other staff.

Murder? Ladies and Gentlemen, I have talked to over 5,000 mothers of prisoners, most of them precious and not unlike your own mothers. If a prisoner was murdered – not ruling out anything in this obscure mystery – and that is what is behind the cover up and Chaplain Collier’s protection, then this needs to be settled with all the more gusto – for that mother’s sake.¹⁶⁴ I pray and hope not, but the hoard of solid evidence of impossible favor and protection of Chaplain Collier does have a cause, somewhere, and 60,000-

¹⁶⁴ See www.PreciousHeart.net/Mother for more on the [100,000 Mothers’ Parole Option](http://www.PreciousHeart.net/Mother).

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plus TDCJ employees, including the thousands under the *direct* purview of Region 1 Director Richard Alford and Division Director Michael Upshaw and the nearly 700 still at Polunsky deserve an clear and cogent and convincing answer to this most significant portion of the Polunsky fiasco mysteries.

Sherlock Holmes. It will take Sherlock and his good team find the motive and root. What caused those wardens to not only protect Chaplain Collier, but to also allow Collier a naïve free reign from security and endanger his volunteers too?

Me? What did I do to get sent to Polunsky for? Write a letter to Bryan Collier and posting photo of prisoners putting together Christmas card packages I had permission to take? Goodness, what Gib Lewis Prison Warden Helm did was *nothing* compared to the Polunsky wardens, just as what I did was *nothing* compared to what Helm did. The cover up making it all much worse, as detailed in Tab 18 on my defense of Vol. Melvin Bell's and my integrity.

All this, and we are not even a third of the way through the witness list.

10. Cert. Vol. Chaplain Ed Reeves

EdReeves, Cert. Vol. Chaplain (Tx. DL 00106794), though on the computer he was listed not as a CVCA, that being revoked, he is still functioning as such. Just another sloppy and small part of the story today, I checked in August 2012 all of the volunteers, and found he was not listed as a Certified Volunteer Chaplain's Assistant (CVCA). I had trained him at the Lewis Unit a decade ago. But at Polunsky, Reeves became *the* chaplain for a time, somehow, and later under Chaplain Collier – as Collier tells it – Reeves lost his status. The CVCA status is the *only* status that allows a volunteer free access to the unit, and, somehow, Chaplain Collier did not care about that and just allowed Reeves to carry on; as Collier told me, Reeves had offended a warder or something, but, again, and for whatever reason, Reeves was *not cleared* to be a CVCA. I mention this because Reeves became the most vocal advocate of the prisoners, bad mouthing me to the prisoners, and one time real pain – I tried to throw him off the prison, but Collier would not have it. Anyway, Reeves came to hate me, Maness, my beginning to “change” things, *read bring things into compliance*. And upon a computer check by a friend and fellow chaplain, by mid 2013 Reeves was still *not* listed as a CVCA, but still functioning like one. **STRATEGY:** approach Reeves as Chaplain Collier's ally! Assume his protectiveness of ALL “they had built for the kingdom of God, etc.” An investigator acting frustrated might find Reeves sympathetic; remember, he was a Houston fireman for 30+ years, the last 15 or as a District Chief, a high level in such a world-class department as the Houston Fire Department. His rather humble affectations are easily gobbled up by the more experienced prisoners. One approach by a tough-as-nails-looking investigator, an investigator who let's slip that he is tired and disgusted with the “Maness crap” and so forth, how that “damn Maness – wish he'd shut up!” Reeves might open like a can of beans and spill “all the good ole' days and all they had done.” Just trying to “clear things up and get Collier on his way without any more fuss.” Tell me about Maness? I really don't know what he'll say there. You can count on him hiding all he can about prisoner violations. He might be able to isolate who actually *began* to allow the prisoners alone unsupervised with the lights out, but not immediately. He might respond to *after-the-fact-determinations* such as, “Since we know the lights were off and the prisoners unsupervised, and that being corrected, will you help us isolate when that happened? When did Warden Simmons know?” Or, perhaps, as Collier said to me, “It was said by Collier that Simmons allowed the prisoners to turn the lights off and be in there, because they were trustworthy.” Or, as Collier told me repeatedly, “Collier said prisoner Hozifeh used to cook Warden Alford's food. I understand he was trusted like few prisoners by both Wardens Simmons and Alford.” But, at this time, I don't know much about Chaplain Collier's word or value of truth, just don't have any confidence at all in him. The *truth* was a piece of putty Chaplain Collier molded to suit him. It will just take some skill with Reeves to get him to say precisely *who authorized the lights off* and length of prisoners not supervised. Also, Reeves might be a source for when and how the extension cord got into the attic, how the prisoners were allowed to do that without security and without a full maintenance work order. But, in all, I think Reeves truly values the truth, and he certainly, absolutely, knows most of what was going on there; only and sadly, he did *not* know much about the actual security policies that were being violated. Reeves' *life* was at Polunsky, and I had become a threat to his *way of life* and source of his esteem; he had so over-

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identified with the prisoners it was impossible for him to be a true chaplain anymore, and security was a burden.

11. Cert. Vol. Chaplain Walter Bennett (Disk 1, Track 5 & 6)

Volunteer Chaplain Walter Bennett (713-851-7666), Polunsky Unit, really nice fellow. Ask him about Chaplain Maness' interview regarding the violation that Warden Alford alleged of him. Alford in his IOC in 2013 said I claimed Warden Simmons said it was okay for B-Side prisoners to go to A-Side, which was a lie. I never said that. In fact, I had never been told about ministry prisoners going from B to A at all, until Alford stormed in and made me aware of it, saying that Bennett would have his "badge pulled," etc. On orders from Alford, Vol. Bennett and I wrote an IOC on the history, which said in essence that Chaplain Collier had said it was okay to escort B-side ministry prisoners to A-side. But, from Open Record requests, it is so convenient that Warden Alford has **DESTROYED** that IOC: see Tab 6. Again, Warden Alford lied and covered up and protected Chaplain Collier. Volunteer Bennett will testify to that fearful time, as he was doing what he was told to do. Bennett was the exception among the volunteer chaplains there, so very conscientious of rules. Alford simply tried to bully me to hammer Bennett, actually getting upset with me and raising his voice, demanding in so many words that I pound Bennett for his violation. Bennett had done what he was told he could do, by Chaplain Collier, who himself *repeatedly* told Bennett and myself that such escorts had been approved by Warden Simmons. Warden Alford had the authority to change anything he liked, and Vol. Bennett would have done it as conscientiously as anything, and the meticulous history that Bennett and I wrote in the IOC was disappointed – again – to Alford, who at one point said to me, "You just wrote a history!" Well, yes, that was the point. Anyway, I would *not* slam Bennett the way Alford wanted, and now that Alford has mentioned in his January IOC to Upshaw, Tab 5a, Item 2, a lie about, not mentioned Bennett, it is no longer a coincidence that Alford does not have the IOC. He simply **DESTROYED** it, but, on Disk 1, Tracks 5 and 6, is the interview I did with Bennett, in which the essence of the critical IOC is retold. Just another portion of the cover up and Alford's manipulation of the evidence against him and his cover up of the years of non-supervised prisoners in the dark in that darn Media Room and more, not the least of which is Alford and Upshaw's clear protection of Chaplain Collier.

12. Cert. Vol. Chaplain David March

Volunteer Chaplain David March (h. 936-824-3499, work, 936-633-7182, c.936-404-6575), who is a some kind of a Texas juvenile caseworker or something, was one of the weak links, though he thinks he really is a key to things. He wanted to bring his underage son into the prison one time. He got approval to bring one his female co-workers to come and interview prisoners at leisure, but there was no proper approval for all she did, and she should NOT have been left alone with prisoners on the building. He ran the Kingdom Builders program a lot of the time, a program that Chaplain Collier always said was Warden Simmons' "program" for some reason, and likely because that program that ran 2-3 times a week was NOT on the Program Division's approval list, though it did get a couple of photos in the prisoner newspaper Echo. And, of course, there is no Media Release currently on file for the prisoners in that Echo article, archived somewhere, which means a possible lawsuit, should anyone reuse that article (unless the Echo has a copy of that Media Release). Several of the *other* Volunteer Chaplains did not trust Chaplain March, but they would not tell me yet what it was. March regularly got *physical* with the prisoners in the tug-a-war contests (see the photos supplied – do you want to see the videos?). Vol. March brought in a guest from the local fitness center, a guest (not a volunteer), and allowed the *guest* to engage in strength contests with prisoners, approved by Chaplain Collier. **STRATEGY**, after noting that you, the investigator, have seen several photos (or videos) of March himself engaging prisoners in strength contests, and seeing him "coaching," I am sure he will admit to bringing his fitness instructor guest, and allowing that GUEST to engage the prisoners *not even as a volunteer yet* (no liability signed at all!). "What did he do with the prisoners?" Just another reflection of how Chaplain Collier let *anyone* do *anything* without a concern to security or liability to TDCJ, be they prisoner, volunteer, or GUESTS. Crazy. Ask Vol. March about the programs on the recreation yards. Caution: if he suspects the investigator is looking for things **WRONG** with the program,

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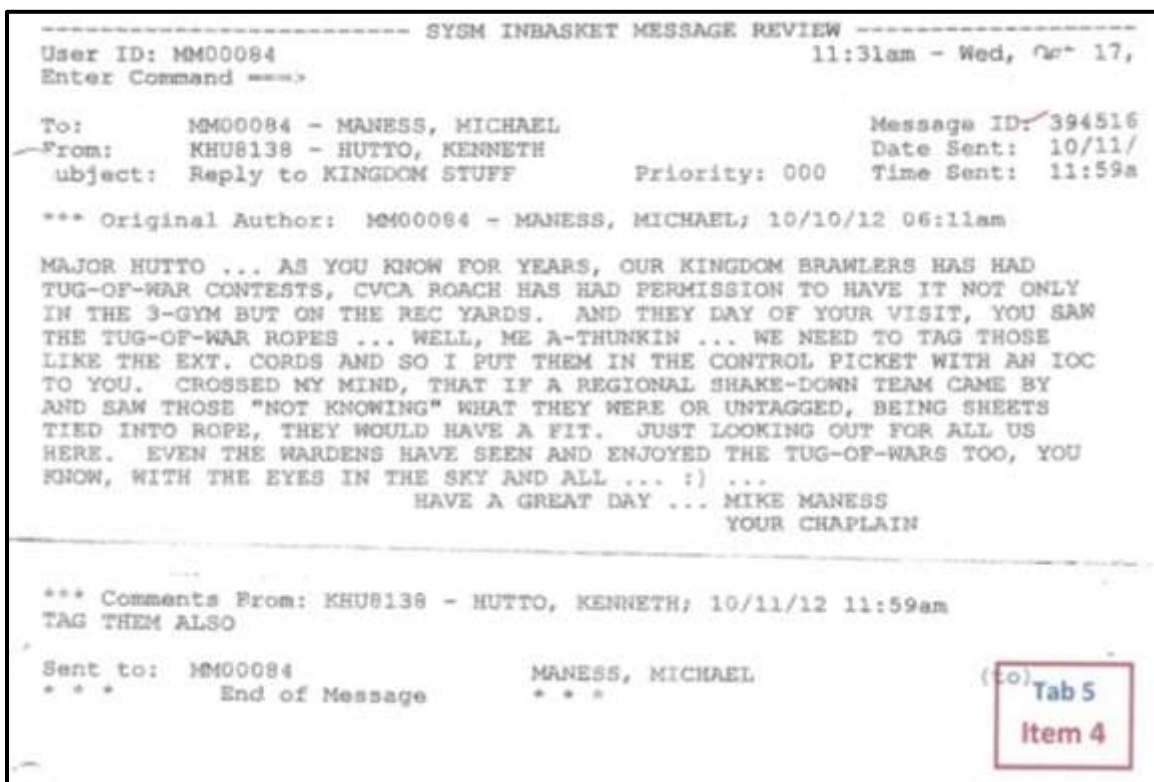
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instead of things WRONG with Chaplain Maness, he will lock up. He is truly the weakest link, protecting “God’s work” there without any real concern to God’s concern for policy and good correctional practices.

13. Major Kenneth Hutto, then at Polunsky (Disk 1, Track 10)

MajorHutto, at Polunsky, may be a tough one to crack. He was a captain in June-July 2012 and I talked to him as I did to about a dozen other ranking officers, including two other captains, two lieutenants, and four sergeants, though I cannot remember their names (I was not even thinking I would have to put together anything like this then). Major Hutto was as nonchalant as the rest when a captain. What about those prisoners in the dark unsupervised? “That is just the way it is,” he said. When I called him, listen to the tape, he said simply that he knew nothing and “not for long,” which is not that big of a lie, but clearly a covering up; Hutto has *not* been made aware of my letters or the stink I have raised. I suspect he was *new* and is still out of the loop, except this: he certainly was told to keep out of the chapel until Alford sent him. He knows something. I particularly tried to get him to comment on it when he was doing a survey on chaplaincy programs in about June. He was tasked with doing the survey, and I supplied him with info in his captain’s office and I specifically asked about the prisoners in the dark unsupervised and “prisoners running everything.” That did not faze him. NOTHING – by any rank, not even a visit, as though (in June-July 2012) this was policy and the chaplaincy was untouchable. Not long after Simmons retired on July 31, and Warden Alford came – don’t remember, about late August or September, Hutto came and confronted me (not Chaplain Collier) about an extension cord not properly tagged in the Faith-Based Dorm. He was wound up; clearly, Warden Alford or someone had wound him up, Hutto saying he was not going to “lose his job for an extension cord.”

Photo 5. Maness Email to Major Hutto – Prisoner Bed-Sheet ROPE?



Then Hutto came to the chapel for the **first time** worried about cords going from Media Room to the Sound Area Audio CAVE area *a month AFTER I had tried to get a cover over cords covered up with a rug* from Warden Muniz. Yes, Hutto was worried about extension cords, and it was about time, but *unconcerned* about the CAVE, to say *nothing* about the dark Media Room. I could not even smile at this foolishness, but understood clearly this was Alford’s games, as sloppy as they were. Anyway, Hutto came into the chapel and PASSED by prisoners making a rope about 15-20 feet long out of TDCJ bed sheets –

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yes sirs – Major Hutto came in a huff and talked fiercely about the extension cords, not saying a damn thing about the ROPE MADE WITH BED SHEETS! At that, knowing the sheets and the extension cords could be seen by the three (3) high resolution TDCJ security cameras in the chapel. That is why I sent that mainframe email, feeling I *might* need that later (but still harboring a hope for honor); as it turned out, I should have taken more notes. Just to be clear, I asked him “what to do with the ROPE HE HIMSELF SAW” but did NOTHING about. Yeah, really. Then, a short time later, Hutto writes both Chaplain Collier and I up with a Letter of Instruction regarding tools that had passed previous security audits that Chaplain Collier’s SSIs had used for YEARS. The two scissors on the inventory had the security cables attached that SECURITY themselves had put the cables on – yeah. That was a simple set up, and Warden Alford ramped that up as clear as day – Alford double dealing in a yellow-bellied fashion. So that is how Alford “cleans up” prisons, and – dear OIG – then we have a long history to sift through where *other* TDCJ employees have been similarly set up with such nasty tactics instead of honorable truth seeking. Nasty. And using people like pawn, so newly minted Major Hutto is *unethically* ramped up, passing by unsupervised prisoners in the dark to FUSS over extension cords. Shamefully yellow-bellied that tactic by Warden Alford, and how many others? Yes, I wrote a grievance to get it all on the record – crazy and simple cowardly infantile manipulation by Senior Warden Alford, manipulating a newly minted Major Hutto. I could hardly believe it – again, as I have harped upon in many letters now, WHILE PRISONERS were STILL IN THE DARK and UNSUPERVISED. Further, as prisoners Hozifeh will remember, Hutto asked us to design a shadow box for the tools, but then later came back and took the tools, after Alford had ramp him up Major to write us a Letter of Instruction. That was the beginning of the end for me, clear as day. **STRATEGY:** Hutto KNOWS about the prisoners in the dark unsupervised for years, and almost certainly how Simmons, et al, made chaplaincy off limits until Alford charged. It will be very interesting to discover what was the status quo before Alford charged Hutto. On the taped interview he lies and said he did NOT remember, that such was not going on for very long, and that he addressed it as soon as they could, which are bold and *mild* lies to someone he himself thinks is gone for good. The reality is that I think Hutto is by and large a good man, simply buying into the impromptu pressure by Alford. Hutto KNEW for years the wacko Polunsky Chaplaincy was crazy as looney tune. He will admit this, I think, under a skilled investigator. Perhaps, showing Hutto a copy of the mainframe email from me to him and his response to that ROPE being made by prisoners IN HIS PRESENCE as he jumped us for the extension cords will be a door to the truth. Why, why, why in heaven’s name did he NOT say a thing about prisoners in the Media Room ALONE? Do not accept he did not know, as everyone knew – do not believe for a minute that all the majors and captain had *many* times looked at the chapel through the monitors in either Admin. Control or the Warden’s Office. Why does he worry about extension cords from dark Media Room to Audio CAVE, and say NOTHING about prisoners in dark MEDIA ROOM and dark CAVE without supervision?

Furthermore, as one of the letters outlined, and relevant, an investigator will do well to ask about his own Prisoner Utility Squad. After Hutto became Major, I called him because his own utility squad was wacko. I had had enough of his lead prisoner’s attitude – Prisoner Ricky Dotson (on page 15 of the 21-page Oct 29, 2012 letter to Livingston, et al). They were making changes and “fixing” things outside of normal maintenance work order process. Chaplain Collier and ALL the CVCA’s praising them, “getting things done that maintenance would not do or took too long.” And after hours! What struck me as odd was how well Prisoner Dotson had ALL the chaplains snowed, as was a classic prisoner bully and strongman, so very evident to me, but oblivious to Chaplain Collier, et al. I called Major Hutto about the “after-hours and non-maintenance work order” *work* that Prisoner Dotson’s crew was doing. This was *before* Alford ramped up Hutto, so I was *not* as suspicious then, but gosh should have documented that. Major Hutto acted *just like a TDCJ major should* and ended the Dotson’s free-floating *maintenance* forays. **STRATEGY:** I suspect Major Hutto will “forget” that. But not all the Volunteer Chaplains mentioned here, and Vol. Reeves especially – ask them first about Prisoner Dotson’s “help” with the chapel, then talk to Dotson too (you’ll see his cagey behavior, a real con who will NOT say anything unless he gains from it), or talk to Dotson’s crew first. Getting Major Hutto to do his job regarding such with the utility squad – oh, my, the anger of Chaplain Collier and two CVCA’s, they were upset with me “getting in the way.” One could start with a praise, for Hutto *did do what he was supposed to do*. An investigation can start with whoever was on Hutto’s Utility Squad, and Chaplain Collier would remember too, and interviews with the

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other chapel prisoners. Investigators adept finding that prisoner's sweet spot to get him to reveal all he did for YEARS under the desk.

See the Open Records list of "work orders" completed in the chapel, and look at the work orders in July 2013 after the Texas Fire Marshal's report and the fixes the marshal demanded that the Polunsky Unit complete. You'll have a number of things done under the desk by Prisoner Dotson and crew and more. **But one goal is to get Hutto to admit he really did not know what his own Utility Squad was doing until Chaplain Maness told him!** One could lead into that easy, since Hutto was brand *new* major. And, perhaps, that HELP by Maness to Hutto, in getting that taken care of, may have been the reason Alford used Hutto to "find" the extension cords – just one guess. Don't let Maness get an ally like a good major. When Hutto was informed, he responded immediately, really praise-worthy, that was, but MOST inconsistent with how he approached the extension cord fiasco just a week or two later.

Bare in mind, that the extension cord fiasco was NOT over, for I knew as the months of February to April of 2013 passed by, oh, so sad, I began to realize no OIG investigation was under way. That meant more cover up was going on. So I called the State Fire Marshall in June of 2013, and they investigated and found out that STILL the extension cords were NOT in compliance. How terrible is that. If an investigator can pull from Hutto just how Alford ramped him up, then he or she can discern how bogus it all was. For the very cords in the attics that I had written up – exposed as obvious electrical and safety violations – in a previous letter months earlier had STILL not been addressed. The Marshall had to order changes with a suspense date! So Warden Alford and then Warden Hunter – both who have been made aware of all my letters – both of them now have so much concern about electrical FIRE hazards, that they have to be TOLD by the State Fire Marshal to clean up their act! Yes, Alford, Hunter, Upshaw *knew* for years prior to my arrival at Polunsky. And Hutto has many keys to that, and, at heart, Hutto is likely looking for a chance to come clean on the wacko Polunsky Chaplaincy.

14. Asst. Warden Butcher, then at Polunsky

WardenButcher, Polunsky Unit, I went to him with my flash drive after Warden Muniz kept putting me off toward end of July. I was anxious that someone see what I had on my flash drive *before* Warden Simmons retired on July 31, 2012, and it is a shame that I could not get anyone to see it. I said I would like to show him, Butcher, the junk on the flash drive, just a portion of which was sent on that 4-page IOC to Warden Muniz on July 11. He said he, too, had read the 4-page IOC, but that he did not want to see the flash drive, just wanted Warden Muniz to handle it.

I still think Butcher a straight-shooting man, one of many who TRULY did not like what was going on in the chapel, but I suspect he was told, essentially, that it was off limits for some reason. He never came to the 3-Gym chapel. Knowing I had never seen him, and because of my visit in late July, I got him on the run one day, knowing the Kingdom Brawlers were fast at their physical contests, and I asked him to come and see what was going on. Typical of most wardens in their often blatant affectations, he let slip this: "If I do, I'd have to fix too many things." Oh, I believed him. I really did. **STRATEGY:** I suspect it will take a good investigator and a revelation to him that some kind of knowledge that the truth has ALREADY gotten out. I don't know. Why did he, as security warden, NEVER come to the chapel? I suspect he knows a lot and will be very open if he knows it will NOT affect his future; but, if it WILL affect his future as Alford is now (what?) Region 1 Director and Michael Upshaw is a Division Director – really, really, Butcher will be very, very careful not to jeopardize his career if he can help it. But, I guarantee you, I do honestly believe Butcher, of all the staff and rank I met, I do believe Butcher is really chomping at the bits to tell all. But he will keep silent as long as Alford and Upshaw are where they are, or unless he has a way out. It is for men and women like Butcher that TDCJ is a good place to work, only they get caught up in things like this, which put their career on the line. Warden Alford knew that Butcher had limits, and just worked around those moral limits, just Alford being crafty. I do believe Butcher is a good fellow, which is another reason I am persisting. It is sickening what Simmons, Alford and Upshaw have done and gotten away with.

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15. Tabitha Taylor, Dept. Head, Polunsky Personnel (Disk 1, Track 9)

Tabitha Taylor – in Polunsky Personnel. I sent a copy of the 4-page IOC to Muniz to her to put in my personnel folder, assuming it would be. When she was processing my retirement at the end of October 2012, I asked about that IOC. She said they did not put such into one's personnel file. I was shocked. But, she said she had read it, which was comforting, but I was dismayed at it all by then and grieving deeply about having to retire under those horrendous circumstances. I called her recently, as the recording indicates, and asked her what she did with that 4-page IOC, since she was not supposed to put in my file, it finally dawning on me that *normally* if they were not allowed to put it in my file, they would have sent it back to me! Which meant, if she had sent it back, that it came back and some other chaplain (Collier?) or volunteer found it and misplaced it or shredded it (being that other chaplains let *prisoners* screen our official mail). She said she had responded to all the open record requests (listen to the recording); when I persisted, she put me on hold. I waited and waited, and I then hung up. She was putting me on hold to check with the warden or something. It was apparent she was told something or another. She was the most cordial and profession person during my retirement, but careful and fearful during the phone call – only God knows what took place. Why didn't she return the 4-page IOC to me in July? I have trouble believing the wardens intimidated her too, but she was nervous on the phone, and NOT the same person who so very cordially and knowledgeably processed my retirement papers. **STRATEGY:** I really don't know. Clearly, was nervous and had been warned of something. A simple IOC from a fellow staffer concerned about wackiness in his department. It is for persons like her, too, that I am persisting.

16. Chaplain Joe Vitela, Staff Chaplain at Polunsky (Disk 1, Track 4)

Chaplain Joe Vitela, Polunsky Unit, who is trying to do his best. He will tell you of his disappointment in March (I cannot remember the date), having been told that, after his interview, he was selected as the new Polunsky Unit Chaplain. But I was placed there, and I ended up telling him the sad news when he came into the volunteer. **STRATEGY:** he was a volunteer chaplain there for years, and knew all of what was going on, only that prisoners unsupervised in the dark was normal and not wrong. So immediately, after I retire and expose most in that 21-page letter, no other chaplain has been so rushed as he was, from Lewis Unit to the Polunsky Unit, *because of the problems I exposed in the October 2012 letter most of all.* He can testify to the reasons for coming to Polunsky. He mentions "problems" when he gets there, and he has NOT seen the letters yet.

Yet, why does Lewis Unit Warden Frank Helm get to see the letters, but not the Polunsky chaplain who is really responsible for the all the exposed failures? In my interview him Vitela on the phone, what are the "problems" he solved? Why was he *not* given a heads up from the 21-page letter, or any of the letters? What was the dialogue that brought him to Polunsky?

17. Cert. Vol. Chaplain Tommy Dill

Volunteer Chaplain Tommy Dill (936-933-1545), Polunsky Unit, will positively recollect my efforts in June and July 2012, even my questioning all. We talked at length, as I tried to get him to see the severity of the security breaches, but he simply would not; the wardens knew all about it, and if the wardens knew, then this chaplain must just have a bur in his armpit. I might as well have, because he would not budge. He was really getting scared I "would mess thing up" that "they had worked so hard to build." Yes, that they "built" – it was as close to being a "Faith-Based Prison," he would say. **STRATEGY,** ask about the "good" they were allowed to do. He "donated" and paid for the laser scanner and printers and expensive ink. Ask him about the chapel programs in they HELD on the recreation yards, supervised largely by volunteers. And, remarkably, ask about the PERMISSION the volunteer chaplains had to have up to 30, 35, 40 (it varied by volunteer) *prisoners in the chapel without a staff member present.* It was a KEY to the Polunsky Unit Chaplaincy "success," if one can call it such. Ask Vol. Dill about the PAINT supplies, as he bought them, and KNOWS he himself was NOT watching the prisoners continuously and directly for the entire duration of their painting, and, worse, NOT searching or shaking down the prisoners as they leave the chapel after each painting session. Ridiculous.

It was clear that the wardens knew, and the whole farm knew. Nowhere in TDCJ, not at any prison in the U.S., but every prison maintenance and factory searched and shook down its prisoners after they worked

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hours with tools and paints – just not the chapel art crew. And from the Open Records request for the past and current policy on the chapel paints, the OFFICIAL report is that the paints are “locked up,” that is it, and the chaplain “buys more” paint as needed. Wow – is this truly the Duck Dynasty?

18. Chapel Correctional Officers

Chapel Correctional Officers. Strangely, thinking back over the months, many times the same part-time officer was assigned during large prisoner use of the chapel. Surely the shift rosters have the officers assigned to the chapel. I don’t suspect any of them will admit to prisoners regularly helping with count. But all them will recollect using the staff restroom, going through the dark light-out room in which prisoners worked ALONE all day long every day. And perhaps some officers will admit to how prisoners helped with count.

19. Asst. Warden Butcher, then at Polunsky

Sergeant – a white lady sergeant, a little overweight, cannot remember her name, but she was a training sergeant at the Lewis Unit. We resonated well, and Chaplain Collier did not like her much, for checking on the prisoners as she did. She was finally told to leave the chapel prisoners alone, she told me one day. But we resonated well, and she knew how screwball everything was, as did several others.

20. Property Supply Supervisor and Assistant

Property-Supply Supervisor and her assistant were continually frustrated with “orders” for hordes of batteries and toilet paper, more than any other chaplain ever. During the lockdown, I returned three cases of toilet paper to them. Chaplain Collier *blamed them* for not supporting chaplaincy. If the Audio Cave is still there, then likely the cabinets obscuring the CAVE are still there too, and in them the prisoners have maintained “stash” of batteries and toilet paper and soap, for the “equipment” but with NO checks on the prisoner-to-prisoner distribution.

21. Sgt. Stringer, then Compliance Sgt. at Polunsky, now Retired

Sgt. Stringer was the Compliance Sgt. who retired I think on July 31st too, same as Warden Simmons. She was continually frustrated with prisoners in the Media Room. But did NOT do much about it. When I sat at her desk, she would not say she herself was NOT doing her job or not able to do her job, and I did not press it. But, as we talked, eye to eye, between the lines, she was clear as day – she even asked me to give to Chaplain Collier the policy on prisoner supervision on computers. She *knew* it was crazy. She mentioned how she had talked to Chaplain Collier several times. **STRATEGY:** a good investigator, since she is retired, could just ask about her feelings of it all. Be prepared for some loyalty still to Warden Simmons, as that was Simmons’ special skill. But one can say or direct that Polunsky was such a comedy of errors, and Chaplain Maness remembers you giving him a copy of the prisoner computer use guidelines. She asked me to give it to Chaplain Collier myself, with a kind of intimation that I might have better luck. Or knowing that it would not make a difference – don’t know which. I suspect she *knew* chaplaincy was off limits too. However, a really skillful investigator might be able to draw out more, with the TDCJ ITD report in hand, mentioning that “we are going after Simmons” or some such ruse, to FREE her to say what she truly knows. She *might* know something specific about Simmons protection of Collier or something else.

22. Division Director Hazlewood

Division Director Hazlewood. He got DVDs from the prisoners in the Media Room of their testimonies for his church to watch. He got them often. How many? Where are all the TDCJ Media Releases? Where are the IOC’s signed by the warden for that to take place? What did Hazlewood see when he visited? Really – does anyone really believe he saw *nothing* too? Lot of blindness those days. Did he truly know that the prisoners were NOT supervised in the dark Media Room? Hard to conceive he was blind too. How did he use the DVDs? Who knows? What I got fired for was *nothing* compared to the freedom of use of prisoner videos that Hazlewood had, which is far and far away from any kind of fairness. And, do we have any kind of a record of just Hazlewood’s collection of photos and videos? I mean, should an prisoner file a lawsuit, seeing himself on a Hazlewood video, where are the Media Releases? We do not even have a record of when any specific video was taken, much less true releases of liability. And, of

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course, Simmons, Alford, and Upshaw knew *nothing, nothing at all* – oh, I have some ocean front property in Arizona to sell them, with acreage on the moon too.

23. Polunsky OIG

Polunsky OIG – yes, one day, a large OIG officer came and retrieved a DVD that the dark Media Room prisoner SSIs had “completed for him.” What was that? **STRATEGY**, as the prisoners Ramy Hozifah and Cavazos were the ones, they *might* be able to say precisely what was on that DVD. Since now Reg. Dir. Upshaw has ordered all the drives cleaned, and no one talked to me yet, then that means that too is permanently erased (I did not record everything on my flash drive). The OIG officer himself was a large white officer in civilian clothes with a badge. It may be nothing, but I felt uncomfortable handing him a DVD that prisoners under my supervision created and worked up and I did not know a thing of what was on them.

24. Cert. Vol. Chaplain Carlos Ratcliff (Disk 1, Track 7)

Volunteer Chaplain Carlos Ratcliff (936-546-2145), now at Eastham Unit, but was regular at Polunsky, and will be able to testify to prisoner freedom, and some frustration with Chaplain Maness trying to “change” things. No Strategy to suggest.

25. Cert. Vol. Chaplain Gary Schools

Volunteer Chaplain Gary Schools and I talked about how crazy it was that unsupervised prisoners were to do what they were doing in Media Room as early as July 2012.

26. Cert. Vol. Chaplain Steve Roach

Volunteer Chaplain Steve Roach (h. 936 967-4582, c.936 327-0518), an ex-offender who spent 30+ years in TDCJ. He and I talked a lot about those prisoners in that dark room unsupervised, and he too thought it was nuts. I suspect he will be honest about it all, and how crazy it was. He tried to stay clear of trouble.

27. Cert. Vol. Chaplain Greg Ogletree

Volunteer Chaplain Greg Ogletree (office 936-327-2424) who is perhaps the wealthiest volunteer, and his family is an institution in the Livingston. He came in one day a week and worked in 7-Gym volunteering, always humble. I felt a very straight-shooting fellow.

28. Shawn Wallace, TDCJ Info Tech (Disk 1, Track 8)

He was over the computer Techs that were first called to Polunsky. Then Reg. Dir. Upshaw order data on Chaplaincy computers destroyed. Moreover, the Techs never had a chance, it appears, to truly investigate – as I exposed in July 2012 – the computer virus on Chaplain Collier state computer and how he allowed a “back door” (whatever that means, and the virus was called Win32/Peerfrag.FM) and also real question of just what the prisoners with all the computers and programs and wireless were fully capable of doing. Not being a computer expert myself, and knowing no other staffer was, this was a great concern. To this day, over a year later, we still do NOT know all of the prisoners were CAPABLE of doing, and now – because of Upshaw’s orders – we will never know.

29. Security Rank Promoted at Polunsky

Those Security Promoted from Polunsky. If OIG truly gets to most of these, there is another area of security breaches that still needs vetting, and that is with respect to ALL of the ranking individuals under Senior Warden Simmons at Polunsky while Chaplain Collier was there, who have MADE RANK AND MOVED ONTO to other units. That is a long list of persons that also have knowledge. That includes now Asst. Warden at the Lewis Unit, who came to the Lewis Unit FROM POLUNSKY on a promotion to Major at Lewis Unit, who, just subtly in retrospect, how that major must have known things at Polunsky. He and Dikerson and how many others WERE promoted, in spite of what was going on in the chapel that ALL knew about every single day.

Another shows up in a lot of paperwork and had a disciplinary at Polunsky, a Warden Lester, but I do not know him or where he has gone. And I have done enough.

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31. Lewis Prison Witnesses – Bell, Haynes, Bellamy, Lewellen, and Harris

Primary Witnesses

CVCA Melvin Bell, 409-429-3289, persecuted by Warden Helm in ugly infamy
Treatise on Treason above, chapters 14-16.

CVCA Virginia Haynes, 409-656-7589, opened the Faith-Based Wing, then trampled by Helm
Treatise on Treason above, chapter 17.

CVCA Dr. Keith Bellamy, 409-429-6315, on history, Helm, current status, my Facebook photos
See especially his letter in Tab 17, Item 11.

Volunteer Rev. Jack Lewellen, 409-283-5529, on history of use of classrooms for 20 years!

Secondary Witnesses

Volunteer Rev. Calvin Harris, 409-331-9998, on 20yr history and my character, and on the *feel* of
prison now versus before, subtle but passionate

Vol. Rev. Raymond Philips, 281-893-4409, 713-291-6480 on 20yr history and my character.

Imam Yusef Abdul-Hakeem, h409-839-8913, c512-406-1880, on 20yr history and my character.

Volunteer Merrill Mitchell, 409-837-2348, Jehovah Witness on 20yr history and my character.

CVCA David Rust, 409-283-6164, on 17yr history and my character.

Volunteer Mellissa Carson, 409-429-6745, on 15yr history and my character.

*For Shame – no one, not one, has interviewed any one of these regarding
my history or character or their own observations! For shame!*

32. Dep. Executive Dir. Bryan Collier (Disk 1, Track 14)

What precisely was his role in the cover up. I have resisted any implication, but it was clear in our 30-minute conference that Collier had not really read much of what was sent, and he did not have to, but he certainly supported those below him who have covered up. It appears to me, and I hope so, that Collier was unwittingly led to help Stephens and Upshaw cover up all that was going on at Polunsky. But I just do not know.

33. ITD Division Director Mike Bell SUPPORTS Maness – How NEAT Is That?

See that fine man! Though I have never met him, his email in Tab 6, Item 5, and hashed out, cut up, and dissected in the Epilogue starting on page 663 tells all and should provide the basis of any interview and on his communication with Upshaw; his email speaks volumes, confirms the conspiracy, confirms the treason, confirms Upshaw's, Stephens', and Alford's lies and cover ups, contradicting the IOCs of Stephens and Alford, making their IOCs intentional falsifications of state records, and, furthermore, even though Upshaw was careful *not* to put anything in writing, Bell's magnificent email on November 8, 2012, reveals that **everything was wrong with the Polunsky chapel Prisoners' Computer Control Center – EVERYTHING was Wrong** – and that, yep, sure enough, unbelievable but, yeah, shake your head, I'll be a monkey's uncle – yep – unlike any warden of any prison in the history of the world, Brad, in the very clear light that *everything* was wrong with the Polunsky computers – yep – Upshaw did nothing about that, nada, not a single thing. All Upshaw did was have it all “cleaned.”

Thanks to Mike Bell and his staff for doing *his* job honestly. How refreshing!

Read the Epilogue to this outrageous work. Upshaw is center stage, here, but not the *only* director. From Bell's email and the rest of the outrageous amount of evidence, *everyone* involved in *all* of my disciplinaries are connected to and through Bell's email when Chaplain Collier is given a good Annual Evaluation on November 29, 2012, signed on the same day by Alford *and* Bill Pierce, and signed by Marvin Dunbar on December 4, and Chaplain Collier signing it on December 17. But – what? – according to TDCJ Personnel, November 30th was Chaplain Collier's his official last day at Polunsky, escapes clean as a newborn baby's rear end, with the notation on that evaluation that “He is a benefit to TDCJ, RPD Chaplaincy” just a month after the four-week “cleaning” of *his* personal property computers in the hands of prisoners illegitimately with a “rogue” network and state computers with unauthorized users accessing them and – to this very day – no answer to the questions of just what was on the prisoners' password-encrypted “folders” and just what the prisoners were capable of doing.

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Solve the mystery, OIG Sherlock Holmes, of Chaplain Collier's enchantment over the several Directors and Wardens since 2007, and you are halfway home to solving the Longest Cover Up in TDCJ History. And you will get me closes to my total redemption and the clearing of my name, and the retrieval of Justice and Equality to the great reputation of TDCJ.

Yes, Brad, both of our legacies and honor are unfolding here.

I am committed and determined. Don't miss the Epilogue ☺.

Honor, courage, and commitment – those are good values.



Yet ... there are many more.

This was a world-class fiasco!

Yet, again, who was the

First Hero?



To whom much is given, much is expected.



Tab 4.

TAB 4. Warden Muniz – Unbelievable Deliberate Indifference

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Item 1. 07-11-12 – Mainframe to Muniz on Virus on State Computer

Talk with Warden Simmons and Chaplain David Collier

4-page IOC to Muniz Virus and Notification of Virus by Mainframe Email

— Had to get it in writing BEFORE Simmons Retired on July 31st —

After I deposited the 4-page IOC to Warden Muniz' in his box and a copy for personnel to put in my file, I continued to check and isolate the virus that showed up.¹⁶⁵ Prisoner SSIs Ramy Hozaifeh (740176) and Gilbert Cavazos (740176) helped, using computer "donated" by Ms. Langely from PEER Ed., and virus was isolated to Chaplain Collier's state computer. This was shocking. Later in the day, at lunch in the ODR, I confirmed with Warden Muniz his receipt of the 4-page IOC around table with two majors and Warden Butcher, and again later that day on the run. What to do? "I'm looking into it," was all he said. Collier and Muniz would not move on this.

```
----- SYSM OUTBASKET MESSAGE COMPOSING ----- 4.1.C
User ID: MM00084                               12:21pm - Wed, Jul 11, 2012
Enter Command ---->
*** This message was previously SENT -- NO Updates are Allowed ***
Message ID: 879082                               Status: SENT Lines: 0000008 Chars: 0000529
-----1-----2-----3-----4-----5-----6-----7-----
| WARDEN MUNIZ ... AS AN ADDENDUM TO IOC, YESTERDAY I ONLY HAD MY FLASH
| DRIVE IN THE TDCJ COMPUTER FOR SHORT TIME. THIS MORNING, I LIFT IN A
| MOMENT AND ACCESSED THE DECRYPTION, COPIED A FILE AND PULLED OUT. THEN
| WENT TO THE COMPUTER DONATED BY MS. LANGELY MENTIONED AND IT DID IN
| FACT FIND THE VIRUS. I MENTIONED THIS TO COLLIER THAT IT NEEDED TO BE
| CHECKED OUT BY TDCJ IT. CHEERS. HAVE A GREAT DAY.
|                                     MIKE MANESS, YOUR CHAPLAIN :)
| * * *           END OF MESSAGE           * * *
-----1-----2-----3-----4-----5-----6-----7-----
W/P CMDS: Wordwrap SPELL DICTIONARY CORRECT TSPLIT
COMMANDS: Up Down Top Bottom Right Find Send DELETE Copy UPDATE GET PUT QUE
          Print FILE PULL POST BPull Check SORT SET{CAP|CMMd|NULL|SCR} UNLk
```

Critically Important: Read (then) Senior Warden Richard Alford January 2013 IOC that clearly says – lying through his teeth – that he discovered in Maness' Grievance Hearing my informing him of "potential concerns with the computers and technology" that – I REPEAT – I had mainframe emailed to Muniz on July 11, 2012, at 12:21 pm, a few hours after I had confirmed Muniz in the Polunsky ODR that he had received my 4-page IOC. You see, Alford took a big risk here, not thinking that I had made a copy of that email to Muniz, so Alford lied again in this same IOC, for Muniz had told Alford in the weeks of transition between July and August 2012. Note the virus provides a "backdoor," which was a hell of a problem for me in July 2012, and NOT a problem for Warden Muniz, or Warden Simmons, or Alford, for some still mysterious reason.

¹⁶⁵ See www.ESET.eu/encyclopaedia/win32-peerfrag-fm-p2p-worm-palevo-kxw-trojan-meredrop-axqx?lng=en for a full description: "Win32/Peerfrag.FM is a worm that spreads via P2P networks. The worm contains a backdoor. It can be controlled remotely."

Item 2. 07-11-12 – 4-page IOC to Muniz – Deliberate Indifference

I sent this to both Warden Muniz and Polunsky Personnel, the latter to be put into my personnel file, only later, at retirement, to find that it had never been put. I confirmed with Warden Muniz later in the day that he had received it. But Tabatha Taylor told me she had read it, as did Warden Butcher. This is the exact text sent.

To: Warden Muniz

Date: 7-11-12

From: Chaplain Michael G. Maness

Subject: Chaplaincy Security and request this placed in my personnel file

I believe I need to send this to you, as a kind of second of command to Chaplain Collier as viewed by Chaplaincy HQ. Chaplain Collier has essentially claimed all is okay with Warden Simmons after I talked with Simmons. That is fine with me. And so I dare not take any serious action without your knowledge, and eventually without chaplaincy HQ's and especially Mr. Marvin Dunbar's knowledge, as this will affect so many volunteers that have a lot of resources and clout.

So I would just like this to go into my file that I have made the concerns known.

Regardless, trusting the prisoners so much is very fun and enjoyable, and I am seeing a totally new side of chaplaincy that I did think possible. The items below are just a few among others.

Mid- to Late June, 2012: began to question prisoners in Media Office all day with zero supervision and especially with the *lights off*. How long? From the beginning! Years.

Collier said everyone has seen and approved it, including Upshaw, Ortiz, and Dunbar. He said Warden Simmons even had the room appointed for the computers, since it had A/C to keep them cool. When asked about the "lights out," Collier defended the offenders needing the lights off in order to "see the buttons' lights" that operate the sound and video recorders and such.

Found out DVDs for Hazlewood did not have proper TDCJ Media Releases. Though some said DVDs were being cut for volunteers, some with a warden's approval, some volunteers said DVDs were being cut by prisoners and given to volunteer ministers as a normal course.

July 2, afternoon, in Media Office (where staff restroom is), seemed like I heard CVCA Reeve's voice faintly on speaker, speaking from Chaplain's Office, as though prisoners in Media Room were able HEAR what was taking place in Chaplain's Office via a clandestine mic of some sort.

July 2, evening, regardless, I felt the need call Chaplain Collier that evening around 9 p.m. and expressed my concern that the warden/s be brought up to speed, told him about the suspected surveillance. Requested a private meeting with him first thing in the morning up front, confidentially, to share multiple concerns.

July 3, because he was busy, we did not get to get together until about 9-10 a.m. in the 1 Bldg. Chaplain's Office. I explained most of my concerns and was shocked to find out that Chaplain Collier had asked the prisoners earlier in the morning if they had set up such! That shocked me. Of course if the prisoners had done such, they would have denied it and dismantled such – maybe dismantled. That explained some of the prisoner reticence and apparent less-than-usual jolliness first thing in the morning.

I explained the necessity to KNOW what was going on. We did not even KNOW what they had or were capable of. I mentioned that I had talked to a computer expert, Tommy Hubert, of DCS Computers in Chester, who explained many technicalities I STILL not fully understand. I strongly recommended to Chaplain Collier the need to get this checked out, even though his ministry budget if the prison could not, as all these were volunteer computers. This did not seem to register as important!

The darkroom and 10-12-hour days with ZERO supervision seemed inconceivable, but was of no concern – with four computers, a digital camera, a digital video recorder, high-quality scanner, and two printers, one a high-quality color laser printer! And female volunteers and officers having to enter the dark room to use the staff restroom past the prisoners!

TAB 4. Warden Muniz – Unbelievable Deliberate Indifference

State Employees Are Supposed to be Treated Equally

The prisoners in the Media Office could see staff and volunteers BETTER than we could see the prisoners!

Also – key control – a set of 10-11 keys kept in the cabinet that prisoners come and get whenever they need to unlock something in the chapel without so much as saying what they were doing to staff or volunteers.

Collier did not seem to relate how the wardens and even Hazlewood, et al, assumed we knew what was going on in the Media Room. He defended the darkroom, because the prisoners need to see the lights on the switches. The board covering the window was mentioned to a shrug. The barrier to the in-gym sound equipment area was needed to keep stragglers out during the services. There appeared to no concern about observation of prisoners, by security or chaplains or cameras. I strongly wanted us to develop a plan to present to the wardens to regain control of things. He did not commit to that or even appear to see the need.

Regardless, we agreed to hold off and think about these things until Monday.

July 4, daytime at home, I was slightly troubled about a virus warning when I plugged in my flash drive into my home computer, that I have been taking in and out of prison for about ten years without a problem. The bug had been strangely appearing on my flash drive from time to time over the last month or so, picked up by my top-of-the-line ESET Security Software on my home computers. When I actually looked up the virus being deleted, I found it was a “Win32/Peerfrag.FM” worm that placed itself on all removable media (like my flash drive), being described as “a worm that spreads via P2P networks. The worm contains a backdoor. It can be controlled remotely.”¹⁶⁶

July 6, morning, Friday, I brought in two flash drives to find out which of the two computers (state computer or the volunteer network of 6-7 computers). I almost just going report it all. But decided to tell the volunteers and prisoners about the virus and need to have all checked out. The prisoner brought in the one laptop donated-loaned with the most up-to-date virus (and ESET Virus Protection) which picked up the virus which was being put on my flash drive from the state chaplaincy computer – it was isolated to the state computer that we will have to take to ITD soon.

CVCA Tommy Dill was there and offered to take the computer on and off the unit to update the computer’s virus program and even asked the prisoner clerk to draw up the clearance.

I was also told that Chaplain Collier would not be in on Monday.

INVENTORY: since we had no accurate inventory, I decided it was necessary to initiate a complete inventory. I was not surprised by the slight reluctance. That was about 7 a.m., and by about 4:30 p.m. they had not completed it. I said that I expected them to finish it by Monday by noon.

July 9, morning, Monday, I found a note from Chaplain Collier that voiced some frustration from him that I did not wait for him, that a couple of his SSIs were ready to quit, and said to stop everything. At that time, I felt it was becoming clear that my concerns about policy violation were not being taken seriously. I had a staff meeting with CVCA Dill and four prisoner clerks. They presented me with the completed inventory that needed only some minor corrections.

But the inventory was still not complete.

I also ordered the clerks that, as long as on my shift, that the lights would remain on in the Media Room, charged to take seriously not only the inventory, but also take with the utmost seriousness the extraordinary blessings given and even entrusted to chaplaincy. I also challenged the prisoners in the Media Room to develop a work schedule of what they were doing, as a minimal starting point to getting a handle on things.

Later, when I sought to get a copy of the Chaplaincy Audit, also I found out from Compliance Sgt. Stringer that she had concerns about computers, passwords, and more, including how she was not aware of prisoners being alone in Media Room for such long periods.

¹⁶⁶ See www.ESET.eu/encyclopaedia/win32-peerfrag-fm-p2p-worm-palevo-kxw-trojan-meredrop-axqx?lng=en for a full description: “Win32/Peerfrag.FM is a worm that spreads via P2P networks. The worm contains a backdoor. It can be controlled remotely.”

TAB 4. Warden Muniz – Unbelievable Deliberate Indifference

State Employees Are Supposed to be Treated Equally

July 9, near noon, I had a talk with Senior Warden Simmons about all this, to which he thanked me for coming forward. He had suspected some of this and that he himself had to some degree previously charged Collier. He indeed did not know that there was no supervision of Media Room prisoners and expressed concern about other irregularities and supported the need to gain control. I mentioned how my flash drive had picked up a virus and had isolated it to Chaplain Collier's computer via the donated volunteer computer's similar ESET virus protection (and need to take it on and off, and willingness of CVCA Dill handle that).

Warden Simmons was also concerned about chapel services exceeding stated capacity last Sunday, and I too reflected that I had something similar to Chaplain Collier and need to address that or have the Safety Officer recertify capacity.

He said that Asst. Warden Muniz was going to be getting with us about several things.

I expressed my fear over these things, as the ministry is precious to us, and felt Collier was a good man who had bought into some of the prisoner dominance, himself doing what a pastor would most probably normally do in a free-world church.

June 10, Tuesday, morning. Amazingly, for the first time in months, the lights were on in the Media Room and remained on all day. I *guess* the prisoners had decided to leave the lights on after my talk the previous day, but I did not ask the prisoners or Chaplain Collier. I was just glad the lights were finally on, but I still wonder why they had been off for years.

I did remember a list of volunteers on the prisoner computer network, and decided to wait no longer – and should have called immediate attention to that (I am sorry to say) – I had prisoner clerk remove list of volunteer addresses from their computer network and placed excel file on Chaplain Collier's computer. Chaplain Collier did not seem surprised or shocked, nor even CVCA Ratcliff. That was super strange.

Again, without getting this addressed, who knows? but that somewhere that long list of volunteers' addresses, phones, driver's licenses, and dates of birth is still there. God have mercy.

I mentioned to Chaplain Collier that I had talked with Warden Simmons about my concerns, that we were in trouble, and that I expected Asst. Warden Muniz would be calling soon.

June 10, Afternoon. Collier leaned over and said he talked with Warden Simmons about not knowing what the prisoners were doing. That Warden Simmons said he would not have put them down there if he had not trusted them, mentioning something about as "long as the spirit of the policy" was followed, that was all that mattered, and all was okay – something I do not believe Warden Simmons would agree to.

Chaplain Collier also mentioned his concern about me not losing my job and himself not getting a disciplinary. Sure, there were a lot of things. Again, in so many words, Chaplain Collier affirmed the trust of the prisoners on the computers. "Plus," said Collier, referring to his chat just minutes ago with Warden Simmons, "You know how many times you have torn these computers down and found nothing." And then Chaplain Collier mentioned Simmons desire to keep this all "in house," which I am happy to do, but again suspected this was not precisely Warden Simmons. Chaplain Collier whispered this to me while other volunteers and prisoners were in the office; I doubt they heard, but still. Chaplain Collier also mentioned how he had heard, via hearsay-but-appeared-credible-and-worthy-of-repeating how another TDCJ chaplain had just recently gotten into trouble for allowing prisoner clerks to do his 5.01(c)3 papers at work for his ministry on the job, but, said Chaplain Collier, "All of mine are all in Ed Reeves' name and Warden Simmons was okay with that."

"That was great to hear," I said.

June 10, Afternoon, about 1430. I walked over and visited with CVCA Gary Schools in 7 Bldg Gym as Kairos volunteers left. Prisoners on computers with no staff watching and prisoners in back classroom with door closed playing guitar. Volunteer Gary Schools and I chatted for about 30 minutes on his love for Kairos and prison ministry. As our conversation shifted casually to chaplaincy, I mentioned the Media Room lights out of months gone by and the prisoners being alone, and he did not understand that either.

When count cleared, the officer was in gym left, an prisoner came into the office and shredded the count sheet, and Vol. Schools let rest of the prisoners out. I got a call that Chaplain Collier was leaving and asked me to come back. I left Vol. Schools to lock up 7 Bldg. Gym and headed back to 3 Gym.

TAB 4. Warden Muniz – Unbelievable Deliberate Indifference

State Employees Are Supposed to be Treated Equally

Back at 3 Gym, we added one more thing to inventory list, now five days in the making. It was clear they had never taken a good inventory. Even though I had repeatedly over the last days said “everything” we were still getting every “thing” on the list. Wednesday, from all the handwritten additions since the first list turned in on Monday, we will clean up the list.

At about 1545, the 3 Gym prisoner clerks were ready to go home and I let them go to their houses.

June 10, Evening, at home. Since I had transferred the volunteer file from the volunteer computer network to Chaplain Collier’s TDCJ computer, I fully expected that my computer ESET Security would again pick up the worm, but it did not. Had someone cleaned Chaplain Collier’s TDCJ computer?

I will check again today to see if the worm is still there, just to be sure, and still believe Collier’s computer need checked out by ITD given all. But I dare not do anything without further support.

I am so concerned that the ministry to the prisoners be kept going, within security guidelines, and that the precious hearts of the best prisoners and our great volunteers be preserved. Also, at this time, I believe the main prisoner clerks to be just following orders with NOTHING seriously amiss going on, just helping chaplaincy. Maybe there is a better way to put this.

Please handle with care. I am happy if only this be placed in my personnel file and go nowhere else, if you are truly happy with all. It is very nice after all.

Sincerely,

Michael G. Maness, Your Chaplain

Item 3. Computer Virus: Win32/Peerfrag.FM

I consulted computer expert Tommy Hubert (936-215-1032) all this in July 2012, and showed this sheet to Chaplain Collier, the prisoners, and several Volunteer Chaplains. Mr. Hubert told me several things I did not fully understand, and then I confronted Chaplain Collier (Tab 14). Thanks to Reg. Dir. Michael Upshaw's "order" to destroy ALL, and cover up, we will NEVER know precisely what the prisoners did in their computer office or what they were capable of doing.

7/9/12 Eset - Win32/Peerfrag.FM

eset

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Antivirus Software NOD32 > Threat Center > Threat Encyclopaedia > P

Threat Encyclopaedia

Print this page Send

Win32/Peerfrag.FM

Aliases: P2P-Worm.Win32.Palevo.kxx (Kaspersky), Trojan:Win32/Meredrop (Microsoft), W32/Worm.AXQX (F-Prot)

Type of infiltration: Worm

Size: 188416 B

Affected platforms: Microsoft Windows

Signature database version: 4677 (20091210)

Short description
Win32/Peerfrag.FM is a worm that spreads via P2P networks. The worm contains a backdoor. It can be controlled remotely.

Installation
When executed, the worm creates the following folder:

```
%systemdrive%\RECYCLER\S-1-5-21-%variable%
```

A string with variable content is used instead of %variable%.

The following files are dropped in the same folder:

```
wnzip32.exe (188416 B)
Desktop.ini
```

The worm creates and runs a new thread with its own program code within the following processes:

```
explorer.exe
```

In order to be executed on every system start, the worm sets the following Registry entries:

```
[HKEY_LOCAL_MACHINE\SOFTWARE\Microsoft\Windows NT\
CurrentVersion\Winlogon]
"Taskman" = "%systemdrive%\S-1-5-21-%variable%\wnzip32.exe"
[HKEY_CURRENT_USER\SOFTWARE\Microsoft\Windows NT\
CurrentVersion\Winlogon]
"Shell" = "explorer.exe,%systemdrive%\S-1-5-21-%variable%\
wnzip32.exe"
```

Spreading
The worm creates the following folders:

```
%drive%\system32\
```

The following files are dropped in the same folder:

```
autorun.exe (188416 B)
Desktop.ini
```

www.eset.eu/encyclopaedia/win32-peerfrag-fm-p2p-worm-palevo-kxx-trojan-meredrop-axqx?lng=en



Tab 5a.

TAB 5a. Richard Alford, et al, and Key to All

TAB 5a. Richard Alford, et al, and Key to All..... 259
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▼ *These two IOCs are Critically Important - Keys to nearly ALL* ▼

Item 3. 01-15-13 – Richard Alford’s Critical IOC – 2 pages266

2 pages – to then Reg. Dir. Michael Upshaw dated 01-15-2013, wherein Warden Alford twisted or lied on nearly all things, *note how he does not mention Chaplain Collier or years of unsupervised prisoners*

Item 4. 02-07-13 – William Stephens’ Critical IOC to Div. Dir. Rick Thaler and Accountability on the Run!.....269

on Maness’ exposures – no mention of computers or dark room, covering up serious issues. Sadly, of all things Stephens chooses, as he mentions my saying Alford “bullied” me, which Alford did and of course and “there is no evidence” – *no* evidence. Stephens is RIGHT, there is no evidence of Alford bullying, but there is a load of evidence that Alford’s bullying did *not* work. I would NOT violate policy for Alford, or lie for him, and they are covering up that to this day!

Items 3 & 4 – these two IOCs from Alford and Stephens need to be framed, placed into PDF, and shared with all the world. For EVERY staffer, officer and volunteer that had access to the Polunsky Chaplaincy knows they are filled with COVER UP, the 16 Tabs in this notebook being the SHORT story, with only a few 100 violations.

As mentioned in Tab 13, we will NEVER know what the Polunsky prisoners DID in the Dark or what they were Capable of Doing – never! Thanks to Div. Dir. Michael Upshaw’s orders for critical evidence to be “cleaned,” a euphemism for “Covered up.” See the **Epilogue** for the final exposure on the ramifications of Alford’s IOC especially.

Chaplains’ Polunsky Timelines

David Collier	12-15-2006	to	11-30-2012
Michael Maness	05-15-2012	to	10-31-2012
Mary Berry	11-01-2009	to	01-01-2012
Richard Anderson	03-27-2008	to	10-07-2009
Loren Edwards	09-13-2004	to	12-01-2007

Four Staff Chaplains were IGNORED from 2008-12

ALL had HARD time with Collier on loose prisoners except the wardens

Richard Alford Dates

Polunsky	11-2002 – 08-2008 – Asst. Warden – Polunsky – 5 yrs, 9 Ms < START of Fiasco?
Polunsky	09-2012 – 03-2013 – Senior Warden II – Polunsky – 6 Ms



TAB 5a. Richard Alford, et al, and Key to ALL
State Employees Are Supposed to be Treated Equally



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Item 1. 05-21-13 – Maness Original OR Request

Open Records Request May 21, 2013

TDCJ – Executive Services
P.O. Box 99
Huntsville, TX 77342-0099

Facsimile: 936.437.2125
Livingston fax: 936.437.2123
E-mail: exec.services@tdcj.state.tx.us

Open Records Request – 5-21-13

Dear Brad and Bryan and Rick (retiring May 24),

I have in previous letters and am again here asking for, again, and formally for the answer to this question:

OPEN RECORDS REQUEST 1

Who was the highest ranking person who KNEW about the unsupervised inmates in the dark in the Polunsky Chapel 3-Gym media office with \$1,000s of computers, scanners, printers, and cameras PRIOR to my exposure in July, other than Warden Simmons and after he retired Warden Alford?

Who and how long? You all have discovered that, someone knows, even if NOT in writing, it is knowledge that IS NEEDED to finish the investigation and in writing the full and complete story. Thank you.

This is a request as a free citizen, tax payer, retiree, HISTORIAN looking to fill in blanks in a story that NEEDS completion.

We want to finish this story and get ALL the information for the full story, complete, like an audit – with all information full and correct.

Bear in mind that I tried to come and see you, Bryan, and Rick – WHO I TOLD HIS SECRETARY in sum – and for which nothing was done in July.

Also, NOTHING was done until I send you all that 21-page letter DURING my last week on 10-29-12! Filled with stuff NO ONE told you about until my exposure.

You Bryan, acknowledged receipt of that material on 11-1-12 and promised to look into it.

At this link with a propriety code you can see ALL the major letters sent, excluding a few auxiliary, most especially that 21-pager:

www.PreciousHeart.net/1-6-TDCJ-Polunsky-Exposure-Letters.pdf - code: **Love-Honor** <note upper-lower case and hyphen in using code to open.

OPEN RECORDS REQUEST 2

In view of the investigation of the 21-page letter, I would like ALL the results of ALL of the investigations, including memos, IOC, etc., sent to find out answers or clarify all – just every part of and the final report – you know – the whole enchilada with trimmings, relevant to my exposure on 10-29-12.

OPEN RECORDS REQUEST 3

I sent two other letters, the most substantial on 2-18-13, 35-pages, of MORE exposures at Polunsky and additional exposures of just mere ethical improprieties at Lewis Unit, and so, as reflected in Rick Thallar's receipt of that, that all three of you received, I would like ALL the results of ALL of the investigations, including memos, IOC, etc., sent to find out answers or clarify all – just every part of and the final report – you know – the whole enchilada with trimmings, relevant to my additional exposure then and on 4-29-13.

Again, if you have misplaced the letters, here again at this link with a propriety code you can see ALL the major letters sent, excluding a few auxiliary, most especially that 21-pager:

www.PreciousHeart.net/1-6-TDCJ-Polunsky-Exposure-Letters.pdf - code: **Love-Honor** <note upper-lower case and hyphen in using code to open.

OPEN RECORDS REQUEST 4

I would like copies of the memos/IOC/etc. sent to all chaplains/wardens regarding the survey of which units had a media room, and a copy of the results of that survey, and all comments, memos, IOCs, etc., sent AFTER that survey was done.

Open Records Request May 21, 2013

OPEN RECORDS REQUEST 5

I would like copies of the memos/IOC/etc. sent inquiring, or requiring, or questioning or ordering all wardens to review or check on their craftshop procedures regarding inmate use of computers in the unit craftshops, and all the results and/or memos regarding that.

OPEN RECORDS REQUEST 6

I would like copies of ALL the disciplinary or letters of instruction written against Wardens Alford, Muniz, Hunter, Helm – and any others, including Chaplain Collier or Polunsky Majors, for THEIR part in NOT discovering the violations I exposed, or their covering of my exposure, or for ANYTHING in the from January 1, 2011, to present.

Gentlemen, after contacting an attorney, it will cost me between \$50,000 to \$200,000 to file an employment lawsuit, and – last time I checked – I am not sure my 401k will handle that very risky venture. Have not found anyone yet to take it on a contingency. But the more honorable way will be to talk to you about BEING ON THE LEVEL and straightforward, OPEN, about these exposures that you all did NOT know about. My reward for such, and some compensation for the pain.

My honor means more to me, perhaps too much, in these days and times. Did you see that Congressman grilling that ex-IRS chief? Really hit home to me, as he said, in so many words, “A private company can make mistakes. NOT YOU. You have to be in compliance ALL THE TIME. And be held accountable when OUT OF COMPLIANCE.” I was RUN off from Polunsky by Warden Alford for EXPOSING out-of-compliance in EVERY aspect of the Polunsky Chaplaincy – EVERY aspect, not just that super-gross media-room. Documented it. And Alford writes a good evaluation of Chaplain Collier two weeks AFTER I expose all!

Just watched again the Texas Seven escape on TV – old news. Think about the Polunsky Escape attempt years ago – and then AFTER my exposure and treatment to me – and IF an escape had happened BEFORE you all acted. The Connelly Unit maintenance did NOT have anywhere NEAR the number things out of whack and out of compliance as the Polunsky Chaplaincy – and GOD HAVE MERCY – the million dollar eyes in the sky and Warden Simmons KNOW IT ALL, gentlemen please – Simmons KNOWING it all, ALL ALONG for YEARS! Then doing NOTHING, nada, NOTHING after I trust him (and you) and then Alford?

We NEED to get all of this straight. You want me write this history RIGHT, don't you? So, thanks for helping me get the information to fill in the blanks. Again, what Wardens Simmons, Alford, and Helm did – make ALL my disciplinaries look like spilt milk. I also need this before I go and interview all the volunteers and staff myself. We MUST get all the documents on the table. As a historian, you would expect nothing less than MY BEST.


Very sincerely,

Michael G. Maness
804 N. Beech
Woodville, TX 75979
409-383-4671
Maness3@att.net

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**Item 2a. 07-09-12 – TDCJ to Withdraw Request from AG to
Withhold from Maness**



Texas Department of Criminal Justice

Brad Livingston
Executive Director

July 9, 2013


Michael G. Maness
804 N. Beech
Woodville, TX 75979

Re: Your request dated May 21, 2013

Dear Mr. Maness:

Be advised that we are withdrawing our request filed with the Attorney General to decide whether certain information you requested may be released to you. We have attached a copy of the withdrawal letter filed with the Attorney General, and a copy of the subject material.

Sincerely,



Patricia Fleming
Assistant General Counsel
TDCJ Office of the General Counsel

Attachments
PF/mf

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Office of the General Counsel
Sharon Felle Howell, General Counsel – sharon.howell@tdcj.state.tx.us

P.O. Box 13084 Capitol Station
Austin, Texas 78711-3084
Phone (512) 463-9693, FAX (512) 936-2159

P.O. Box 4004
Huntsville, Texas 77342-4004
Phone (936) 437-6698, FAX (936) 437-6994

www.tdcj.state.tx.us

Item 2b. 07-09-13 – TDCJ to AG – Ooops



Texas Department of Criminal Justice

Brad Livingston
Executive Director

July 9, 2013

Honorable Greg Abbott
Attorney General of Texas
Open Records
P.O. Box 12548
Austin, Texas 78711-2548

Re: Public Information Request of Michael Maness, AG ID: # 497503

Dear Attorney General Abbott:

In earlier correspondence, we requested your decision as to whether certain material requested by the above referenced requestor was exempted from disclosure. In the interim, we have discovered that our brief, which asserted the discretionary litigation exception, was untimely submitted to your office. Please accept our apology for any inconvenience our mistake in this matter may have caused to your staff.

Accordingly, we withdraw our request for your decision in this matter, and will release the subject material to Mr. Michael Maness, the requestor.

Respectfully,

A handwritten signature in cursive script that reads "Patricia Fleming".

Patricia Fleming
Assistant General Counsel
TDCJ Office of the General Counsel

Cc: Michael Maness, 804 N. Beech, Woodville, TX 75979

PF:mf
1307063:FlemingPIR/Maness #1

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Office of the General Counsel

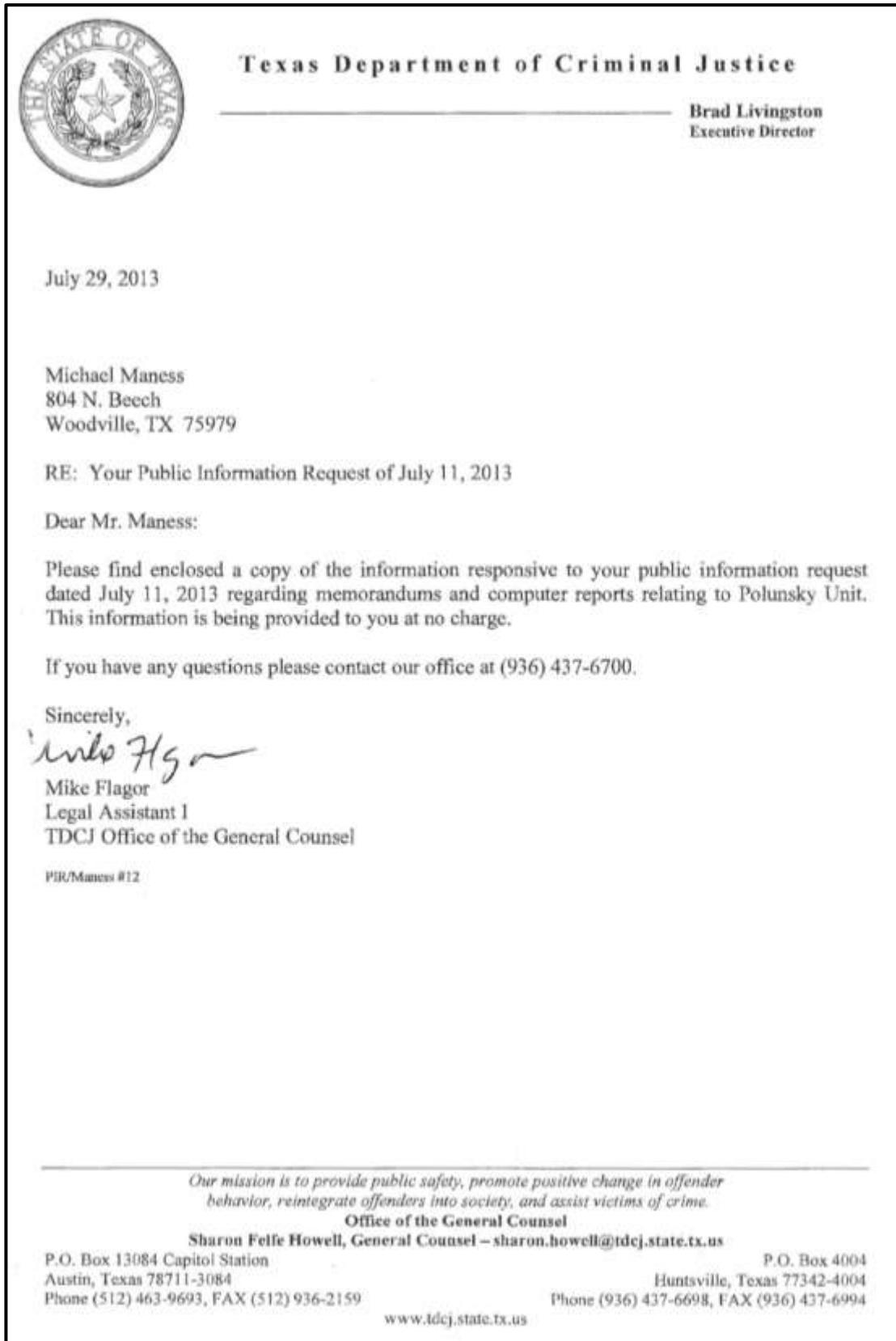
Sharon Felfe Howell, General Counsel – sharon.howell@tdcj.state.tx.us

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Item 2c. 07-29-13 – TDCJ Releases Critical IOCs on Alford and Stephens



Item 3. 01-15-13 – Richard Alford’s Critical IOC – 2 pages



Texas Department of Criminal Justice

Brad Livingston
Executive Director

Texas Department of Criminal Justice
CORRECTIONAL INSTITUTIONS DIVISION

Inter-Office Communications

Date: January 15th, 2013

Michael Upshaw
Region 1 Director
Texas Department of Criminal Justice – Institutional Division

From: Richard Alford
Senior Warden
Allan B. Polunsky Unit
Texas Department of Criminal Justice – Institutions

Subject: Chaplain Michael G. Maness Allegations

CRITICAL KEY

KEY to ALL



A Fabrication by Chaplain Collier,
verified by Vol. Chaplain Walter
Bennet in IOC Alford destroyed
See Disk 1, Track 5 & 6

Tab 7. Walter
Bennett
Alford’s 1st ¶
See Item 1.
IOC from
Chaplain Collier
to Lt. Tamez
What a story?

On Tuesday, October 2nd, 2012, I, Senior Warden Richard Alford, was monitoring hallway traffic near the General Population chow halls. I observed an unknown offender walking from B-side to A-side with a church volunteer. I questioned this offender as to where he lived, and he stated 7-building. It was discovered that this offender was a G3 custody offender that was out-of-place on A-side. This was a violation of policy and a severe security breach. Upon questioning Chaplain Maness concerning this incident, he stated that he had been approved to do this per prior Warden Simmons (which was verified to be a fabrication).

On Wednesday, October 3rd, 2012, I instructed Building Major Kenneth Hutto to do a walkthrough / visual inspection of the chaplaincy department to identify any security concerns. Major Hutto discovered multiple extension cords and sensitive tools that were not inventoried or tagged through the maintenance department and not in compliance with Agency Tool Control policy AD-03.19. Following the discovery of these items that posed a security risk to the facility, Major Hutto issued a Letter of Instruction to Chaplain Maness and Chaplain Collier addressing these issues. The Letter of Instructions were generated for a Level 2: 20.0 – Violation of Policy, due to the chaplains lack of attention to their department and the contraband and tool items that were present.

On Friday, October 19th, 2012, I conducted a grievance hearing with Chaplain Maness concerning his letter of instruction. During this hearing, Chaplain Maness expressed some potential concerns with the computers and technology that was present in the chaplaincy department that was accessible by offenders. Upon hearing these concerns, I instructed Captain Timothy Fitzpatrick and Lieutenant Wayne Grigsby, who both have knowledge of computer operating systems, to examine the computers in the chaplaincy department. Upon completion of their assessment, Captain Fitzpatrick reported that multiple flash drives were discovered, a network was discovered that was wirelessly connecting all the computers, and multiple folders were discovered on the computers that were password protected. The chaplaincy department claimed to have no knowledge of the passwords.

Having confirmed that there were indeed policy violations concerning the computers and the technology equipment present in the chaplaincy department, I conveyed these findings and expressed my concerns with regional chain-of-command. The Information Technology Department was notified and instructed to report to the facility to further assess these findings.

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Senior Warden Richard Alford
Allan B. Polunsky Unit

See the
Epilogue
The email from
Dir. Mike Bell
eviscerates
both Alford’s
and Stephens’
story telling!

**Warden Alford portrays IT discovery as something new to him ...
as though he did not know of multiple computers**

Page 2 of 2

On Friday, November 2nd, 2012, IT representatives J. Douglas and C. Miller arrived at the Polunsky Unit and assessed the situation. They finished their assessment on Monday, November 5th, 2012. At the completion of their investigation, it was determined that multiple policy violations were present and that the computers in the chaplaincy department needed to be confiscated for further evaluation at IT Headquarters. The computers were immediately taken to the Polunsky Unit Administration Office.

On Wednesday, November 14th, 2012, the IT representatives picked up the four State owned computers for evaluation at the IT Headquarters. On Wednesday, November 28th, 2012, after the computers were reconfigured and all prior history erased, the IT representatives returned the computers to the Polunsky Unit and they were re-issued to the chaplaincy department.

There were an additional three computers that were not State owned that were present in the chaplaincy department. These computers were also placed into the Administration Office awaiting written confirmation of the donation of the computers to the State. Upon confirmation, these computers will be erased and reconfigured as well by IT before being returned to the chaplaincy department.

Richard Alford Promotions

05-1993 – 01-2000 progressing to Major at Eastham

Polunsky 11-2002 – 08-2008 – Asst. Warden – Polunsky – 5 yrs, 9 Ms

09-2008 – Warden I – BA – 4 Ms ... 01-2009 – CN – 1 Yr, 8 Ms

09-2010 – Senior Warden II – Stiles – 2 Yrs

Polunsky 09-2012 – 03-2013 – Senior Warden II – Polunsky – 6 Ms

04-2013 – Reg. 1 Director – Longest Cover Up in TDCJ History

To Reg. Dir. Michael Upshaw dated 01-15-2013, wherein Warden Alford twisted all things, and lied about not knowing before my Grievance Hearing, and Alford shamefully and conspicuous and by deceitful intention protects and covers up Chaplain Collier’s signal role in all! Disgusting! Look closely at this contrived piece of horse dung, worked up *with* Upshaw no doubt now, as they *try* to have the *appearance of thoroughness* with their piddled struggle with dates – probably lazily looking at their calendars instead of the actual documents. Oooops, there were no actual “reports” – really! – only the emails from the good ITD Techs. That is how important UNSUPERVISED PRISONERS on \$1,000s high-end computers, cameras, scanners, and printers were to – WHO? – Alford, Upshaw, and Stephens!

Alford’s entire IOC is a crafted piece of **BULL ___!** meant to deceive all who read it, careful to avoid any language that would merit an OIG investigation. He portrays himself as *responsive*, that is, *not knowing* until – poof! – when he *knew* all along and did nothing to help. Now this can be *proven* a 1,000-fold by all the major volunteers and the Polunsky security cameras, too, as the volunteers longed for him to return because of his *previous* support. Alford had been *unresponsive* in 2007 to 2008 – yes, the volunteers *loved* him for his support *then* too. It was impossible for him *not* to know, which is the easier and more merciful statement; he *knew* before I got there in May 2012, as he and Simmons and Upshaw also *knew* and were crafting their way to work around and provide for their protected Chaplain Collier who had so enchanted them. What did Chaplain Collier possess?

When the persons you *should* trust the most lies to cover up this level of responsibility, they forfeits all. And now we really need OIG the most.

The reality? For many good Polunsky employees’ sake, look at the date Alford said they “finished their assessment,” as if it was just an *over-the-weekend* affair. By November 5, no sir, they had not *finished*,

they had just begun! That was the date they had their list of questions emailed, and it was November 8 that Upshaw ordered them to “clean all” before the ITD Techs found more. See Tab 6, Items 1-10 – according to the ITD Techs, it was a hell of a job, and – according to Alford in his IOC – Alford *missed* all of that for years! Hah! There is no warden so ignorant in the history of TDCJ. He *knew* about all, all along, and falsified to avoid any language that would lead to an OIG investigation.

Alford Unlocks All ... Sealed by Stephens’ Cover-Up Concurrence’


Critically Important: Senior Warden Alford lies through his teeth when he said it was at Maness’ Grievance Hearing and my informing him of “potential concerns with the computers and technology.” Yes, I informed him, alright – *please* see that! Only, I informed him two months earlier, and pestered him *mildly* – he was my boss – to get the LIGHTS ON in that very Computer Control Center! I was making a stink about it since July 2012. I had written the 4-page IOC to Warden Muniz and sent to Muniz mainframe email on July 11, 2012, at 12:21 pm, about a virus that provided a “backdoor,” whatever that means – and a hell of a problem for me in July 2012, and NOT a problem for Warden Muniz or Warden Simmons, or for Alford until my Grievance Hearing, for some mysterious reason.¹⁶⁷ See Tab 4 – It could not be clearer. The volunteers were “worried” about me messing up what they had built and turned over to the prisoners, especially Chaplain Collier and Vol. Chaplains Tommy Dill and Ed Reeves.

¹⁶⁷ See www.ESET.eu/encyclopaedia/win32-peerfrag-fm-p2p-worm-palevo-kxw-trojan-meredrop-axqx?lng=en for a full description: “Win32/Peerfrag.FM is a worm that spreads via P2P networks. The worm contains a backdoor. It can be controlled remotely.”

Item 4. 02-07-13 – William Stephens' Critical IOC to Div. Dir. Rick Thaler
and Accountability on the Run!

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
CORRECTIONAL INSTITUTIONS DIVISION**

INTER-OFFICE COMMUNICATION

CRITICAL KEY 

To: R. C. Thaler, Director
Correctional Institutions Division

Date: February 7, 2013

From: William Stephens, Deputy Director
Prison/Jail Operations

Subject: Michael Maness Response

Mr. Maness has documented his concerns in reference to the Polunsky Unit religious program. He has specifically identified what he considered security breaches in the Chapel. Sometime ago the Polunsky Unit relocated the Chapel services to #3 Gym which allowed a larger capacity at the services. The office in the gym was converted into a "media room" where offenders control sound systems and have the ability to audio record services.

In the past several months, Mr. Maness has written a number of documents to various TDCJ division leaders in regards to his concerns.

Evidently, prior to Mr. Maness retiring from TDCJ, he expressed these same concerns to Warden Alford. Warden Alford began taking immediate steps to review and evaluate the operations of the Chaplaincy programs at the Polunsky Unit. There has been an aggressive effort to inventory equipment and supplies. Additional control measures have been implemented in reference to all forms of video/audio recordings of services. All the computers being utilized have been handed over to the ITD for screening and cleaning of unauthorized programming. Warden Alford was contacted and has provided the steps he has taken to identify and correct some of the allegations. The attached document details these actions by Warden Alford.

Warden Alford denies "bullying" Mr. Maness and Mr. Maness has not provided any evidence nor any witnesses that support such conduct.

I have also contacted Assistant Warden Helm at the Gib Lewis Unit in regards to the references of Helm's alleged mistreatment of CVC Melvin Bell. Mr. Bell's inappropriate conduct was addressed by Warden Helm and due to continuous disregard for the agency's policy, Bell's volunteer status has been changed to pending.

Mr. Maness retired from TDCJ several months ago. He continues to write about the same issues that he had addressed with Warden Alford. Again, Warden Alford has taken corrective steps where appropriate to ensure the religious programs at Polunsky are delivered with safety and security a priority.

I understand that Mr. Maness has a desire to be re-hired. He currently has an application pending for a vacant chaplain position at the Gib Lewis Unit.

WS/jh
Cc: file

Stephens is clear, too, covering up for Alford, Michael Upshaw, Chaplain Collier, all the others they promoted whom they had charged to "looked away" on their watch. Behold the ITD Techs' computer inventory with my 10-29-12 21-page letter – this is all Alford can say? **What did the prisoners do in the**

dark for years in their Computer Control Center? What were they capable of doing? According to Stephens, all the prisoners did with cameras, scanners and printers was “church” stuff, and he covers up that the prisoners were *unsupervised* in the dark for years. Lying to protect Alford and his friend Upshaw and only OIG will be able to find out who else. Stephens protects the prisoners too. I asked those question in June 2012, wrote those questions on an IOC to Warden Muniz, a copy to Polunsky Personnel in July 2012, confronted Chaplain Collier and asked both Warden Simmons and Alford about those questions.

Richard Alford Promotions

Polunsky 11-2002 – 08-2008 – Asst. Warden – Polunsky – 5 yrs, 9 Ms
09-2008 – Warden I – BA – 4 Ms ... 01-2009 – CN – 1 Yr, 8 Ms
09-2010 – Senior Warden II – Stiles – 2 Yrs
Polunsky 09-2012 – 03-2013 – Senior Warden II – Polunsky – 6 Ms

Good God in heaven – Warden Alford should have been asking those question when he was an Assistant Warden in 2007 and 2008. Even *novice* Polunsky staff Chaplain Rick Anderson *marveled* in 2008 to the end of his career in October 2009 at the computer prowess of Chaplain Collier’s prisoners, unsupervised, even *before* they were moved into 3-Gym (Disk 1, Track1). Is that is the extent of Stephens’ investigation, not even knowing that the prisoners were on the computers *before* the move to 3-Gym? Of course not. Stephens knew that, too, and covered up *more* and more.

And in that IOC, Stephens supported Warden Helm’s multiple violations of policy, on the Lewis Prison, too. But I’ll bet you a \$100 Stephens did not even look at the paperwork in Tab 18. He cannot even bring himself to give a single violation by Vol. Bell. Why? Because there was none the second time Helm contrived. And since the Wardens *were* overruled the first time, and Bell allowed back, why is that of no concern? Because Stephens did nothing but call Helm and no one else. Sure did not call me.

Even four months later from Stephens’ own IOC here, the Texas Fire Marshal *still* finds safety violations that I had reported that Stephens said Alford still failed to address in June 2013! Lazy does not even describe the insubordinate cover up here. But does reveal the truth, brutally – **he lied!**

The reality? Stephens does tell all here: he was fully complicit in the epic cover up of five-plus years of security violations at Polunsky, protection of enchanted Chaplain Collier, cover up of my exposure, and committing treason to TDCJ’s good principles while sitting in Dep. Dir. Bryan Collier office on June 18, 2013. On that fateful day, as I had a conference call with Dep. Collier with Jan Thorton and himself there, Stephens sat silent, to hide and protect Upshaw, Alford, Hunter, and Helm, while TDCJ Policy became a rag doll and equal treatment of employees was thrown out the window.

The reality? Sadly, had Stephens not written a thing, there would have been enough for OIG to do and find, that he might have escaped clean away. Instead, here, we have falsification of a state record at the highest level, and shortly after it, he is promoted over the entire Institutional Division, arguably the most powerful and most influential position in prison management anywhere in the U.S., as all of the wardens and regional directors under him are the actual persons running the 100-prisons in one of the largest penal systems in history. And if to me, then there are other employees likewise affected by the same treasonous actions that cover up and protect policy violators like Alford who protected Chaplain Collier for *years* and ... only God knows who else.

The reality? Stephens crafted this, carefully and with the full intention to deceive, wording it carefully with the OIG guidelines right before him on what OIG did and did not get involved in, so as to purposely avoid any language that might tip, move, or tickle Dep. Dir. Bryan Collier into actually getting OIG to do what OIG should have begun to do in July 2012 when I first attempted to see him and Thaler.

The reality? This is as bad as it gets, on paper, where Stephens in essence says – very clearly – in February 2013, that there was no substance to my numerous “concerns” – as he says – that I “identified” what I “considered security breaches in the Chapel.” Prior to retiring, I “expressed the same concerns to Warden Alford, and Warden Alford began taking immediate steps to review” – lies, by Stephens or Alford. Nothing was done until after I faxed that 21-page letter, except, of course Alford getting Major Hutto to

TAB 5a. Richard Alford, et al, and Key to ALL
State Employees Are Supposed to be Treated Equally

write me up for tools Hutto *knew* about for years that Chaplain Collier had secured, to write me up for being lax, and – what else – oh, Alford getting his Captain Fitzpatrick to look at the computers. All the while, prisoners were free as birds in their Computer Control Center in the dark for years.

The reality? **Critically Important: solve the enchanting prowess of Chaplain Collier.**

The reality? The testimony of 50 volunteers and 50-100 staff, that Stephens avoided, and the hoard of documents in this Sourcebook bring another conclusion to his February 2013 IOC. In addition to Stephens cover up of years of security breaches and protection of Chaplain Collier, his vast experience means it is literally impossible for him NOT to know most of these things. Impossible!

So, at least, he sat in Deputy Director Bryan Collier's office *many* times, and Stephens lied and covered up many times. What in the world happened at Polunsky? Did a murder take place? I pray not. What did Chaplain Collier have on the wardens and directors that kept them from doing their jobs for so long? Falsification of records and treason need to end. The assets in the Prisoners' Computer Control Center did not get their overnight, but accumulated after Chaplain Collier arrived in 2006 and were in full use in 2008 when Alford first *left* Polunsky – listen to Chaplain Anderson's story on Disk 1, Track 1, and in his book explained better in Tab 3, Item 3. What made them keep their subordinates from correcting Chaplain Collier's vast array of violations in 2007 and 2008 and 2009 and 2010 and 2011 and – yes – even in July 2012, when I *just started* to pop the cork?

The reality? Stephens hoped only *one* or *two* persons would see his February 2013 IOC, Dep. Dir. Collier and top nacho Brad Livingston. He believed that he, himself, would *ever* be accountable!

TAB 5a. Richard Alford, et al, and Key to ALL
State Employees Are Supposed to be Treated Equally



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Tab 5b.

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TAB 5b. Major Kenneth Hutto – Letter of Instruction on Tools
State Employees Are Supposed to be Treated Equally



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Item 1. 10-03-12 – IOC to Major Hutto – Per His Instructions

On October 3, 2012, as Major Hutto was rousting about on the snakes from the Prisoners' Computer Control Center to the Audio Cave, he was concerned that they were not tagged and secured every night. And we talked about the tools, that I certainly knew about, that he knew about, too. No question about that, as Chaplain Collier prisoners helped out many people. Listen to this: Major Hutto mentioned a shadow box, and that is what they needed. So I had the prisoners write this and draw up one.

 **Texas Department of Criminal Justice**

Brad Livingston
Executive Director

Inter-Office Communication

To: Major Hutto Date: October 03, 2012

From: Chaplain Maness Subject: Cables

Per our previous conversation, the extension cords and stage snake that have to remain connected in the main sanctuary in order to maintain instrument connectivity due to constant data/electrical requirements will be affixed to the floor with securing bolts to remove any chance of unauthorized movement. The remaining cords will be locked / stored each day after use. Also, per our conversation, we would like to have approval to have maintenance construct the shadow box (attached) that was discussed for the chapel office. Thank you.

Approved: _____
Major Hutto

*Overstayed by
Ernesto Hervey*

Polunsky Unit Chaplaincy
Chaplain Collier / Chaplain Maness
3872 P.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 8437

Our Mission is to provide public safety; promote positive change in offender behavior; reintegrate offenders into society; and assist victims of crime.

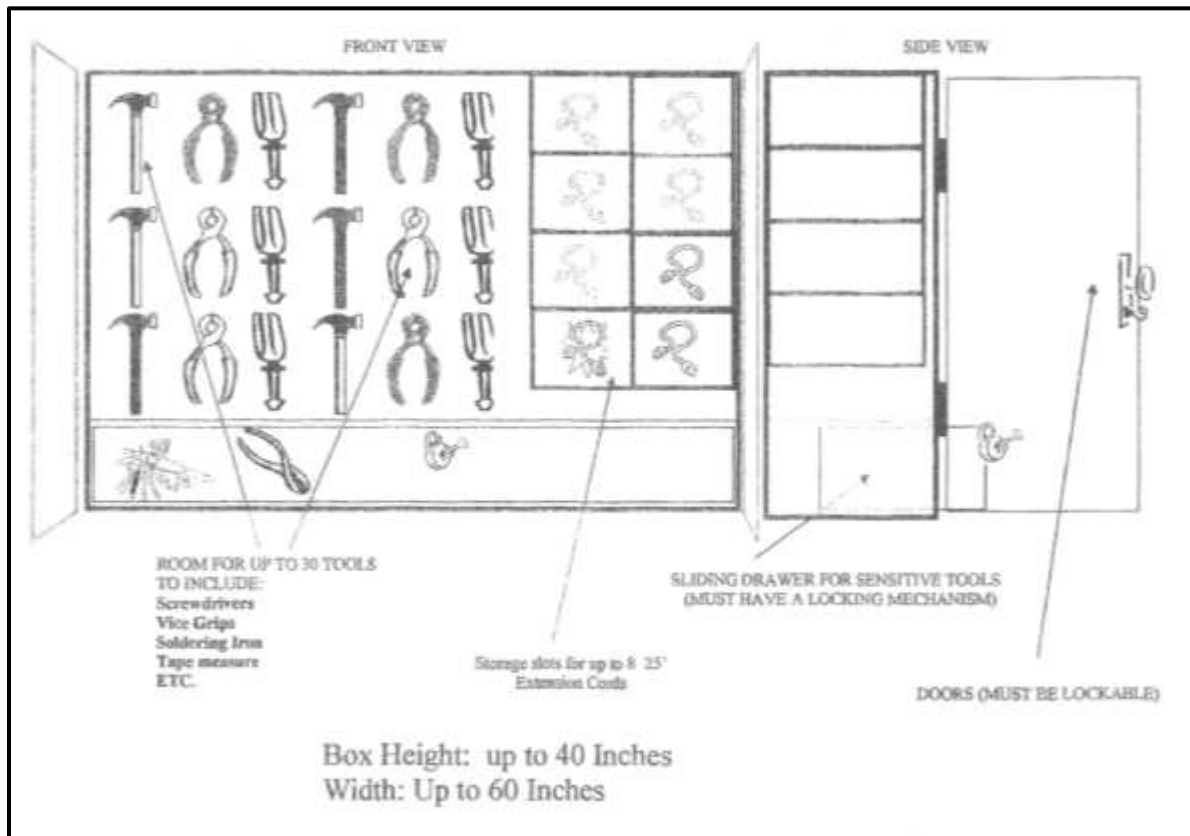
Tab 2
Item 6

Tab 5b
Item 2

TAB 5b. Major Kenneth Hutto – Letter of Instruction on Tools
State Employees Are Supposed to be Treated Equally

Item 2. 10-03-12 – Prisoner Design of Shadow Box for Tools – Per Major Hutto

Crude, but this was what Major Hutto wanted. So Prisoner 0705004 Ramy Hozaifeh designed this. How about that. A couple of hours later, as Hutto apparently had consulted with Warden Alford, et al, Hutto returns and retrieves the tools, blasting away that they need to be taken.



So, what happened?

Item 3. 10-03-12 – Chapel Tool Box Inventory & Check Out List

Prisoner Darren Ridding was a real workhorse, helping with every conceivable kind of repair. These tools were in a double-lock situation, in a locked box which was always in the locked filing cabinet. It was obvious this had been going on for years. If there was any fudging, it was minor, as with the need to tighten something up, the pliers removed, used and replaced, and no log entry. But, as seen on this log, and pay attention to Alford’s statement, many times the tools were out for many hours on the work bench under loose supervision of a staff or volunteer Chaplain. The real kicker is that the office is clearly visible from one Polunsky security camera. And, hours at a time. The Chaplain’s office was a buzz 10-15 hours a day, often 7 days a week. EVERYONE knew about these for years, including Captain-newly-minted Major Hutto. The real question is why now? While the prisoners were *unsupervised* all day in the now semi-lighted Computer Control Center, after I forced the issue of “no lights, insane” for several months. Why this, when the other is vastly more important.

CHAPLAINCY SENSITIVE TOOL INVENTORY						
SCISSORS (X2)	TAPE MEASURE	TWEEZERS				
CAN OPENER (X2)	LEATHERMAN	VISEGRIPS				
SOLDERING IRON (X2)	ELECTRIC METER	36 PIECE HEX SET				
SCREWDRIVER (REGULAR)	SCREWDRIVER (MINI) X2	SCREWDRIVER (MULTI)				
SCREWDRIVER (PHILLIPS)	CRESCENT WRENCH	TEST LEAD SET				
DESOLDERING TOOL						
(20 TOOLS TOTAL)						
CHECK OUT FORM						
NAME	TDC#	DATE	TOOL	TIME-OUT	TIME-IN	INVENTORY
DARREN RIDDING	927344	5-22-12	ALL	10:20	1400	DO
DARREN RIDDING	927344	5-29-12	ALL	9145	1040	DO
DARREN RIDDING	927344	6-5-12	ALL	0600	1500	DO
CHRIS RAYA	1149025	6-19-12	SCREWDRIVER (MINI)	0714	1100	DO
CHRIS RAYA	1149025	6-19-12	VISEGRIPS	0714	1100	DO
DARREN RIDDING	927344	6-23-12	ALL	1100	1300	DO
DARREN RIDDING	927344	6-19-12	ALL	1100	1400	DO
HELMUT JESSIE	759465	6-25-12	SCISSORS	12:01	1430	DO
DARREN RIDDING	927344	6-26-12	ALL	0800	1100	DO
DARREN RIDDING	927344	7-10-12	ALL	1100	1200	DO
DARREN RIDDING	927344	7-10-12	ALL	1200	1210	DO
DARREN RIDDING	927344	7-24-12	ALL	1040	1235	DO
DARREN RIDDING	927344	7-31-12	ALL	0600	230	DO
DARREN RIDDING	927344	7-31-12	ALL	11:29	221	DO
DARREN RIDDING	927344	7-9-12	ALL	0600	1100	DO
DARREN RIDDING	927344	8-14-12	ALL	0520	1411	DO
DARREN RIDDING	927344	8-20-12	ALL	0455	1430	DO
DARREN RIDDING	927344	8-20-12	ALL	0500	1451	DO
DARREN RIDDING	927344	8-7-12	ALL	11:10	1430	DO
DARREN RIDDING	927344	9-10-12	ALL	11:10	1430	DO
DARREN RIDDING	927344	9-25-12	ALL	8:30	1000	DO

Tab 2
 Item 7

Let it be known, too, that I and every volunteer on these did inventory the tools in and out. That’s policy, you know. And I should have gotten a photo, of the tools, too. The prisoners knew how to use their high resolution digital camera very well.

Item 4. 10-09-12 – Major Hutto – Letter of Instruction on Tools

Through Warden Alford, Major Kenneth Hutto writes this Letter of Instruction. Hutto knew about the tools for years, everyone did. I should have asked for a photo of the tools, too, because the two pairs of scissors had the security cable that security themselves had but on them – years ago. That was of no concern to Hutto.

Texas Department of Criminal Justice
INSTITUTIONAL DIVISION

Inter-Office Communications

To Warden Alford Date October 3, 2012
Polunsky Unit

From Kenneth Hutto Subject Letter of Instruction
Polunsky Unit Building Major Chaplain M. Maness

This is a Letter of instruction informing Officer Chaplain M. Maness, that on October 3, 2012, you were in violation of Employees General Rules of Conduct PD-22 Level 2 Violation 20 Violation of Policy. It is the employee's responsibility to know, have a clear understanding of, and comply with rules, regulations, policies, court orders, and statutory authority governing the operation of the Agency. Not being aware of the existence of any of the aforementioned is not a defense for violation of the same.

This violation stems from your lack of attention to your department, namely, the tools within your area of assignment, the Chapel, for the above-mentioned date. Due to your department having a number of unauthorized tools

This Letter of Instruction will be filed in the warden's office and any further discrepancies which are a result of your lack of attention within the next six months will result in Formal Disciplinary action under the guidelines of PD-22 for Level 4 Violation 7 "Substandard Duty Performance."

[Signature] 10-9-12
Employee Signature Date

[Signature] 10-8-12
Supervisor Signature Date

[Signature] 10-9-12
Witness Signature Date

Cc: Major
Employee

As Major Hutto read this, prisoners were unsupervised in the Computer Control Center.

Item 5a. 10-16-12 – Maness Files Grievance on Hutto – aka, Alford

**Texas Department of Criminal Justice
 EMPLOYEE GRIEVANCE FORM**

NOTE: Do not use state resources to prepare or submit a grievance. State resources may only be used to prepare for a grievance meeting after you have been notified that a meeting has been scheduled.

FOR OFFICIAL USE ONLY	
Date Received by Unit/Department Grievance Contact: <u>10/16/12</u>	Grievance Number Assigned by Intake Officer: <u>12004472</u>
	Date Grievance Number Assigned: <u>10/17/12</u>

GRIEVANT INFORMATION: Date: 10-16-12 Month/Day of Birth: 7-3-56
 Name: Michael G. Maness Payroll Job Title: Chaplain (mm/dd)
 Unit/Department: Chaplaincy Work Shift: _____ Schedule Card: H
 Home Mailing Address: 804 N. Beech Woodville TX 75779 City State Zip
 Home Phone: 409-283-3673 Work Phone: 409-936-967-8082
 (Area Code) (Area Code)

Name of Representative (You may elect to identify a representative when the grievance is initially submitted or when submitting a rejection to a Step One or Step Two response. If you fail to identify a representative when this form is submitted, a representative shall not be allowed to attend a grievance meeting. Once you have identified a representative, you shall not be allowed to identify a different representative.) _____

Names of Witnesses who have first hand knowledge of the events being grieved (If employee elects to present a witness or testimony from such a witness or witnesses): officer witnesses signature - don't remember names

The complete original document (pages 1, 2, 3, and 4) shall be submitted at each step. The complaint, adverse effect, and requested relief shall be summarized, clearly stated, and legibly written or typed in the appropriate spaces below or on an attached separate page(s). If you describe the complaint, adverse effect or requested relief on a separate attachment, write "see attachment" in each appropriate space below. Use reverse side if needed.

<p>Complaint: Be specific (e.g., include full name, date, place, rules, regulations). The complaint shall be in relation to an incident that has already occurred and shall be about only one individual. Do not reference multiple employment-related matters or employment-related matters already addressed in a grievance you previously submitted.</p> <p><u>I received a letter of instruction regarding tools in chaplain office on about Oct 9 - see attached - from Major Hutto -</u></p>
<p>Adverse Effect: Explain how the action or issue adversely affected or interfered with an employment-related matter.</p> <p><u>I did know about tools was told they had gone through several audits by Chaplain Collier - the two scissors even had a security cable attached - all had been there years before I arrived - I did not deserve this</u></p>
<p>Requested Relief: State the specific corrective action or relief you are requesting. The corrective action or requested relief shall be within the authority of the TDCJ to grant and shall not include a request for another employee to be disciplined.</p> <p><u>relieved of letter</u></p>

Grievant's Signature: [Signature] Date: 10-16-12 Instructions: Submit complete grievance form along with any support documentation to the unit/department grievance contact.

Note to Employee: With few exceptions, you are entitled upon request: (1) to be informed about the information the TDCJ collects about you; and (2) under Texas Government Code §§ 552.021 and 552.023, to receive and review the collected information. Under Texas Government Code § 559.004, you are also entitled to request, in accordance with TDCJ procedures, that incorrect information the TDCJ has collected about you be corrected.

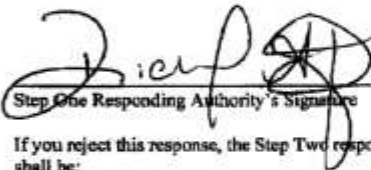
PERS 155 (11/09) Page 1 of 4

Look at my statement. I wrote, "I did not know about tools, was told they had gone through several audits by Chaplain Collier – the two scissors even had a security cable attached – all had been there years before I arrived – I did not deserve this."

Anyone with half a brain would see what I meant by "I did not know about tools" followed by "two scissors," etc. I did not know about the tools being a violation, being they had been through several security audits.

Item 5b. 10-19-12 – Grievance Step One - Hearing

This is the next page of the four-page form that travels all along the way during TDCJ's sophisticated grievance procedure. Quite a process, only I wish it was called an "appeal" process, or something, for I have always hated the idea of "grieving" a disciplinary. Nevertheless, I did appreciate the attention to detail the personnel have always given to their side of these things.

FOR OFFICIAL USE ONLY: Grievance Number _____			
STEP ONE:			
WARDEN, DEPARTMENT HEAD OR A LOWER LEVEL OF MANAGEMENT WHO CAN GRANT THE REQUESTED RELIEF: (Reminder: If you believe a grievant's request for restoration of time should be granted, the response should advise the grievant that the restoration of the grievant's time is being requested subject to the division director's recommendation and executive director's approval.)			
Name:	<u>RICHARD ALFARO</u>	Title:	<u>Warden II</u>
Date Grievance Received:	<u>OCT 17, 2012</u>	Step One Grievance Meeting Date:	<u>OCT 19, 2012</u>
RESPONSE:	<u>see attached.</u>	(if applicable, meeting is not required)	
Step One Responding Authority's Signature		Date	<u>10-19-12</u>
If you reject this response, the Step Two responding authority shall be:		Verification of Grievant's Receipt of Response:	
Name and Title		Certified Mail Receipt No. or Grievant's Signature and Date	
Mailing Address	City	State	Zip
STEP TWO:			
A. GRIEVANT'S ANSWER: (If you elect to reject the Step One response and proceed to Step Two, you must submit the complete original PERS 155, Employee Grievance Form [pages 1, 2, 3, and 4], with any support documentation, to the appropriate Step Two responding authority identified in the Step One Response. Your rejection must be submitted within 21 calendar days after receiving the Step One response, unless a time limit extension is approved in accordance with the procedures in PD-30, "Employee Grievance Procedures." Your rejection must not include the addition of new issues that are not directly related to the initial complaint. If you have not already designated a representative on page 1 of this form, you may do so now.)			
I am rejecting the Step One response. My reasons are listed below:			
Grievant's Signature		Date	
PERS 155 (11/09)		Page 2 of 4	

Item 5c. 10-19-12 – Alford Response to Grievance – No Relief

There is little I can do about this statement, except that it shows Alford's agenda very clearly in the light of everything else. Alone, I goofed in my first statement when hand writing "I did not know" when I meant that "I did not know" they were a violation, which a casual reading of my statement above indicates.

Re: Employee Grievance # 12004472

OCT 19 2012

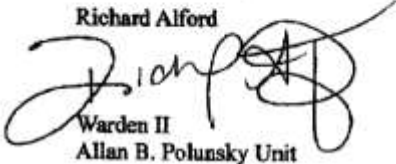
The Polunsky Administration received accepted Employee Grievance # 12004472 on October 17, 2012.

On October 19, 2012 a Step One Grievance meeting was held with Mr. Maness.

Mr. Maness complains that he received a letter of instruction regarding tools in the Chaplains office on October 9, 2012 from Major Hutto. Mr. Maness claims he did not know about the tools. He stated that Chaplain Collier told him they had gone through several audits. He stated that the tools have been there for years before he arrived. Mr. Maness states this adversely effected him because he did not deserve a letter of instruction.

Through investigation it was discovered that he in fact knew about the tools. When questioned about the tools by Major Hutto, he retrieved the tools so they could be inspected. Upon inspection it was discovered that the tools were not being maintained in accordance with agency policy. Mr. Maness concurred that the tools were not being maintained in accordance with policy and took no actions to correct it. The letter of instruction was served, as a lesser degree of accountability, in an effort to correct a violation of policy. All involved were held to the same level of accountability.

Based on all information received, I am not going to grant Mr. Maness requested relief, of removing the letter of instruction.

Richard Alford

Warden II
Allan B. Polunsky Unit

**Item 6. 10-11-12 – Email to Major Hutto – Tug-of-War Ropes
Made of Prisoner Sheets**

Does anyone *really* want to know the truth. The truth, justice, and equality were of no interest at Polunsky, not at this time, the end of my time here. “Tag them also” while it is clear he saw prisoners weaving rope out of TDCJ bed sheets – *walked right by the prisoners* – while prisoners were unsupervised in their Computer Control Center.

```
----- SYSM INBASKET MESSAGE REVIEW -----
User ID: MM00084                               11:31am - Wed, Oct 17,
Enter Command ==>

To:      MM00084 - MANESS, MICHAEL              Message ID: 394516
From:    KHU8138 - HUTTO, KENNETH              Date Sent:  10/11/
Subject:  Reply to KINGDOM STUFF                Priority: 000   Time Sent:  11:59a

*** Original Author:  MM00084 - MANESS, MICHAEL; 10/10/12 06:11am

MAJOR HUTTO ... AS YOU KNOW FOR YEARS, OUR KINGDOM BRAWLERS HAS HAD
TUG-OF-WAR CONTESTS, CVCA ROACH HAS HAD PERMISSION TO HAVE IT NOT ONLY
IN THE 3-GYM BUT ON THE REC YARDS.  AND THEY DAY OF YOUR VISIT, YOU SAW
THE TUG-OF-WAR ROPES ... WELL, ME A-THUNKIN ... WE NEED TO TAG THOSE
LIKE THE EXT. CORDS AND SO I PUT THEM IN THE CONTROL PICKET WITH AN IOC
TO YOU.  CROSSED MY MIND, THAT IF A REGIONAL SHAKE-DOWN TEAM CAME BY
AND SAW THOSE "NOT KNOWING" WHAT THEY WERE OR UNTAGGED, BEING SHEETS
TIED INTO ROPE, THEY WOULD HAVE A FIT.  JUST LOOKING OUT FOR ALL US
HERE.  EVEN THE WARDENS HAVE SEEN AND ENJOYED THE TUG-OF-WARS TOO, YOU
KNOW, WITH THE EYES IN THE SKY AND ALL ... :) ...
                                HAVE A GREAT DAY ... MIKE MANESS
                                YOUR CHAPLAIN

*** Comments From: KHU8138 - HUTTO, KENNETH; 10/11/12 11:59am
TAG THEM ALSO

Sent to:  MM00084                                MANESS, MICHAEL              (to)
* * *      End of Message                        * * *
```


Item 7. 10-11-12 – Email to Major Hutto on Water Hose Not Tagged

Oh, tag the water hose, too. Which should have been done years ago. While we are at it, just how many violations are both Major Hutto and Major McMullen going to allow? Do they just choose? Or, as with the above, do they just write when and who Warden Alford tells them too.

```
----- SYSM INBASKET MESSAGE REVIEW -----
User ID: MM00084                               11:33am - Wed, Oct 17,
Enter Command ==>

To:      MM00084 - MANESS, MICHAEL              Message ID: 399791
From:    KHU8138 - HUTTO, KENNETH              Date Sent: 10/11/
Subject:  Reply to WATER HOSE                  Priority: 000      Time Sent: 11:32a

*** Original Author:  MM00084 - MANESS, MICHAEL; 10/10/12 02:37pm

MAJOR HUTTO AND MAJOR MCMULLEN
WE HAVE A WATER HOSE IN OUT CLOSET TOO ... I AM AWARE THAT MANY
CHAPLAINCY DEPARTMENT HAVE HANDLED THAT IN DIFFERENT WAYS. I HAD A
GREEN ONE IN MY CLOSET FOR YEARS AT LEWIS, THEN WENT TO CHECKING ONE
OUT.

HERE, THEY USE IT ALMOST DAILY TO WASH THE SIDE WALK, THEN
OCCASSIONALLY TO FILL THE BAPTISTRY FOR BAPTISM OR FOR A KINGDOM
BRAWLER ACTIVITIES ... AND WHATEVER YOU ALL WOULD LIKE FOR US TO DO
THERE IS FINE.

IT IS IN A TRASH CAN ON WHEELS IN FRONT OF OUR OFFICE ... I'LL SEE YOU

COMMANDS: Ans TRa Read DEFeR FILE Post EDit DEL PUT QUE DCal Print Help En

*** Comments From: KHU8138 - HUTTO, KENNETH; 10/11/12 11:31am
REMOVE IT FROM THE CHURCH. ITS GOTTA HAVE A # LIKE ANY OTHER TOOL SO
IT CAN BE TRACKED.

Sent to:  MM00084                MANESS, MICHAEL                (to)
* * *      End of Message                * * *

*** Comments From: VMC0650 - MCMULLEN, VIRGIL; 10/11/12 08:52am
WE NEED TO DO THE SAME THING WITH THE WATER HOSE THAT WE ARE DOING WITH
THE EXTENSION CORDS. TAG IT, INVENTORY IT, LOG IT IN AND OUT, AND KEEP
IT LOCKED UP.

THANKS,

MAJOR MCMULLEN

Sent to:  MM00084                MANESS, MICHAEL                (to)
* * *      End of Message                * * *

COMMANDS: Ans TRa Read DEFeR FILE Post EDit DEL PUT QUE DCal Print Help En
```



TAB 5b. Major Kenneth Hutto – Letter of Instruction on Tools
State Employees Are Supposed to be Treated Equally



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Tab 6.

TAB 6. TDCJ Computer ITD Tech Experts and Upshaw's Erasure of Evidence

Information Technology (ITD) experts' reports on vast array Polunsky Chaplaincy computers, et al – envy of all chaplains, only a phony bonanza, as *no one was supervising or could supervise* – and Alford's IOC is the ONLY written report available from senior staff at Polunsky and he misses THAT??

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Item 4. 11-06-12 First Meeting on Polunsky Prisoners' Computer Control Center 0900-1000 – "Please ... bring anyone ... you feel ... appropriate."	292
Item 5. 11-08-12 Upshaw "Orders" Computers "Cleaned" – Erasing Evidence Forever – Note: State Computers Should ONLY Have Authorized Users – ▲ See Epilogue for Astounding Details	293
<i>next question is this: please, how LONG did non-authorized users have use? oh, that was erased, too ... sorry for asking.</i>	
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Item 10. The LIST of Computers and Computer Equipment (2 pgs).....	300

Critically Important – No List of information on Computers

No Attempt to ascertain what prisoners were CAPABLE of Doing

**Prisoners had 2,000,000,000 Bytes of Encrypted Space TDCJ's Experts
could not access – and cleaned and returned?**

Why?

See Epilogue for final details

Everything was Erased to Cover Up Everything



TAB 6. TDCJ Computer ITD Techs Experts and Upshaw's Erasure of Evidence
State Employees Are Supposed to be Treated Equally



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Item 1. 07-29-13 – TDCJ Releases info on ITD Experts Report



Texas Department of Criminal Justice

Brad Livingston
Executive Director

July 29, 2013

Michael Maness
804 N. Beech
Woodville, TX 75979

RE: Your Public Information Request of July 11, 2013

Dear Mr. Maness:

Please find enclosed a copy of the information responsive to your public information request dated July 11, 2013 regarding memorandums and computer reports relating to Polunsky Unit. This information is being provided to you at no charge.

If you have any questions please contact our office at (936) 437-6700.

Sincerely,

Mike Fligor
Legal Assistant I
TDCJ Office of the General Counsel

PBR/Maness #12

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Office of the General Counsel
Sharon Felfe Howell, General Counsel – sharon.howell@tdcj.state.tx.us


P.O. Box 13084 Capitol Station
Austin, Texas 78711-3084
Phone (512) 463-9693, FAX (512) 936-2159


P.O. Box 4004
Huntsville, Texas 77342-4004
Phone (936) 437-6698, FAX (936) 437-6994

www.tdcj.state.tx.us

Tab 7
Item 1

**Item 2. 11-02-12 (6 pm) FRIDAY to 11-03-12 (12:14 pm) SATURDAY –
Emails between TDCJ Information Technology Experts -**



Re: Polunsky Unit Update 
Shawn Wallace to: Mike Bell

11/03/2012 01:19 PM

From: Shawn Wallace/Information_Technology/TDCJ
To: Mike Bell/Information_Technology/TDCJ@TDCJ
Mail #:

All shut off all secure

Shawn Wallace

----- Original Message -----
From: Shawn Wallace
Sent: 11/03/2012 12:14 PM CDT
To: Mike Bell
Subject: Re: Polunsky Unit Update

I'm half way there.
I will go ahead and finish
Mike Bell

----- Original Message -----
From: Mike Bell
Sent: 11/03/2012 12:11 PM CDT
To: Shawn Wallace
Subject: Re: Polunsky Unit Update

We can get it Monday.
Regards, Mike Bell
Shawn Wallace

----- Original Message -----
From: Shawn Wallace
Sent: 11/03/2012 11:16 AM CDT
To: Mike Bell
Subject: Re: Polunsky Unit Update

No it was not. None of it appeared to be connected to our network. I can drive up there and disconnect it myself.

Mike Bell

----- Original Message -----
From: Mike Bell
Sent: 11/03/2012 11:07 AM CDT
To: Shawn Wallace
Subject: Re: Polunsky Unit Update

Did we power down everything including the wireless equipment and bluetooth also?
Regards, Mike Bell
Shawn Wallace

----- Original Message -----

Item 2
Multiple
Pages
of Emails

Tab 7
Item 2
Multiple
Pages
of Emails

TAB 6. TDCJ Computer ITD Techs Experts and Upshaw's Erasure of Evidence
State Employees Are Supposed to be Treated Equally

From: Shawn Wallace
Sent: 11/03/2012 11:04 AM CDT
To: Mike Bell; Chrys Heard; Melvin Neely
Subject: Re: Polunsky Unit Update

Mr Bell,

The warden was not there but they explained to the Major that it must stay shut down until the inspection is complete next week. The Major assured them he would maintain the keys and it would stay shut down.

Shawn
Mike Bell

----- Original Message -----
From: Mike Bell
Sent: 11/03/2012 10:31 AM CDT
To: Chrys Heard; Melvin Neely
Cc: Shawn Wallace
Subject: Re: Polunsky Unit Update

Chrys, thanks for the report. Did you shut it all down?
Regards, Mike Bell
Chrys Heard

----- Original Message -----
From: Chrys Heard
Sent: 11/02/2012 06:04 PM CDT
To: Mike Bell; Melvin Neely
Cc: Shawn Wallace
Subject: Polunsky Unit Update


This is just a brief update on the security issues at the Polunsky unit.

All offender PC accounts had admin rights.
All guest accounts on all PCs were enabled.
A Wireless N router was found in use.
4 Network attached storage devices were found.
Bluetooth file sharing was found.
Several encrypted files were found, including a 2gb area on a hard drive. We have not been able to determine the contents.
Several USB memory sticks and/or removable media cards were found.
1 USB memory stick was found that had been hidden in the office.
Presumably pirated software and movies were found installed on all PCs and copied on DVDs.

At this time, I recommended that the area be closed off for the weekend until the ISO office can get get back on Monday to complete the investigation.

Thanks,
Chrys Heard
Information Security Analyst (ISO)
Information Technology -TDCJ
936-437-1821

Item 3. 11-05-12 (8 am) Monday – First List of Questions by Techs
Emails between TDCJ Information Technology Experts -



Polunsky Unit
Christopher Miller to: Shawn Wallace 11/05/2012 08:46 AM

From: Christopher Miller/Information_Technology/TDCJ
To: Shawn Wallace/Information_Technology/TDCJ@TDCJ
Mail #: CM-2374

Questions that still need to be answered.

1. Who owns the equipment?
2. Who maintains the equipment?
3. Should all data be deleted?
4. Should all equipment be disconnected?
5. Should all personal equipment be removed from the facility? and if so, should all data be deleted from that equipment as well?
6. What should be done about the computers that had TDCJ property numbers that the offenders were using?
7. What should happen with all the extra equipment they had that was just laying around?
8. Should the option be available for all equipment to be donated to TDCJ? and if so, who would be responsible for the setup and maintenance of the equipment? also, would they be allowed to keep their data with this option?

V/r
Christopher Miller
Network Specialist II
Information Security Office
Information Technology Division (ITD)
Texas Department of Criminal Justice (TDCJ)
(936) 437-1824 Office
(936) 355-4319 Cell

TAB 6. TDCJ Computer ITD Techs Experts and Upshaw's Erasure of Evidence
State Employees Are Supposed to be Treated Equally



Fw: Polunsky Unit
Shawn Wallace to: Mike Bell

11/05/2012 08:57 AM

From: Shawn Wallace/Information_Technology/TDCJ
To: Mike Bell/Information_Technology/TDCJ@TDCJ
Mail #: SW-1636

Bell,

We are going to need a little guidance on the questions below. The Chaplain is probably going to fight use on most if not all issues.

V/r
Shawn Wallace
Texas Department of Criminal Justice (TDCJ)
Information Security Officer (ISO)
936-437-1800 Office
936-577-6416 Blackberry
— Forwarded by Shawn Wallace/Information_Technology/TDCJ on 11/05/2012 08:51 AM —

From: Christopher Miller/Information_Technology/TDCJ
To: Shawn Wallace/Information_Technology/TDCJ@TDCJ
Date: 11/05/2012 08:46 AM
Subject: Polunsky Unit

Questions that still need to be answered.

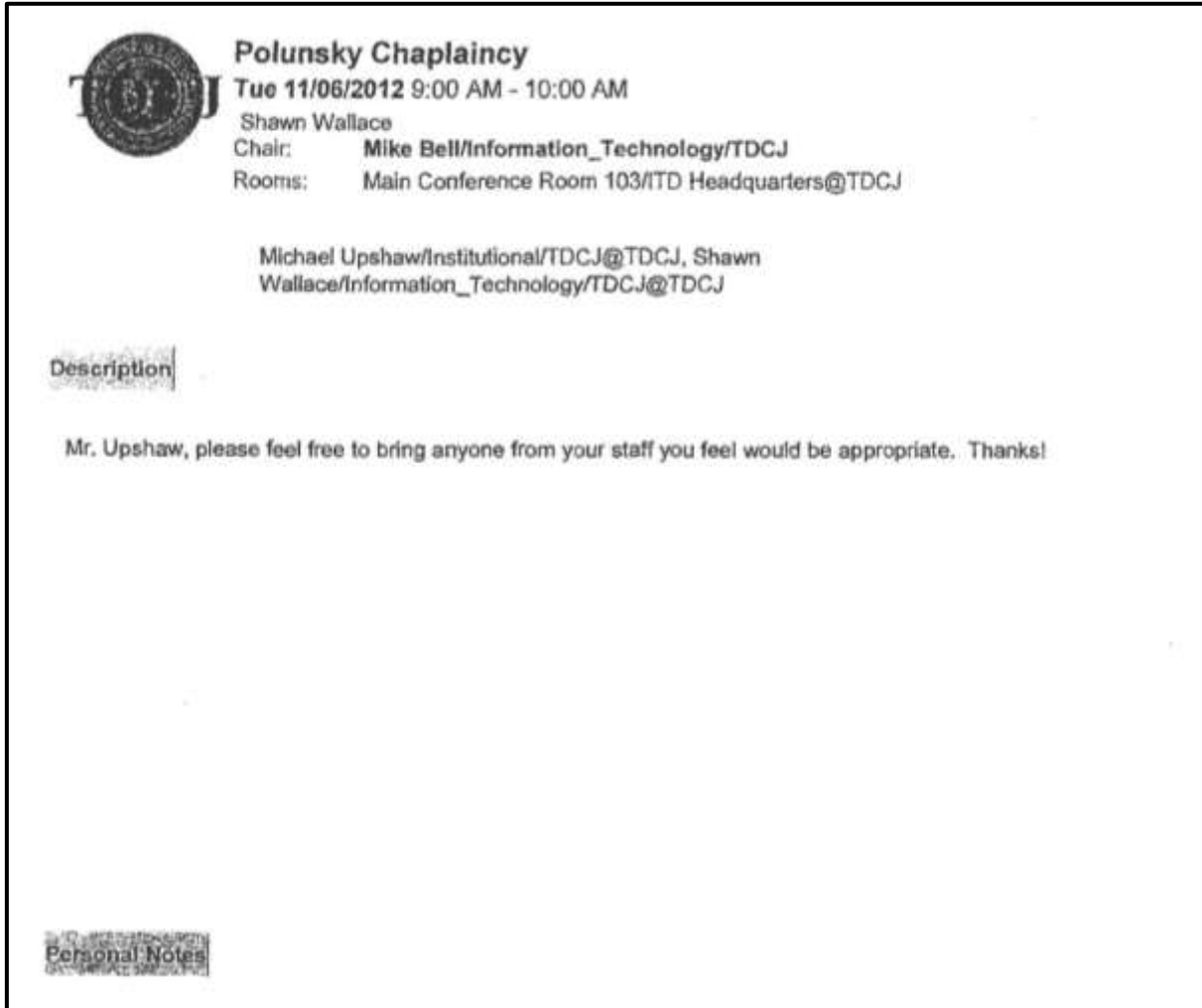
1. Who owns the equipment (half of it is marked personal Property of the Chaplain)?
2. Who should maintains the equipment?
3. Should all data be deleted (their is a mixture of Chaplain data, pirated videos, and software)?
4. Should all equipment be disconnected?
5. Should all personal equipment be removed from the facility? and if so, should all data be deleted from that equipment as well?
6. What should be done about the computers that had TDCJ property numbers that the offenders were using?
7. What should happen with all the extra equipment they had that was just laying around?
8. Should the option be available for all equipment to be donated to TDCJ? and if so, who would be responsible for the setup and maintenance of the equipment? also, would they be allowed to keep their data with this option?

V/r
Christopher Miller

Network Specialist II
Information Security Office
Information Technology Division (ITD)
Texas Department of Criminal Justice (TDCJ)
(936) 437-1824 Office
(936) 355-4319 Cell

What about all the "equipment" just lying around? Gosh, what a good question from an ITD Tech? Warden Alford sat in the office for an entire Sunday Service in August 2012, clapping his hands, CVCA Tommy Dill told me. Yes, Alford knew, just as he knew in 2009 when he was there at Asst. Warden.

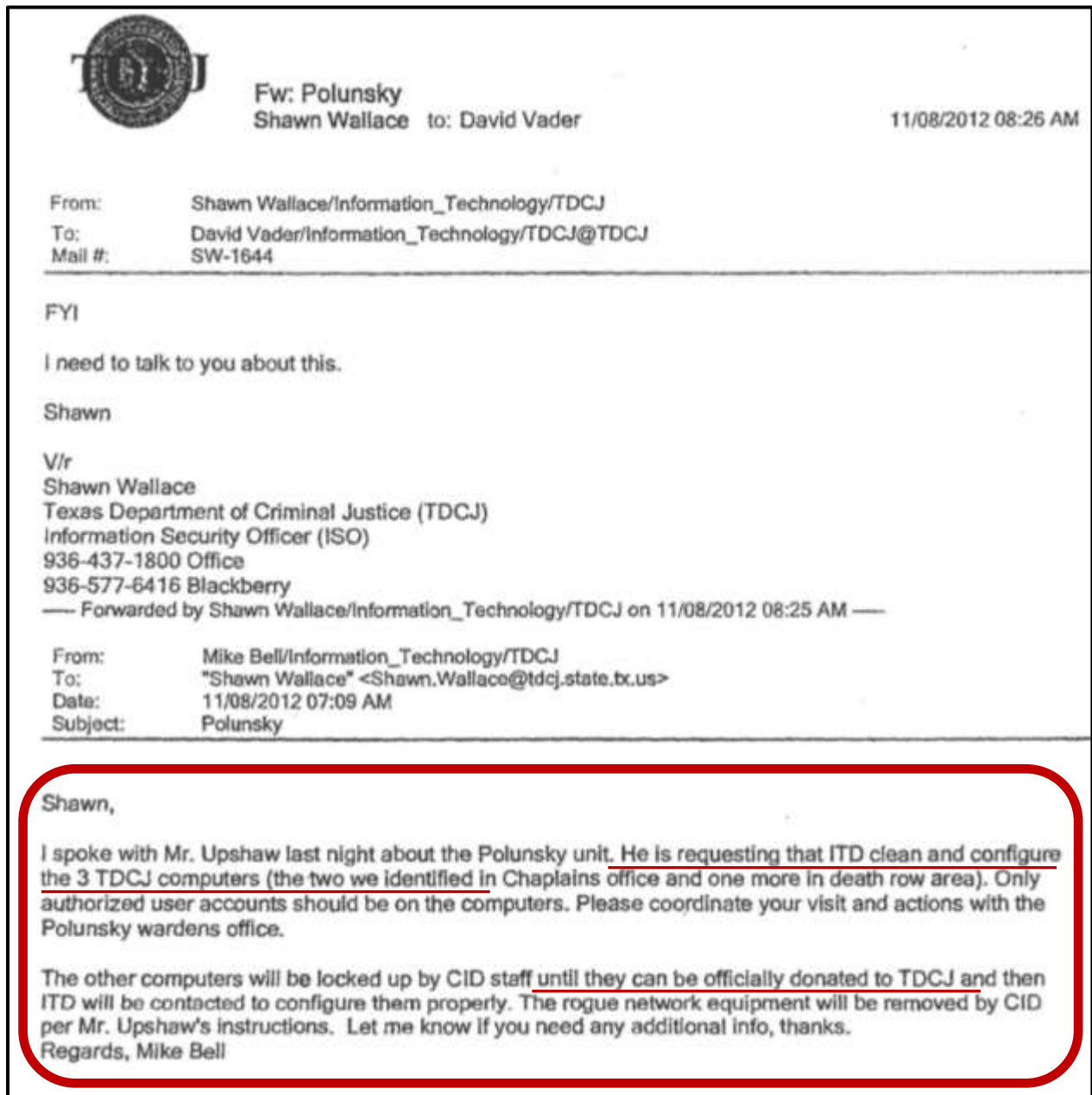
Item 4. 11-06-12 First Meeting on Polunsky Prisoners' Computer Control Center 0900-1000 – "Please ... bring anyone ... you feel ... appropriate."



The screenshot shows an Outlook calendar entry for a meeting. On the left is a circular seal of the State of Tennessee. The meeting title is "Polunsky Chaplaincy". The date and time are "Tue 11/06/2012 9:00 AM - 10:00 AM". The organizer is "Shawn Wallace". The chair is "Mike Bell/Information_Technology/TDCJ". The location is "Rooms: Main Conference Room 103/ITD Headquarters@TDCJ". Below this, the attendees are listed as "Michael Upshaw/Institutional/TDCJ@TDCJ, Shawn Wallace/Information_Technology/TDCJ@TDCJ". There is a "Description" field containing the text: "Mr. Upshaw, please feel free to bring anyone from your staff you feel would be appropriate. Thanks!". At the bottom left, there is a "Personal Notes" field which is currently empty.


I have asked for ALL the information, via Open Records, pertaining to Polunsky and my exposures and all investigations. This is informative, given the previous list of questions. Too bad we do not have *all* the notes of how those questions were answered. See Disk 1, Track 8, ITD supervisor does reveal a lot, though, including Upshaw's orders to clean house, as reflected in the next email too. There were no "orders" to investigate or catalog or determine what the prisoners did do or what they were capable of doing.

**Item 5. 11-08-12 Upshaw Orders ITD Experts to "Clean" ALL
– Erasing Evidence Forever – State Computers Should ONLY Have Authorized Users –
Really? . . . You think?**



Notice Upshaw asked ITD to “clean and configure” and, please notice the extra stipulation that ONLY “authorized user accounts should be on the [TDCJ] computers.” Really? You think? And, still, in spite of several letter, Upshaw refuses to ask “what did the prisoners do” all day every day for *years* and, please, “what were the prisoners *capable* of doing?” Upshaw *knew* to ask those questions and purposed to avoid what I had been asking for months. And notice something else, subtle, but clear – let’s get all of the *other* computers “officially donated” so they can be configured “properly” too, and continue the cover up of how they got into prisoners’ hands illegitimately. Cover up through and through, guided by Upshaw all the way, for the only honest ones here are the ITD Techs.

**Item 6. 11-14-12 Email on FOUR Computers Picked Up,
TWO Identified Prisoners as USERS**



Fw: Polunsky Update
Shawn Wallace to: Mike Bell

11/14/2012 05:10 PM

From: Shawn Wallace/Information_Technology/TDCJ
To: Mike Bell/Information_Technology/TDCJ@TDCJ
Mail #: SW-1660

Mr. Bell,

Status update below.

Shawn

V/r
Shawn Wallace
Texas Department of Criminal Justice (TDCJ)
Information Security Officer (ISO)
936-437-1800 Office
936-577-6416 Blackberry
— Forwarded by Shawn Wallace/Information_Technology/TDCJ on 11/14/2012 05:09 PM —

From: Jonathan Douglas/Information_Technology/TDCJ
To: Shawn Wallace/Information_Technology/TDCJ@TDCJ
Date: 11/14/2012 04:52 PM
Subject: Polunsky Update


This morning, Christopher Miller and I returned to the Polunsky Unit to exchange Chaplain David Collier's pc. After setting up the chaplain's new pc, we picked up 4 different pc's

Property Number	Make/Model	User	Serial Number
400831	Dell 280	David Collier	48YGB71
300850	Dell 270	Death Row Chaplain	FN6GR41
141798	Dell E310	Offender Clerk (Soundroom)	42TN191
141799	Dell E310	Offender Clerk (Chaplaincy)	22TN191

These PC's have been brought back to ITD.

Jonathan Douglas
System Support Specialist II
Information Security Office
Information Technology Division (ITD)
Texas Department of Criminal Justice (TDCJ)
(936) 437-1831

Item 7. 11-15-12 Email on Delivery of NEW Computers and Picking Up Four Delivered Day Before



Fw: Polunsky Update
Shawn Wallace to: Melvin Neely 11/15/2012 08:44 AM

From: Shawn Wallace/Information_Technology/TDCJ
To: Melvin Neely/Information_Technology/TDCJ@TDCJ
Mail #: SW-1662

Melvin,
I sent this update to Mike yesterday and forgot to CC you.
Shawn
V/r
Shawn Wallace
Texas Department of Criminal Justice (TDCJ)
Information Security Officer (ISO)
936-437-1800 Office
936-577-8416 Blackberry
— Forwarded by Shawn Wallace/Information_Technology/TDCJ on 11/15/2012 08:42 AM —

From: Jonathan Douglas/Information_Technology/TDCJ
To: Shawn Wallace/Information_Technology/TDCJ@TDCJ
Date: 11/14/2012 04:52 PM
Subject: Polunsky Update


This morning, Christopher Miller and I returned to the Polunsky Unit to exchange Chaplain David Collier's pc. After setting up the chaplain's new pc , we picked up 4 different pc's

Property Number	Make/Model	User	Serial Number
400831	Dell 280	David Collier	48YGB71
300850	Dell 270	Death Row Chaplain	FN6GR41
141798	Dell E310	Offender Clerk (Soundroom)	42TN191
141799	Dell E310	Offender Clerk (Chaplaincy)	22TN191

These PC's have been brought back to ITD.

Jonathan Douglas
System Support Specialist II
Information Security Office
Information Technology Division (ITD)
Texas Department of Criminal Justice (TDCJ)
(936) 437-1831

Item 8. 11-27-12 Three of Four Previously Removed, Brought Back, Returned AGAIN to Polunsky



Polunsky Unit Chaplaincy PC's
Christopher Miller to: Connie Kimich 11/27/2012 04:35 PM

From: Christopher Miller/Information_Technology/TDCJ
To: Connie Kimich/Information_Technology/TDCJ@TDCJ
Mail #: CM-2377

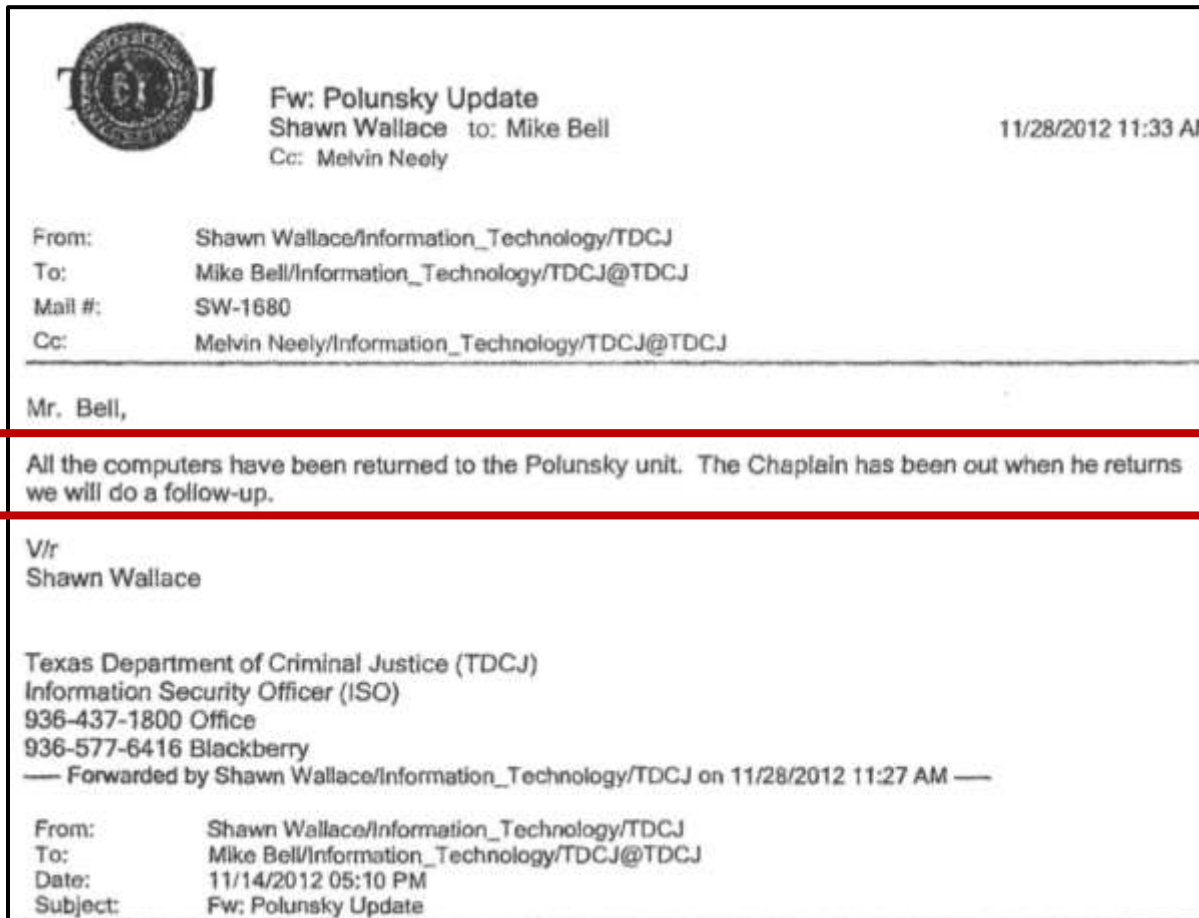
Connie,

Good afternoon, the following PC's will be brought back to the Polunsky Unit tomorrow, Wednesday 28 November 2012.

Property Number	Make/Model	Serial Number	Location
300850	Dell GX270	FN6GR41	Death Row Chaplains Office
141798	Dell E310	42TN191	3 Gym Soundroom
141799	Dell E310	22TN191	3 Gym Chaplains Office

V/r
Christopher Miller
Network Specialist II
Information Security Office
Information Technology Division (ITD)
Texas Department of Criminal Justice (TDCJ)
(936) 437-1824 Office
(936) 355-4319 Cell

**Item 9. 11-28-12 Wednesday – FOUR WEEKS! –
Finished Most Complicated
“Cleaning” of Illegitimate Computers in TDCJ History**



11-28-12 – Wednesday – FOUR WEEKS, after they had begun, the TDCJ good ITD Techs are finally finished the complicated “cleaning” of illegitimate computers in TDCJ history. Who knows how many actual trips and hours, but, I supposed, if one had \$10,000 dollars and wanted pay for an Open Records request for them to calculate the *cost* of that, one could. I’d *estimate* the cost of “cleaning” to be about \$25,000, but we will never know.

What we do in fact know, and we *know* this with absolute certainty. Thanks to Upshaw’s “order” to “clean” all on 11-08-12 in Item 5 (and TDCJ Tech Wallace’s testimony on Disk 1, Track 8) – **we know with certainty that we will never fully know two things:**

- 1. We KNOW > we will never know what the unsupervised prisoners did for years, 10+ hrs a day, 6-7 days a week for years in the DARK;**
- 2. We KNOW > that we will never know what they were capable of doing.**

Thanks to Upshaw, we KNOW those two things for certain. In the light of the 4-page IOC given to Warden Muniz in July 2012, in the light of the Mainframe Email given to Warden Muniz in July 2012 on that IOC and Computer Virus with a back door, in the light of my pestering all for three months, and in the light of

TAB 6. TDCJ Computer ITD Techs Experts and Upshaw's Erasure of Evidence
State Employees Are Supposed to be Treated Equally

that 21-page letter faxed on 10-29-12 to Livingston, Dep. Dir. Collier, and Div. Dir. Thaler – oh, come now! In the light of all that . . . *Holy Cow Patty* – The fact that Upshaw orders all cleaned *without* finding out what the prisoners actually did and what the prisoners were capable of doing –

Cover Up of epically *stupid* proportions!

Item 10. The LIST of Computers and Computer Equipment (2 pgs)

Polunsky Unit Findings

Equipment Breakdown

- 10 – Computers
 - 7 – Desktops
 - 3 – Laptops
- 1 – Wireless N Router
- 3 – Switches
- 4 – Network Storage Devices
- 1 – External Hard Drive
- 2 – Additional Internal Hard Drives
- 5 – Thumb Drives
- 1 – Compact Flash Card
- 4 – Printers (2 were Multi-Function, Printer/Copier/Scanner)
- Multiple Bluetooth Connectivity Devices

Spare Parts

- 1 – TDCJ FORVUS Card
- 1 – Dialup Modem
- 2 – Disconnected Printers
- Multiple PC replacement parts
- Multitude of Audio Video Equipment
- Multiple Computer Cables (Network
- Paper Grocery Sack Full of Inkjet Printer Cartridges

Findings

1. Multiple PC user accounts existed that were unaccounted for.
2. Guest accounts were enabled on multiple PCs.
3. Offender accounts had administrator rights.
4. We found files that were hidden, password protected and/or encrypted (2GB of space on a PC that an offender uses is still encrypted; contents unknown)
5. Pirated movies, music and software were found. (Approximately 1TB of Data)
6. All spare parts were lying about unsecured.
7. Remote desktop software was installed on offender PCs.
8. Multiple IOCs and TDCJ Policies were found on multiple offender PCs and storage devices. (All document protection was removed from TDCJ Polices, therefore allowing the documents to be edited.)

That is it. The only thing “reported” after four weeks of work “cleaning” and running back and forth from their TDCJ computer HQ to the Polunsky Chaplain’s multiple computer stations. You can see one list of the “software” listed here Tab 13 on Inventories. You can see “all the spare parts lying about unsecured” a month after I was written a bogus Letter of Instruction for being lax and for “tools” Chaplain Collier had had for years under lock and key. What LIST the above is, and it is not even specific. Why? Because it would have taken days just to inventory all the junk the prisoners had in their Computer Control Center. And in September, being lax and all, I had finally just *ordered* the prisoners to remove the locked filing cabinets out of *their* office, because *no one* was shaking them down – so when I left, at least I myself could see what was in their Control Center and not have to shake down their area. “SHAKE DOWN the Prisoners’ Computer Control Center” – that was a term foreign to Chaplain Collier and ALL of the Volunteer Chaplains, another policy *broken* for years with full knowledge of the Warden Alford and Major Hutto, but the latter did write me up for being lax.



Tab 7.

TAB 7. Volunteer Walter Bennett

In Alford’s IOC 01-15-13 (Tab 5a, Item 2), Alford lied in first paragraph; I never said Simmons said a thing. Alford had me write up an IOC on Bennett that both of us signed. It has disappeared, conveniently. From Open Records request, **Alford has destroyed that IOC.** Lot of “cleaning” going on (see the Epilogue). Unfortunately, Bennett did not keep a copy of that either, but remembers well the incident, see Disk 1, Tracks 5 and 6.

Of great interest, though, is Item 1, an IOC from

TAB 7. Volunteer Walter Bennett	301
Item 1. 06-28-11 – IOC to Lt. Tamez on Offender Movement from A-Side to B-Side	303
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TAB 7. Volunteer Walter Bennett
State Employees Are Supposed to be Treated Equally



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Item 2. 07-24-13 - Maness Open Records Request re: Vol. Bennett

July 24, 2013

Michael

From: Michael <Maness3@att.net>
Sent: Wednesday, July 24, 2013 9:53 AM
To: 'exec.services@tdcj.state.tx.us'
Subject: OR - IOC Bennett

July 24, 2013

TDCJ OR Coordinator

1) I would like a copy of the IOC I wrote from Michael Maness to Warden Alford, as I was ordered to write up Bennett, and I wrote the IOC to Warden Alford at the Polunsky Unit in September or October, 2012.

Bennett and I and spent two hours on that and we both signed it, and I gave it to Alford who also, I believe shared it with Major McMullen. If not in Alfred's office, perhaps he took it with him or has a special file for such. I myself remember putting my copy in left-hand drawer in a file in the 3-Gym chaplaincy's office, and cannot tell you where the computer version was.

I regret now not keeping a personal copy, and Bennett has lost his copy.

I reported this in my first major 21-page exposure (pg 7), as follows, if you would like the substance of that IOC: "One volunteer, Walter Bennett (936-756-1681, 713-851-7666), an ex-banker, escorted an inmate from B-Side to A-Side, a policy he was allowed under Simmons (Collier said). Warden Alford and Major McMullen escorted Bennett to our chaplaincy office in 3-Gym and Alford instructed me to "write him up, and if he ever does that again, I am pulling his badge and he is off the unit for good." Bennett and I sat for two hours and reconstructed what he did. Latter, Warden Alford chided me for "just writing a history" when Alford wanted me to drill Mr. Bennett and let him know that he almost lost his volunteer status, etc., rather than just what write what happened. It was not ethical for Alford to charge me to drill Bennett for something he was allowed to do.

This is a very important document to me now.

Michael G. Maness


409-383-4671

Electronic Mail Confidentiality Notice:

Email messages cannot be guaranteed to be secure or error-free as transmitted information can be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Michael G. Maness and affiliates, therefore, do not accept liability for any error or omissions in the contents of this message, which arise as a result of email transmission. This electronic mail message and all attachments may contain confidential information belonging to the sender or the intended recipient. This information is intended ONLY for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution (electronic or otherwise), forwarding or taking any action in reliance on the contents of this information is strictly prohibited. If you have received this electronic transmission in error, please immediately notify the sender by telephone or email to arrange for the return of the electronic mail, attachments, or documents.

TAB 7. Volunteer Walter Bennett
State Employees Are Supposed to be Treated Equally

**Item 3. 08-07-13 – TDCJ Counsel Response –
Claims IOC Contains Confidentiality**



Texas Department of Criminal Justice

Brad Livingston
Executive Director

August 7, 2013


Michael Maness
[REDACTED]

Re: Your request dated July 24, 2013

Dear Mr. Maness:

Be advised that we are asking the Attorney General to decide whether certain information you requested may be released to you. We believe your request includes confidential information. Section 552 of the Texas Government Code exempts confidential material from release under the Public Information Act. If the Department has responsive material that may be released without an Attorney General decision, we will release it according to law. The Department will contact you about it.

Sincerely,



Erik Brown
Assistant General Counsel
TDCJ Office of the General Counsel

EB/mf
130802/EB/PIR/Maness # 14

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Office of the General Counsel
Sharon Felle Howell, General Counsel – sharon.howell@tdcj.state.tx.us

P.O. Box 13084 Capitol Station
Austin, Texas 78711-3084
Phone (512) 463-9693, FAX (512) 936-2159

P.O. Box 4004
Huntsville, Texas 77342-4004
Phone (936) 437-6698, FAX (936) 437-6994

www.tdcj.state.tx.us

**Item 4. 08-07-13 – TDCJ Letter to Texas AG -
Claims IOC Contains Confidentiality**



Texas Department of Criminal Justice

Brad Livingston
Executive Director

August 7, 2013

Honorable Greg Abbott
Attorney General of Texas
Open Records
P.O. Box 12548 – Capitol Station
Austin, Texas 78711-2548

Re: Public Information Request of Michael Maness #14

Dear Attorney General Abbott:

Pursuant to the Public Information Act, Chapter 552 of the Texas Government Code, we request your decision as to whether certain material requested by the above referenced requestor is exempted from public disclosure.

The Texas Department of Criminal Justice (TDCJ) requests that you send your ruling to:

Patricia Fleming
Assistant General Counsel
TDCJ – Office of the General Counsel
P.O. Box 4004
Huntsville, TX 77342-4004

Requestor's request was received by the TDCJ on July 24, 2013.

Attachment A contains a copy of our notice letter to requestor that we are seeking a decision and requestor's public information request.

I.

Requestor has asked for information concerning a volunteer with TDCJ. Specifically, he is seeking a copy of memorandum concerning an incident at the Polunsky Unit involving an offender and the volunteer.

The Honorable Greg Abbott
August 7, 2013
Page 2

II.

We assert that the request covers information that is excepted from release pursuant to Texas Government Code,

Section 552.028, Request for Information from Incarcerated Individual
Section 552.101, Information Confidential by Law;
Section 552.102, Certain Personnel Information;
Section 552.103, Information Relating to Litigation;
Section 552.104, Information Relating to Competition or Bidding;
Section 552.107, Certain Legal Matters;
Section 552.108, Certain Law Enforcement Records;
Section 552.110, Certain Commercial Information;
Section 552.111, Agency Memoranda;
Section 552.116, Audit Working Papers;
Section 552.122, Exception: Test Items;
Section 552.130, Motor Vehicle Records;
Section 552.1325, Exception: Crime Victim Impact Statement;
Section 552.134, Certain Information Relating to Inmate of the TDCJ;
Section 552.137, Confidentiality of Certain E-Mail Addresses.

We are currently identifying and/or processing the material that we believe is excepted and will provide that material with our more detailed brief at a later date.

Sincerely,



Erik Brown
Assistant General Counsel
TDCJ Office of the General Counsel

Cc: Michael Maness, 804 N. Beech, Woodville, TX 75979

EB/mf
Attachment
1308001/EB/PIR/Maness # 14

Item 5. 08-09-13 – Maness Appeals to Texas AG for Release of Info

August 9, 2013

Honorable Greg Abbott
Attorney General of Texas - Open Records
P.O. Box 12548
Austin, Texas 78711-2548

re: *Appeal to TDCJ Request to Deny*

Dear Mr. Abbott, et al:

You are in receipt of another letter dated August 7, 2013, this time from Erik Grown, requesting you to allow TDCJ to withhold releasing to me an IOC I myself wrote at Warden Alford instructions regarding volunteer Walter Bennett.

If you will see the attached IOC dated Jan. 15, 2013, from Warden Richard Alford to Michael Upshaw, you will see Warden Alford say I, Michael Maness, "stated that he [Bennett] has been approved," which is a lie – I had no idea such was going on, only as Warden Alford angrily related to me in person, and as I did what he told me to do, and I got with Mr. Bennett, and wrote the IOC. What I WROTE to Alford was that Bennett had said CHAPLAIN COLLIER had said Warden Simmons said – bla, bla, bla.

NOTE THIS TOO – please fine ladies or gentlemen of the Honorable Greg Abbott's office – that attached was ALSO part of what TDCJ wanted to withhold from me, but have since relented and changed their minds. The IOC that I MYSELF WROTE is critical to filling out this story for Mr. Livingston.

The IOC was with respect to actions Mr. Bennett did that Warden Alford did not like, but up to that time, as Mr. Bennett believed, were actions that he genuinely thought were okay per Chaplain David Collier's saying the previous Warden Simmons had said were okay.

In fact, the IOC is more about the DEFENSE of Mr. Bennett.

Still, I myself did keep a copy for MY OWN records at Polunsky, and in my departure I myself *should* have kept a copy of it for future reference of my activities as the official chaplain. It is a *normal* procedure of outgoing employees to KEEP such things for future reference, even regarding defense in lawsuits that Bennett or some inmate might initiate – though hardly for this.

Plus, I need this to further substantiate to Mr. Brad Livingston my innocence in the whole picture of affairs at Polunsky. It is MY OWN activity that I myself did, and it has come to my attention that Warden Alford has not been totally truthful about that very incident, and that very IOC will help me in my clearing my own name.

Moreover, IOC is a simple statement of history of my investigation of Mr. Bennett, and, of all things – please – it says Mr. Bennett was honorable through and through.

Please allow me to have it.

Sincerely,

Michael G. Maness


409-383-4671 – Maness3@att.net

TAB 7. Volunteer Walter Bennett
State Employees Are Supposed to be Treated Equally

Item 6. 08-13-13 – TDCJ Counsel Flagor NOW Claims
“unable to locate any” doc”

AGAIN – listen to 01-CD Item 07a-b for conversation with Vol. Bennett!



TAB 7. Volunteer Walter Bennett
State Employees Are Supposed to be Treated Equally



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Tab 8.

TAB 8. Texas Fire Marshal's Report

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Item 1. Maness Email Exchanges 05-13-13 to 05-30-13 to Texas Fire Marshal Requesting Inspection – 9 pgs.....	313
Item 2. Texas Fire Marshal's Inspection Report – 06-03-13– 6 pgs	322
<i>Violations Reported in August, in writing in October 2012, STILL not fixed in June 2013!</i>	
Item 3. 06-03-13 – Marshal's Office Email to Polunsky Safety and TDCJ responded "no complaints with regards to any electrical hazards at the Polunsky Unit"	327
<i>Took "complaints" to get Polunsky Safety Officer to LOOK at Chapel!</i>	
Item 4. 07-03-13 - TDCJ Report back to Texas Fire Marshal with Fixes - 3 pgs.....	328
▲ "Come now, says the Lord, let us reason together" - Really? The Texas Fire Marshal? ▲ The Texas Marshal has to get Polunsky to follow policy after Maness exposed a year earlier?	



TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally



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TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

**Item 1. Maness Email Exchanges 05-13-13 to 05-30-13 to
Texas Fire Marshal Requesting Inspection – 9 pgs**

From: Michael [mailto:Maness3@att.net]
Sent: Monday, May 13, 2013 5:40 PM
To: Fire.Marshal@tdl.texas.gov
Cc: Michael Maness
Subject: Safety Violations

State Fire Marshal's Office
State Fire Marshal Chris Connealy
333 Guadalupe Street - Austin, TX 78701
P.O. Box 149221 - 78714-9221
Phone: 512-305-7900, 1-800-578-4677
Fax: 512-305-7910
Fire.Marshal@tdl.texas.gov

Tab 8
Item 1

May 13, 2013

Chris,

The attached is still confidential, thinking positively, though I am sure I have nearly run my course. Even if you notify them before you come, it is likely they could not fix all in time – unless they have fixed them already.

I would like to talk to you about extensive cover-up, that could still be going on, and upon which you could help. Let me talk to you before you do anything about the attached.

While they most certainly have addressed some, if they knew you were coming, they would certainly cover their tracks. My reputation, which is dear to me as a chaplain, and what I worked on for 20 years could hang somewhat on this. Please allow me to chat with you first. Be assured, if they have not fixed all yet, hearing of you coming, they could cover their tracks in as little as a couple of hours time.

I will be asking you for a copy of your written report, via Texas' Open Records laws, to help substantiate me. Though TDCJ should have responded, I have good reason to believe they have not fully. It is clear from the attached that violations have been going on WITHOUT concern for years, until I exposed them, and paid a hell of a price for it. It would help me, again I plead, tremendously, if you can get out there without notice and look at 3-Gym especially, and also 4-Gym.

Your investigation, hopefully, just showing up and doing one in the two primary areas specified, will help me, your written report.

If they have fixed all, then it was because of my exposure. If they have NOT, then I am further vindicated, and your investigation could help my legal against the warden, et al, for continued negligence. I am just asking for the truth. After going to the City of Livingston Fire Marshal, who forwarded me to the Polk County Fire Marshal, both of whom do not do inspections, and – I fear – if they told the Polunsky Warden, then discovery is further comprised.

So this is a sincere request, that, sir, involves my future with the agency ... or not.

I do not know where TDCJ is itself in its investigation, and the warden's knowledge of this letter may compromise your investigation.

I assure you, 100 volunteers and staff are knowledgeable of these things.

And I am also asking for a copy of your report of findings.

May I chat with you first.

Sincerely,
Michael Maness
409-383-4671

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally



From: Michael [<mailto:Maness3@att.net>]
Sent: Monday, May 20, 2013 3:35 PM
To: 'Fire.Marshal@tdi.texas.gov'
Subject: FW: Safety Violations

Chris – or associate
DID ANYONE RECEIVE THIS?
And what is the response?

Michael G. Maness
804 N. Beech
Woodville, TX 75979
409-383-4671

From: Michael [<mailto:Maness3@att.net>]
Sent: Monday, May 13, 2013 6:03 PM
To: 'Fire.Marshal@tdi.texas.gov'
Cc: Michael Maness (maness3@att.net)
Subject: FW: Safety Violations

Chris – it SURE would be good to get a REAL surprise inspection.
I suspect they have NOT fixed all, but if they have – well, there is nothing lost.
But if they have not, after nearly a year after my exposure of other things in July of last year – then just how bad is that?
You have nothing to lose, and I actually have something to gain here, like my reputation in TDCJ.
I spent 20 years as a chaplain, sterling years!
And there are a LOAD of good people in TDCJ.
Please help – do like a food inspector, and just SHOW UP, ask to see the Warden, then take a tour.
Especially to the TWO chapel areas. That is not much to ask.
I really want a copy of that report – cheers.
Sincerely,
Michael Maness
409-383-4671

Michael G. Maness

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally



From: Michael [<mailto:Maness3@att.net>]
Sent: Wednesday, May 29, 2013 2:58 PM
To: Susan Jarvis
Subject: FW: Safety Violations

Susan,
What is the plan?
I hope you all will be able to do something. And a surprise visit would be the best.
The new warden is Gary Hunter.
So they MIGHT have done something. The 3-Gym had extension cords in the attic for two projectors, and cords running underneath a rug from the Media Office to the Sound Cave, and fire hose locked up, and extinguishers hidden. And the circuits overloaded at least twice a month.
And the cords in the attic of 7-Gym too.

I am pursuing other options would love to add your report to my final history.

Michael Maness
409-383-4671

Michael G. Maness
www.PreciousHeart.net

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E
a
T
H
Y

From: Susan Jarvis [<mailto:Susan.Jarvis@tdl.texas.gov>]
Sent: Monday, May 20, 2013 4:05 PM
To: Maness3@att.net
Subject: Receipt of Concerns

Received and working on response and addressing of issues. Many personnel have been deeply involved in the tragedy in West.

Susan Jarvis, CFI
Inspections Program Manager
State Fire Marshal's Office
Austin, Texas 78714-9221
512-627-8918 (cell)
512-305-7943 (office)
susan.jarvis@tdl.texas.gov (please note new E-mail address)

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

Richard Zelade – in your correspondence, you quote: "Wherever you are, Have an Exit Strategy. Know two ways out." Let me also inform you, Richard, that in the 3-Gym there is only ONE WAY out, and that way is locked most of the time, even when there are 275 inmates, often 300 inmates, in the 3-Gym chapel for YEARS! That is, the posted limit is 275, and I have records showing it regularly exceeding 300, even when Rep. James White visited and was LOCKED in that gym with NO exit with 300 prisoners and the FIRE HOSE locked with NO KEY! Tell me AGAIN, and verify for me and Rep. White, you YOUR office does NOT want to investigate this TODAY!

Also, I exposed the SAME thing is going on at the 7-Gym, for years, only in lesser proportion!

I will also be sending this to Senator John Whitmire's office in the morning, for, as you all might know, Polunsky was also the unit of MANY fiascos regarding Chaplaincy, including the delivery of letters by a state chaplain that threatened his family, cell phone in a death-row inmate's hands who called Whitmire, and so forth.

LIVES are at stake here, even if they be prisoners and just volunteers.

Richard, can you make sure that Chris sees this too, for I am asking both of you, to get Chris' official position on this.

Michael G. Maness



409-383-4671

Maness3@att.net

From: Susan Jarvis [<mailto:Susan.Jarvis@tdi.texas.gov>]

Sent: Wednesday, May 29, 2013 4:17 PM

To: Michael

Subject: RE: Safety Violations

Our cycle of inspections targets this particular facility for March 2014. At that time a full campus inspection will be conducted. As we work with the Texas Department of Criminal Justice at the administrative level as well as facility level, I can assure you all concerns are taken seriously and will be addressed.

Susan Jarvis, CFI

Inspections Program Manager

State Fire Marshal's Office

Austin, Texas 78714-9221

512-627-8918 (cell)

512-305-7943 (office)

susan.jarvis@tdi.texas.gov (please note new E-mail address)

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

As I have stated before, I understand your concerns. I followed our chain of command policy in first forwarding your concerns to our chief inspector. But given the status of things as you describe below, I will be forwarding your concerns directly to Marshal Connealy as soon as I finish writing and sending this message to you.

Please trust that I am doing – and will do – my best, in my own limited way, to help remediate these conditions.

Sincerely,

Richard Zelade
Texas State Fire Marshal's Office
Outreach, Policy and Research Services
Information Specialist, Certified Fire Inspector
512-305-7942

Wherever you are, Have an Exit Strategy. Know two ways out.

From: Michael [<mailto:Maness3@att.net>]
Sent: Wednesday, May 29, 2013 5:49 PM
To: Susan Jarvis
Cc: FireMarshal; James White; Shawn Dunn; Michael Maness
Subject: Safety Violations - REPORTED TO FIRE MARSHAL

May 29, 2013

Susan Jarvis
cc: Richard Zelade, Rep. James White, Sen. Whitmire

Susan,

I understand "normal" cycle and such and such. But why is my report, as a former senior staff member with firsthand knowledge, of clear violations of safety codes and electrical codes something not worthy of an ad hoc inspection?

This also concerns an area where not only employees, but good Texas certified volunteers and inmates in Texas custody use every single day.

Your saying that your OFFICIAL response to my exposure of the safety violations is that your office is choosing to do NOTHING until the Normal cycle of inspections comes around? That is not right.

I appealing this decision to your Superior/Supervisor and my state Representative James White.

These were violations going on, for a long time, and if they have been fixed, I want the records of when they were fixed.

If they have not been fixed, and you have informed Polunsky (or TDCJ), they might then be fixed, which is good news.

Open Records Request 5-30-13 – which by law requires minimum 10-day response:

- 1) I want a copy of all or whatever you have sent (email, snail mail, et al) to Polunsky or TDCJ regarding this exposure to you, as an Official Open Records request to your office.**
- 2) I want a copy of ANY other response to this request that you have made (official intake form, email to Zelade, et al). And, per the law, I would prefer the computer Word or PDF copies to paper copies, also faster that way.**

These violations that I have reported are serious, and you could have told me this when you first responded, rather than wait until this time. This is a SERIOUS part of the history of violations that needs to come full circle. Tell me, if someone had exposed safety violations in West at the plant, would you have waited until the normal cycle came around?

LIVES are at stake here. This is no joking matter to me. This is something that can be verified in a one-hour visit, for God's sake!

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

Michael

From: FireMarshal <Fire.Marshal@tdi.texas.gov>
Sent: Monday, May 20, 2013 3:53 PM
To: Michael
Subject: RE: Safety Violations

Mr. Maness,

Your request was forwarded to our chief inspector, Susan Jarvis, shortly after its arrival. Marshal Connealy was in West at the time. I will forward this latest request to Inspector Jarvis.

Richard Zelade
Texas State Fire Marshal's Office
Outreach, Policy and Research Services
Information Specialist, Certified Fire Inspector
512-305-7942

Wherever you are, Have an Exit Strategy. Know two ways out.

From: Michael [mailto:Maness3@att.net]
Sent: Monday, May 20, 2013 3:35 PM
To: FireMarshal
Subject: FW: Safety Violations

Chris – or associate
DID ANYONE RECEIVE THIS?
And what is the response?

Michael G. Maness
804 N. Beech
Woodville, TX 75979
409-383-4671

From: Michael [mailto:Maness3@att.net]
Sent: Monday, May 13, 2013 6:03 PM
To: 'Fire.Marshal@tdi.texas.gov'
Cc: Michael Maness (maness3@att.net)
Subject: FW: Safety Violations

Chris – it SURE would be good to get a REAL surprise inspection.
I suspect they have NOT fixed all, but if they have – well, there is nothing lost.
But if they have not, after nearly a year after my exposure of other things in July of last year – then just how bad is that?
You have nothing to lose, and I actually have something to gain here, like my reputation in TDCJ.
I spent 20 years as a chaplain, sterling years!
And there are a LOAD of good people in TDCJ.
Please help – do like a food inspector, and just SHOW UP, ask to see the Warden, then take a tour.
Especially to the TWO chapel areas. That is not much to ask.
I really want a copy of that report – cheers.
Sincerely,

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

From: Susan Jarvis <Susan.Jarvis@tdi.texas.gov>
Sent: Monday, May 20, 2013 4:05 PM
To: Maness3@att.net
Subject: Receipt of Concerns

Received and working on response and addressing of issues. Many personnel have been deeply involved in the tragedy in West.

Susan Jarvis, CFI
Inspections Program Manager
State Fire Marshal's Office
Austin, Texas 78714-9221
512-627-8918 (cell)
512-305-7943 (office)
susan.jarvis@tdi.texas.gov (please note new E-mail address)



TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

Michael

From: FireMarshal <Fire.Marshal@tdi.texas.gov>
Sent: Thursday, May 30, 2013 8:42 AM
To: Michael
Subject: RE: Safety Violations - REPORTED TO FIRE MARSHAL

Thank you for understanding. All of God's children deserve the best fire safety possible, regardless of their status in society. That is my personal stance, and that of the SFMO. Your message was promptly forwarded to both Chief Connealy and Asst. SFMO Kelly Kistner.

Richard Zelade
Texas State Fire Marshal's Office
Outreach, Policy and Research Services
Information Specialist, Certified Fire Inspector
512-305-7942

Wherever you are, Have an Exit Strategy. Know two ways out.

From: Michael [mailto:Maness3@att.net]
Sent: Thursday, May 30, 2013 8:22 AM
To: FireMarshal
Subject: RE: Safety Violations - REPORTED TO FIRE MARSHAL

Richard, just thanks.
Even for Susan ... I have worked for Texas for 20 years.
No hard feelings to EITHER of you, really.
We just need to look at this with our best foot forward.
In normal circumstances, as I have too, just differing to the normal cycle is standard procedure.
And following the food chain is normal too.

Michael G. Maness
www.PreciousHeart.net

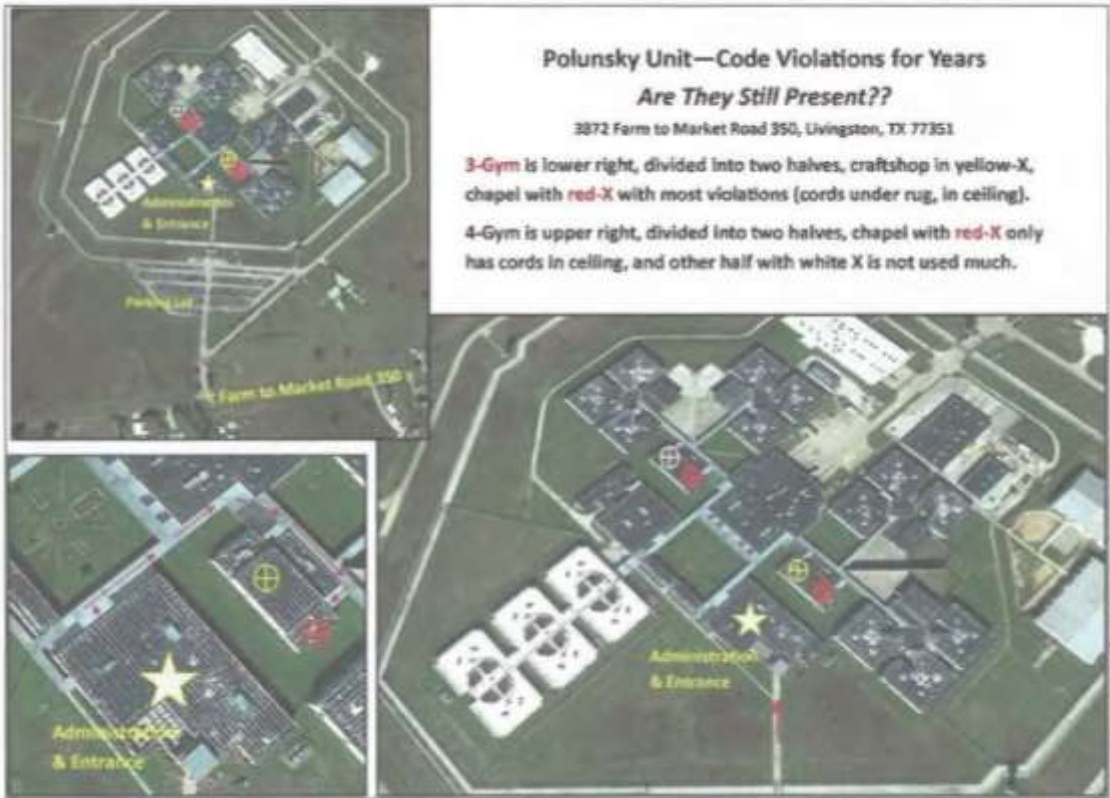
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From: FireMarshal [mailto:Fire.Marshal@tdi.texas.gov]
Sent: Thursday, May 30, 2013 8:08 AM
To: Michael
Subject: RE: Safety Violations - REPORTED TO FIRE MARSHAL


Dear Mr. Maness,

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally



Just 4, 2013
Texas Fire Marshal

Item 2. Texas Fire Marshal's Inspection Report – 06-03-13– 6 pgs



Texas Department of Insurance
State Fire Marshal's Office

Mail Code 112-FM, 333 Guadalupe • P.O. Box 149221, Austin, Texas 78714-9104
512-305-7900 telephone • 512-305-7359 fax • www.tdi.texas.gov

June 4, 2013

Polunsky Unit
Contact Person: Mr. Robert Warren, Risk Management Specialist V
815 12th Street
Huntsville, TX 78340

Re: Complaint-Based Fire Safety Inspection
Polunsky Unit Buildings 3, 4, & 7
RRO11617A

Dear Mr. Warren:

After receiving a complaint about fire safety violations in certain buildings at the Polunsky Unit, the State Fire Marshal's Office conducted an inspection of those buildings on June 3, 2013.

Some fire safety violations were observed. Please review the attached fire inspection report detailing violations observed, and initiate work orders as needed to correct the observed violations.

The State Fire Marshal's Office expects all items to be corrected prior to July 3, 2013. Please forward documentation of corrections, including pictures.

If you have additional questions or concerns, please feel free to contact me by phone or email or you may contact the Inspection Program Manager, Susan Jarvis, at 512-305-7943 or by email at susan.jarvis@tdi.texas.gov.

Sincerely,

Richard L. Bishop

Richard L. Bishop
Deputy State Fire Marshal
Fire Safety Inspection Services
512-627-8411
Richard.bishop@tdi.texas.gov

Tab 8
Item 2

**FIRE SAFETY INSPECTION REPORT
TDCJ Polunsky Unit
RRO 11617A
June 3, 2013**

The following fire safety violations were observed during the inspection and require correction:

Building 3-Chapel

The Chapel in Building 3 is a one-story steel frame and concrete construction detention and correctional occupancy. Features of fire protection include a non-functional fire detection and alarm system, hose reels for use by correctional officers only, portable fire extinguishers, illuminated fire exit signs, and an emergency power generator. The Chapel has a posted maximum occupant load of 275. There is adequate exit capacity and locations to accommodate the occupant load.

Protection Violation

FINDING 1

The Chapel is utilized by offenders and does not have a functional fire alarm system.

Fire alarm systems are required to provide automatic fire detection in unstaffed areas, and to sound audiovisual alarms in offender housing to permit rapid and controlled movement of offenders to a place of safety in a fire.

Remedy: Install a listed and approved fire alarm system complying with NFPA 101, Life Safety Code and NFPA 72, National Fire Alarm Code in the building. Submit a timetable to the State Fire Marshal's Office for correcting this hazardous condition.

NFPA 101, Life Safety Code, Chapters 23.3.4.1, 9.6

Building Services Violations

FINDING 2

A yellow electrical extension cord supplying power to the video projector is passed through a hole in the ceiling and into the crawl space. The cord emerges from a hole in the ceiling in the Media Room, where it is kept coiled up and plugged into an electrical outlet when the projector is in use.

Extension cords may not be used as a substitute for permanent wiring, may not be passed through holes in walls and ceilings, and may not be used where the cord can be continuously observed for physical damage.

An overloaded or damaged extension cord could result in a fire.

Remedy: Disconnect and remove the extension cord from the concealed above ceiling area. Contact an electrician to install conduit enclosed wiring, with junction boxes, and an electrical outlet so the projector can be plugged directly into the outlet. If desired, the new outlet may be controlled by conduit enclosed wiring and a switch in a junction box installed in the media room.

NFPA 101, Life Safety Code, Chapters 23.5.1.1, 9.1.2; NFPA 70, National Electrical Code, Article 400.8

FINDING 3

An extension cord is extended from an electrical outlet, along the base of the wall, behind stacks of folding chairs, and terminates in the Sound Area, where it provides power to mixing boards and audio equipment.

Extension cords may not be used as a substitute for permanent wiring, may not be passed through holes in walls and ceilings, and may not be used where the cord can be continuously observed for physical damage.

An overloaded or damaged extension cord could result in a fire.

Remedy: Disconnect and remove the extension cord supplying the sound equipment from the outlet. Contact an electrician to install conduit enclosed wiring, with junction boxes, and electrical outlets so the sound equipment can be plugged directly into the outlet. If desired, the new outlets may be controlled by conduit enclosed wiring and a switch in a junction box installed in the media room.

NFPA 101, Life Safety Code, Chapters 23.5.1.1, 9.1.2; NFPA 70, National Electrical Code, Article 400.8

FINDING 4

The grounding terminals have been removed from the cord/plug assemblies of two commercial ventilation fans.

The missing grounding terminal could result in an electrical shock or fire caused by an internal failure of the fan motors or wiring.

Remedy: Prohibit use of the fans until the damaged cord/plug assemblies are replaced with approved plug devices with ground terminals. Inspect electrical devices frequently to detect damage to power cords, plugs, and outlets.

NFPA 101, Life Safety Code, Chapters 23.5.1.1, 9.1.2; NFPA 70, National Electrical Code, Article 250.138 (A)

Building 7-Chapel

The Chapel in Building 7 is a one-story steel frame and concrete construction detention and correctional occupancy. Features of fire protection include a non-functional fire detection and alarm system, hose reels for use by correctional officers only, portable fire extinguishers, illuminated fire exit signs, and an emergency power generator. The Chapel has a posted maximum occupant load of 275. There is adequate exit capacity and locations to accommodate the occupant load.

Protection Violation

FINDING 1

The Chapel is utilized by offenders and does not have a functional fire alarm system.

Fire alarm systems are required to provide automatic fire detection in unstaffed areas, and to sound audiovisual alarms in offender housing to permit rapid and controlled movement of offenders to a place of safety in a fire.

Remedy: Install a listed and approved fire alarm system complying with NFPA 101, Life Safety Code and NFPA 72, National Fire Alarm Code in the building. Submit a timetable to the State Fire Marshal's Office for correcting this hazardous condition.

NFPA 101, Life Safety Code, Chapters 23.3.4.1, 9.6

FINDING 2

The lock on the fire hose reel enclosure cage could not be unlocked at the time of the inspection due to damage to the lock cylinder.

The hose reel is installed as part of the fire protection package of the facility and must be available at all times to extinguish fires that cannot be controlled with portable fire extinguishers.

Remedy: Repair, replace, or remove the locking cylinder on the fire hose reel enclosure cage. If the lock cylinder is repaired or replaced, and not removed, it must be inspected weekly to ensure the lock can be unlocked by staff.

NFPA 101, Life Safety Code, Chapters 23.3.5.6, 9.7.4.2

Building Services Violations

FINDING 3

An orange electrical extension cord supplying power to the video projector is passed through a hole in the ceiling and into the crawl space. A red and black extension cord emerges from a hole in the ceiling in the Media Room, where it is plugged into an electrical outlet when the projector is in use. Apparently the red/black extension cord is

connected end-to-end with the originating orange extension cord to provide additional length.

Extension cords may not be used as a substitute for permanent wiring, may not be passed through holes in walls and ceilings, and may not be used where the cord can be continuously observed for physical damage.

An overloaded or damaged extension cord could result in a fire.

Remedy: Disconnect and remove the extension cord from the concealed above ceiling area. Contact an electrician to install conduit enclosed wiring, with junction boxes, and an electrical outlet so the projector can be plugged directly into the outlet. If desired, the new outlet may be controlled by conduit enclosed wiring and a switch in a junction box installed in the media room.

NFPA 101, Life Safety Code, Chapters 23.5.1.1, 9.1.2; NFPA 70, National Electrical Code, Article 400.8

FINDING 4

The grounding terminal has been removed from the cord/plug assembly of one commercial floor fan.

The missing grounding terminal could result in an electrical shock or fire caused by an internal failure of the fan motors or wiring.

Remedy: Prohibit use of the fan until the damaged cord/plug assembly is replaced with an approved plug device with ground terminal. Inspect electrical devices frequently to detect damage to power cords, plugs, and outlets.

NFPA 101, Life Safety Code, Chapters 23.5.1.1, 9.1.2; NFPA 70, National Electrical Code, Article 250.138 (A)

Building 4-Craft Shop

The Craft Shop is a one-story steel frame and concrete construction industrial occupancy utilized by offenders for the production of art, wood, metal and leather goods for sale or as gifts. Features of fire protection include a non-functional fire detection and alarm system, hose reels for use by correctional officers only, portable fire extinguishers, illuminated fire exit signs, and an emergency power generator. There is adequate exit capacity and locations to accommodate the occupant load.

All tools and heat producing devices are disconnected at the end of the work day and sawdust collectors are emptied daily.

Item 3. 06-03-13 – Marshal's Office Email to Polunsky Safety and TDCJ responded “no complaints with regards to any electrical hazards at the Polunsky Unit”

Carolyn Pursley

From: Susan Jarvis
Sent: Monday, June 03, 2013 2:29 PM
To: Carolyn Pursley
Subject: FW: Polunsky Unit

Carolyn,


Verification from Robert Warren in regard to the open records request.

Susan

From: Robert.C.Warren@tdcj.state.tx.us [mailto:Robert.C.Warren@tdcj.state.tx.us]
Sent: Monday, June 03, 2013 10:12 AM
To: Susan Jarvis
Subject: Polunsky Unit

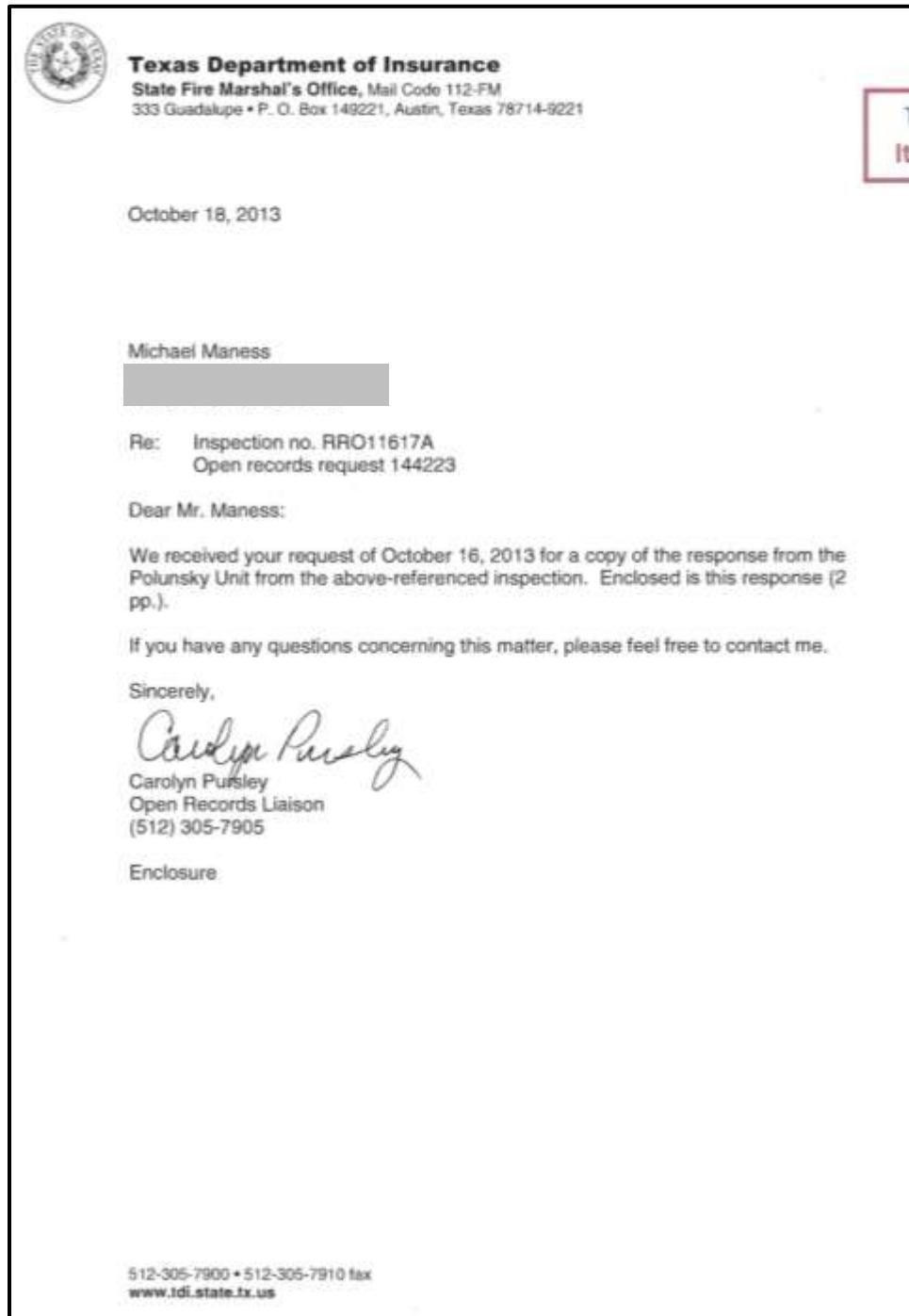
There have been no complaints with regards to any electrical hazards at the Polunsky Unit reported to TDCJ Risk Management Central Office.

Robert C. Warren
Risk Management Specialist V
TDCJ Risk Management
(936) 437-4806
(936) 438-0882 (Cell)
(936) 437-4909 (FAX)



Item 4. 07-03-13 - TDCJ Report back to Texas Fire Marshal with Fixes - 3 pgs

^ "Come now, says the Lord, let us reason together" - Really? The Texas Fire Marshal? ^
The Texas Marshal has to get Polunsky to *follow policy after* Maness exposed a year earlier?



TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

Regina Roberson

From: Robert.C.Warren@tdcj.state.tx.us
Sent: Monday, August 05, 2013 1:17 PM
To: Regina Roberson
Subject: Fw: SFMO TL 06042013 Special Complaint Response
Attachments: Texas Department of Criminal Justice.doc

EROWH

Robert C. Warren
Risk Manager
TDCJ Risk Management
(936) 437-4806
(936) 438-0882 (Cell)
(936) 437-4909 (FAX)

----- Forwarded by Robert C Warren/Admin_Review_&_Risk_Mgmt/TDCJ on 08/05/2013 01:18 PM -----
From: Tanya Tucker/Admin_Review_&_Risk_Mgmt/TDCJ
To: Robert C Warren/Admin_Review_&_Risk_Mgmt/TDCJ@TDCJ
Cc: Kaury McConahay/Admin_Review_&_Risk_Mgmt/TDCJ@TDCJ
Date: 08/01/2013 04:24 PM
Subject: SFMO TL 06042013 Special Complaint Response

This was the received response from Polunsky Unit in reference to the Special Compliant on June 4, 2013. I was not sure if RMCO had this and since all outer agency inspections are routed through you, I just wanted to make sure that you have this copy.

Tanya L. Tucker
Region I Directors Office
Region I Risk Manager
Office 936 437 1794
Fax 936 437 1988

----- Forwarded by Tanya Tucker/Admin_Review_&_Risk_Mgmt/TDCJ on 08/01/2013 04:12 PM -----
From: Patricia Young/Institutional/TDCJ
To: Tanya Tucker/Admin_Review_&_Risk_Mgmt/TDCJ@TDCJ
Date: 07/03/2013 02:37 PM
Subject:

RECEIVED
AUG 05 2013
STATE FIRE MARSHAL

TAB 8. Texas Fire Marshal's Report
State Employees Are Supposed to be Treated Equally

Texas Department of Criminal Justice
Institutional Division

Inter-Office Communications

To Richard L. Bishop Date 07/03/13

From James Cross URM Subject Complaint Response #RRO11617A

Building 3-Chapel:

Finding 1:
Major work order for fire alarms system is TL173.

Finding 2:
Picture of 3 Building Chapel. Electrical wire is enclosed in conduit and ran into the media room.

Finding 3:
All extension cords have been removed and replaced with electrical conduit.

Finding 4:
All electrical fan cords have been repaired with new plugs.

Building 7 Chapel:

Finding 1:
Major work order for fire alarms system is TL173.

Finding 2:
The lock was repaired on date of audit.

Finding 3:
Picture of 7 Building Chapel. Electrical wire with conduit boxes

Finding 4:
All electrical fan cords have been repaired with new plugs.

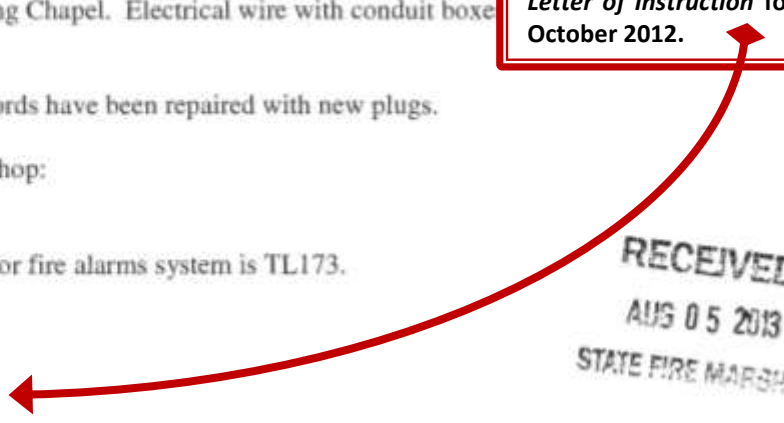
Building 4: Craft Shop:

Finding 1:
Major work order for fire alarms system is TL173.

Cc:
Robert Warren
Tonya Tucker
Warden Muniz

Notice, the very one I reported to, complained to about electrical, even tried to get some fixed – no! – and wrote an IOC to in July 2012, and who was certainly informed of my 21-page exposure faxed and snail mailed certified on 10-29-12 –
Warden Muniz still had not addressed Chapel Fire and Safety Concerns by 8-5-13! And I got a *Letter of Instruction* for being “lax” in October 2012.

RECEIVED
AUG 05 2013
STATE FIRE MARSHAL



Tab 9.

TAB 9. Vast Programs a Hodgepodge – Volunteer Weekly Scary ☺

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Item 1. Attendance Records reflect 70% of time over capacity in 6 months!.....	333
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The “**weekly**” in July had several “errors” including denied, unlisted, pending and worse of all there were no volunteer Chaplains on it – why? – because they had badges made by prisoners. Unbelievable! I struggled to get this cleaned up, too, but there was no way to secure it, given how the chapel was run. And, doubtlessly, that is the way it is still be run today, maybe not as bad, but where the clearance “weekly” is put together by a prisoner and the staff chaplain *never* checks *all* the changes each week. Without the staff Chaplain checking all the changes or making the list him- or herself, there is no guarantee that a prisoner would not slip a name of his own unto the list unawares – no guarantee at all!

That is, with the **prisoner** doing the “**weekly**” each week, there is no guarantee of the list’s integrity.



TAB 9. Vast Programs a Hodgepodge
State Employees Are Supposed to be Treated Equally



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TAB 9. Vast Programs a Hodgepodge
State Employees Are Supposed to be Treated Equally

Item 2. Vast Array of Programs - Looks Good, but Most Not Tracked

POLUNSKY CHAPI		NCY SCHEDULE		AC/ALL LAY-IN					
TIME (SUNDAY)	ACTIVITY	LOCATION	TARGETED HOUSING	PROJECTED ATTENDANCE	CHAPLAIN				
7:30 - 8:30	Med. Custody Protestant Church	(8 MPR) Each Sunday	8 Building Med. Cust.	76	COLLIER				
8:00 - 10:00	Spiritual Ground	(3 GYM) Each Sunday	A Side Only	60	COLLIER				
12:30 - 3:00	A Side Protestant Church	(3 GYM) Each Sunday	A Side 3, 4, 18, & 19	300+	COLLIER				
1:00 - 3:00	A Side Communion Service	(1 BLD) Each Sunday	A Side Lay-In Weekly	76	COLLIER				
TIME (MONDAY)									
8:00 - 10:00	Jewish Worship	(1 BLD) A Side Each Wk	Buildings 3, 4, 18 & 19	20	COLLIER				
8:00 - 10:00	Christianity Assembly	(1 BLD) A Side Each Wk	Buildings 3, 4, 18 & 19	76	COLLIER				
12:00 - 3:00	Quest #2	(1 Building Chapel)	Buildings 3, 4, 18 & 19	25	COLLIER				
12:00 - 3:00	Bible Study	(7 Gym)	Building 7	25	COLLIER				
12:00 - 3:00	Protestant Church	(7 Gym) A Side Only / 18 & 19	Buildings 3, 4, 18 & 19	36	COLLIER				
TIME (TUESDAY)									
8:00 - 10:00	Apostolic Service	(3 Gym) A Side Only	Buildings 3, 4, 18 & 19	65	COLLIER				
8:00 - 10:00	Spanish Worship Service	(1 Bldg Chapel) A-Side Only	Buildings 3, 4, 18 & 19	50	COLLIER				
12:30 - 3:00	Kairos	(3 GYM) A Side Weeks 1 & 3	Buildings 3, 4, 18 & 19	100	COLLIER				
12:30 - 3:00	Kairos	(7 GYM) 7 Bldg. Weeks 2 & 4	7 Building Only	50	COLLIER				
12:30 - 3:00	NT Survey	(1 Bldg Chapel) Weeks 2 & 4	Buildings 3, 4, 7, 18 & 19	60	COLLIER				
12:30 - 3:00	NT Survey	(7 GYM) 7 Bldg. Weeks 1 & 3	7 Building Only	60	COLLIER				
TIME (WEDNESDAY)									
8:00 - 10:00	Catholic Mass/Communion Ser.	(7 GYM) Each Wednesday	7 Building Only	40	COLLIER				
8:00 - 10:00	Psych	(1 BLD) Each Wednesday	Buildings 3, 4, 18 & 19	25	PHYCH				
8:00 - 10:00	Life Application	(1 BLD) Each Wednesday	Buildings 3, 4, 18 & 19	60	COLLIER				
12:00 - 3:00	Quest #1 (KE)-CALL TO ARMS	(3 GYM) Each Wednesday	Buildings 3, 4, 18 & 19	60	COLLIER				
12:00 - 3:00	Catholic RCIA	(7 Gym) Each Wednesday	7 Building Only	35	COLLIER				
TIME (THURSDAY)									
8:00 - 10:00	7 Bldg Protestant Church	(7 GYM) Each Thursday	7 Building Only	150	COLLIER				
8:00 - 10:00	(LDS) Latter Day Saints	(1 BLD) Each Thursday	Buildings 3, 4, 7, 18 & 19	15	COLLIER				
8:00 - 10:00	Catholic Mass/Communion Ser.	(8 MPR) Each Thursday	8 Building (Med. Cust.)	60	COLLIER				
8:00 - 10:00	Catholic RCIA	(3 Gym) Each Thursday	Buildings 3, 4, 18 & 19	75	COLLIER				
12:30 - 3:00	Catholic Mass/Communion Ser.	(3 Gym) Each Thursday	Buildings 3, 4, 18 & 19	76	COLLIER				
TIME (FRIDAY)									
8:00 - 10:00	Jehovah Witness	(1 BLD) Weeks 1 & 3	Buildings 3, 4, 18 & 19	60	COLLIER				
8:00 - 10:00	Jehovah Witness	(7 MPR) Weeks 2 & 4	7 Building Only	30	COLLIER				
13:00 - 3:00	Jumah	(8 MPR) Each Friday	8 Bldg. (Med)	40	Security				
13:00 - 3:00	Jumah	(7 MPR) Each Friday	7 Building Only	50	Security				
13:00 - 3:00	Jumah	(3 MPR) Each Friday	Buildings 3, 4, 18 & 19	75	Security				
TIME (SATURDAY)									
8:00 - 10:00	Kairos Every Other/4th Saturday	(3 GYM) 4th Saturday	Buildings 3, 4, 18 & 19	90	COLLIER				
8:00 - 10:00	Kairos Every Other/4th Saturday	(7 GYM) 4th Saturday	7 Building Only	90	COLLIER				
8:00 - 10:00	SFO Class (On Hold)	(1 BLD) Week 1 & 3	Buildings 3, 4, 18 & 19	10	COLLIER				
8:00 - 10:00	Arabic Studies	(7 MPR) Each Saturday	7 Building Only	35	Security				
8:00 - 10:00	Arabic Studies	(3 MPR) Each Saturday	Buildings 3, 4, 18 & 19	35	Security				
10:30 - 12:45	Mentoring	(1 Bld) Chapel	Buildings 3, 4, 18 & 19	15	COLLIER				
11:45 - 3:00	Taleam	(7 MPR) Each Saturday	7 Building Only	50	Security				
11:45 - 3:00	Taleam	(3 MPR) Each Saturday	Buildings 3, 4, 18 & 19	50	Security				
12:30 - 3:00	A Side Protestant Church	(3 GYM) Each Saturday	A Side 3, 4, 18, & 19	300+	COLLIER				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">State Funded Programs</td> <td style="width:50%; text-align: center;">Islamic Required Programs</td> </tr> <tr> <td style="width:50%; text-align: center;">Church Services</td> <td style="width:50%; text-align: center;">Classes</td> </tr> </table>						State Funded Programs	Islamic Required Programs	Church Services	Classes
State Funded Programs	Islamic Required Programs								
Church Services	Classes								

Revised 8/14/2011

Approved: _____

TAB 9. Vast Programs a Hodgepodge
State Employees Are Supposed to be Treated Equally



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TAB 9. Vast Programs a Hodgepodge
State Employees Are Supposed to be Treated Equally

Item 4. Volunteer "Weekly" Clearance from July 2012 – SCARY

See Disk 3, Item 1 or 2: from the MS OneNote Database copied on July 2, 2012, once you open it, you will see on the left side an impressive array of folders. Near the bottom is the folder "Volunteer Weekly," that when opened will show you 29 "Weekly" clearances of volunteers going back to long before I got there. Your ITD Techs can validate that none are molested and the date stamps, or whatever they can find, and Volunteer Services *ought* to study all 29 and give a full report on tally of anomalies, violations, denials, and whatever else they can find: it's called an audit! A really thorough study would have compared. Here is a copy of the one from July 2012. None of the CVCAs are on it, a several either were denied, did not show, or were pending on the VS00 screen. Go figure. It took some doing to get this cleaned up, but, still, I felt uncomfortable that the *prisoner* did all the work, and – take it to the bank – novice Joe Vitela and the occasional CVCA does *not* check the entire list by the VS00 screen *every* week; so, if the prisoner *slipped* a name, it would never be noticed. That is almost certainly still going on today.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE PROGRAMS AND SERVICES DIVISION CHAPLAINCY DEPARTMENT POLUNSKY UNIT			
TO: Warden's Simmons, Butcher, Muniz		DATE: July 4, 2012	
FROM: Chaplain Collier/ Chaplain Maness		SUBJECT: Weekly Volunteer JULY. 05, 2012 - JULY. 11, 2012	
Thursday (JULY. 05, 2012)	Religion	Time	Location
TOMMIE EWING	CATHOLIC	0800-1700	ENTIRE UNIT
ED JENNINGS	PROTESTANT	0700-1200	ENTIRE UNIT
PAUL CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
GERALDIANE (GERI) CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
RICKY DRAKE	PROTESTANT	0800-1200	ENTIRE UNIT
RICHARD RANDALL	MORMON	0800-1000	1&7 BLDG/3 GYM
AUBREY DAVIS	MORMON	0800-1000	1&7 BLDG/3 GYM
CHECK BACK PAGE FOR POSSIBLE GUEST ATTACHMENT			
Friday (JULY. 06, 2012)	Religion	Time	Location
PAUL CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
GERALDIANE (GERI) CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
YUSEF ABDUL HAKEEM	MUSLIM	1000-1700	ENTIRE UNIT
BRANDON WHITTING	MUSLIM	1000-1500	ENTIRE UNIT
JEFFERY SYRETT	JEH.WITNESS	0700-1100	1 BLDG CHAPEL
CLARK LYCKER	JEH.WITNESS	0700-1100	1 BLDG CHAPEL
JAMES COMSTOCK	JEH.WITNESS	0700-1100	1 BLDG CHAPEL
DENNIS UNDERWOOD	JEH.WITNESS	0700-1100	1 BLDG CHAPEL
CHECK BACK PAGE FOR POSSIBLE GUEST ATTACHMENT			
Saturday (JULY. 07, 2012)	Religion	Time	Location
BETTY COLLIER	PROTESTANT	1000-1500	ENTIRE UNIT
MATTHEW B. COLLIER	PROTESTANT	1000-1500	ENTIRE UNIT
DAVID D. COLLIER JR	PROTESTANT	1000-1500	ENTIRE UNIT
JOHN SMART	PROTESTANT (DR)	0700- 1800	DEATHROW
CECIL PARKER	PROTESTANT (DR)	0700-1800	DEATHROW
LANTA VIRGIL SPENCER	PROTESTANT (DR)	0700- 1800	DEATHROW
JOHN VANDENBURG	PROTESTANT (DR)	0700-1800	DEATHROW
CHECK BACK PAGE FOR POSSIBLE GUEST ATTACHMENT			
Sunday (JULY. 08, 2012)	Religion	Time	Location
JOHN FITZER	PROTESTANT	0500-1300	ENTIRE UNIT
ANTHONY BONILLA	PROTESTANT	0500-1500	ENTIRE UNIT
RICKY DRAKE	PROTESTANT	0800-1500	ENTIRE UNIT
SCOTT GREER	PROTESTANT	0500-1500	ENTIRE UNIT
CHRIS VIOLA	PROTESTANT	0500-1500	ENTIRE UNIT
ANTHONY ZICCARDI	PROTESTANT	0500-1500	ENTIRE UNIT
MATTHEW B. COLLIER	PROTESTANT	1000-1500	ENTIRE UNIT

TAB 9. Vast Programs a Hodgepodge
 State Employees Are Supposed to be Treated Equally

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
 PROGRAMS AND SERVICES DIVISION
 CHAPLAINCY DEPARTMENT
 POLUNSKY UNIT**

DAVID D. COLLIER JR	PROTESTANT	1000-1500	ENTIRE UNIT
BETTY COLLIER	PROTESTANT	1000-1500	ENTIRE UNIT
KENNETH YARBOUGH	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
JOE SHEETS	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
AL KUEHN	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
GARON BATES	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
DON BOYETT	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
CLARENCE GRAY	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
CATHY MEADER	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
STEVE TOWNLEY	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
BILL TOWNLEY	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
WILLIAM MEADOR	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
CHESTER FERGUSON	PROTESTANT (COC)	1200-1500	1 BLDG CHAPEL
CHECK BACK PAGE FOR POSSIBLE GUEST ATTACHMENT			
Monday (JULY. 09, 2012)	Religion	Time	Location
PAUL CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
GERALDIANE (GERI) CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
JEFFERY MARKOWICZ	MESSIANIC	0700-1100	1 BLDG CHAPEL
ALBERT MAIDELY	MESSIANIC	0700-1100	1 BLDG CHAPEL
STEPHEN MISSICK	MESSIANIC	0700-1100	1 BLDG CHAPEL
PHILLIP MISSICK	MESSIANIC	0700-1100	1 BLDG CHAPEL
ALICE SUMNER	MESSIANIC	0700-1100	1 BLDG CHAPEL
MARY ANN MISSICK	MESSIANIC	0700-1100	1 BLDG CHAPEL
CHECK BACK PAGE FOR POSSIBLE GUEST ATTACHMENT			
Tuesday (JULY. 10, 2012)	Religion	Time	Location
PAUL CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
GERALDIANE (GERI) CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
KEITH BELLAMY	PROTESTANT	0900-1500	ENTIRE UNIT
RICKY DRAKE	PROTESTANT	0800-1500	ENTIRE UNIT
ISAAC DULCINE	PROTESTANT (S)	0700-1100	1 BLDG CHAPEL
SISTO VIDAURI	PROTESTANT (S)	0700-1100	1 BLDG CHAPEL
ANNA PENA	PROTESTANT (S)	0700-1100	1 BLDG CHAPEL
RICARDO PENA	PROTESTANT (S)	0700-1100	1 BLDG CHAPEL
WILLIE SPIKES	PROTESTANT (K)	1100-1500	3&7 GYM
PHINEAS ALBERT WASHER JR	PROTESTANT (K)	1100-1500	3&7 GYM
DAVID BRIAN LEARD	PROTESTANT (K)	1100-1500	3&7 GYM
REED TOLLES	PROTESTANT (K)	1100-1500	3&7 GYM
STEVE BROWN	PROTESTANT (K)	1100-1500	3&7 GYM
DANA FUTRELL	PROTESTANT (K)	1100-1500	3&7 GYM
FRANCIS HAMILTON	PROTESTANT (K)	1100-1500	3&7 GYM
DENNIS WOODLEY	PROTESTANT (K)	1100-1500	3&7 GYM
DOUGLAS MANCHEE	PROTESTANT (K)	1100-1500	3&7 GYM
THOMAS SAYRE	PROTESTANT (K)	1100-1500	3&7 GYM
JOHN HULL	PROTESTANT (K)	1100-1500	3&7 GYM
RON OWENS	PROTESTANT (K)	1100-1500	3&7 GYM
OTHA LAWRENCE POWELL	APOSTOLIC	0700-1200	3 GYM

TAB 9. Vast Programs a Hodgepodge
 State Employees Are Supposed to be Treated Equally

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
 PROGRAMS AND SERVICES DIVISION
 CHAPLAINCY DEPARTMENT
 POLUNSKY UNIT**

R. P. GRAY	APOSTOLIC	0700-1200	3 GYM
JOHN COX	PROTESTANT (DR)	1400-2000	DEATHROW
JACK WILLIAMS	PROTESTANT (DR)	1400-2000	DEATHROW
DOUG STANFORD	PROTESTANT (DR)	1400-2000	DEATHROW
ROBERT McLAUREN	PROTESTANT (DR)	1400-2000	DEATHROW
LARRY FYE	PROTESTANT (DR)	1400-2000	DEATHROW
CHECK BACK PAGE FOR POSSIBLE GUEST ATTACHMENT			
Wednesday (JULY. 11, 2012)	Religion	Time	Location
PAUL CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
GERALDIANE (GERI) CARLIN	PROTESTANT	0700-1700	ENTIRE UNIT
KEITH BELLAMY	PROTESTANT	0900-1500	ENTIRE UNIT
MATTHEW B. COLLIER	PROTESTANT	0500-1500	ENTIRE UNIT
DAVID D. COLLIER JR	PROTESTANT	0500-1500	ENTIRE UNIT
RICKY DRAKE	PROTESTANT	0800-1200	ENTIRE UNIT
JOHN COX	PROTESTANT (DR)	1400-2000	DEATHROW
JACK WILLIAMS	PROTESTANT (DR)	1400-2000	DEATHROW
DOUG STANFORD	PROTESTANT (DR)	1400-2000	DEATHROW
ROBERT McLAUREN	PROTESTANT (DR)	1400-2000	DEATHROW
LARRY FYE	PROTESTANT (DR)	1400-2000	DEATHROW
HAREM HENDERSON	PROTESTANT (AA)	1700-1900	1 BLDG CHAPEL
JAMES DRYER	PROTESTANT (AA)	1700-1900	1 BLDG CHAPEL
JOHN BIRD	PROTESTANT (AA)	1700-1900	1 BLDG CHAPEL
KEITH BURTON	PROTESTANT (AA)	1700-1900	1 BLDG CHAPEL
LAWRENCE HOLBROOK	PROTESTANT (AA)	1700-1900	1 BLDG CHAPEL
GARY BOWLING	PROTESTANT (AA)	1700-1900	1 BLDG CHAPEL
EARL RATLIFF	PROTESTANT (AA)	1700-1900	1 BLDG CHAPEL
CHECK BACK PAGE FOR POSSIBLE GUEST ATTACHMENT			



Tab 10.

**TAB 10. Paints & SIR –
Prisoners’ **NON-Supervised Use** of Paint Confirmed
nor Tracked at All**

**TAB 10. Paints & SIR – Prisoners’ NON-Supervised Use of Paint Confirmed,
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▶ as dopey NOW in 2013 as it was in July 2012350

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**▲ Listen Closely: security violations were being Covered Up ▲
Prior to ... During ... and After ... January 2010!
while Richard Alford was Asst. Warden! No one saw that?**

Volunteers *longing* for Alford's return in 2012 to protect their Prisoners’ Computer Control Center

Given the 700-pages here, that Serious Incident Report on an ESCAPE is pretty damn shallow!
Think NOT that there is NO relation to that SIR here. Is that SIR a Falsified Record?

It is inconceivable to me that *no one saw anything* of the multitude of the
chapel violations going on before, during, and after January 2010



TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
State Employees Are Supposed to be Treated Equally



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Item 1. 06-28-13 Maness OR Request Policy and Revisions

Michael

From: Michael <Maness3@att.net>
Sent: Friday, June 28, 2013 1:49 PM
To: exec.services@tdcj.state.tx.us
Cc: Michael Maness
Subject: OR Request - Paint Supervision
Attachments: Maness #4 Docs chemicals.pdf

Tab 10
Item 1

June 28, 2013

TDCJ Open Records Coordinator

I believe I requested these several weeks ago, but I cannot find them. And I have not had a response to them, and do not believe they were a part of the ones appealed to the Texas AG’s office. So, I will just restate them here.


- 1) I am requesting copies of the policy in effect June 2012 and any revision of the Unit Policy that the warden/s instituted through Chaplain Collier for the Paint Supply cabinet in the 3-Gym chapel area; I did receive the attached, but no answer as to what policy was in place in June 2012 or currently, after my exposure that such paints were NOT supervised worth a darn.
- 2) After my letter of additional exposure on January 17, 2013, and section specific to Paint Control, I would like all TDCJ IOCs or memos regarding from to/from the Polunsky Unit and from the Polunsky Unit Warden/s (or designees) to the Polunsky Chaplaincy Dept. on policy revision or implementation of ANY controls or corrections of the Chapel Paints, paint cabinets, etc.,
– I really need to know that, because the paint cabinet was another source of contention between me and Chaplain Collier, and a couple of volunteers, as he and they felt it was OKAY that inmates essentially had control over gallons of paint with zero tracking, as Collier said several times, “the paint cabinet was okayed by Warden Simmons,” which I never believed precisely as it was being used, but, could nevertheless be seen each day by the eyes-in-the-sky. It just bothered the Bee Gee Bees out of me, that inmates could steal any amount of paint any time, as they were NEVER searched and no one backed me up on my next problem.
- 3) The current policy regarding inmates’ commissary bags in chapel, when it was initiated, and by who: there was no policy in July-October 2012 regarding inmates and their commissary bags, in Polunsky Unit, and as mentioned in the 21-page letter on October 29, 2012, to Livingston, Collier, and Thaller, I was about to initiate such after the lockdown. Of course, if there is STILL no written policy, that can be affirmed too.

Thank you very much.

Michael G. Maness
8 [REDACTED]
Woodville, TX 75979
409-383-4671
Maness3@att.net

Electronic Mail Confidentiality Notice:
Email messages cannot be guaranteed to be secure or error-free as transmitted information can be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Michael G. Maness and affiliates, therefore, do not accept liability for any error or omissions in the contents of this message, which arise as a result of email transmission. This electronic mail message and all attachments may contain confidential information belonging to the

Item 2. 07-15-13 TDCJ Counsel – to me & Texas AG – Confidential??



Texas Department of Criminal Justice

Brad Livingston
Executive Director

Tab
Item


July 15, 2013

Michael Maness
804 N. Beech
Woodville, TX 75979

Re: Your request dated June 28, 2013

Dear Mr. Maness:

Be advised that we are asking the Attorney General to decide whether certain information you requested may be released to you. We believe your request includes confidential information. Section 552 of the Texas Government Code exempts confidential material from release under the Public Information Act. If the Department has responsive material that may be released without an Attorney General decision, we will release it according to law. The Department will contact you about it.

Sincerely,

Patricia Fleming
Assistant General Counsel
TDCJ Office of the General Counsel

PF/mf
1307000/PF/PBR/Maness #8

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Office of the General Counsel
Sharon Felfe Howell, General Counsel – sharon.howell@tdcj.state.tx.us

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Huntsville, Texas 77342-4004
Phone (936) 437-6698, FAX (936) 437-6994

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
State Employees Are Supposed to be Treated Equally



Texas Department of Criminal Justice

Brad Livingston
Executive Director

July 15 2013

Honorable Greg Abbott
Attorney General of Texas
Open Records
P.O. Box 12548 – Capitol Station
Austin, Texas 78711-2548

Re: Public Information Request of Michael Maness #8

Dear Attorney General Abbott:

Pursuant to the Public Information Act, Chapter 552 of the Texas Government Code, we request your decision as to whether certain material requested by the above referenced requestor is excepted from public disclosure.

The Texas Department of Criminal Justice (TDCJ) requests that you send your ruling to:

Patricia Fleming
Assistant General Counsel
TDCJ – Office of the General Counsel
P.O. Box 4004
Huntsville, TX 77342-4004

Requestor's request was received by the TDCJ on June 28, 2013. For purposes of your calculation of the timeliness of our brief, please note that TDCJ observed the national holiday of Independence Day on July 4, 2013.

Attachment A contains a copy of our notice letter to requestor that we are seeking a decision and requestor's public information request.

L

Requestor has asked for information concerning TDCJ policy concerning the inmate paint supply cabinet, communications (memo's emails, etc.) the inmate paint supply cabinet, and inmate commissary bags in the chapel area.

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
State Employees Are Supposed to be Treated Equally

The Honorable Greg Abbott
July 15 2013
Page 2

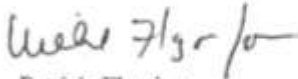
II.

We assert that the request covers information that is excepted from release pursuant to Texas Government Code,

Section 552.028, Request for Information from Incarcerated Individual
Section 552.101, Information Confidential by Law;
Section 552.102, Certain Personnel Information;
Section 552.103, Information Relating to Litigation;
Section 552.104, Information Relating to Competition or Bidding;
Section 552.107, Certain Legal Matters;
Section 552.108, Certain Law Enforcement Records;
Section 552.110, Certain Commercial Information;
Section 552.111, Agency Memoranda;
Section 552.116, Audit Working Papers;
Section 552.122, Exception: Test Items;
Section 552.130, Motor Vehicle Records;
Section 552.1325, Exception: Crime Victim Impact Statement;
Section 552.134, Certain Information Relating to Inmate of the TDCJ;
Section 552.137, Confidentiality of Certain E-Mail Addresses.

We are currently identifying and/or processing the material that we believe is excepted and will provide that material with our more detailed brief at a later date.

Sincerely,



Patricia Fleming
Assistant General Counsel
TDCJ Office of the General Counsel

Cc: Michael Maness, 804 N. Beech, Woodville, TX 75979

PR/mf
Attachment
1307010/PF/SIR/Maness #8

**Item 3. 07-18-13 Maness Letter to Texas AG Appealing TDCJ Denial for Prisoner
Paint Policy and Inventories**

July 18, 2013

Honorable Greg Abbott
Attorney General of Texas - Open Records
P.O. Box 12548
Austin, Texas 78711-2548

re: *Appeal to TDCJ Request to Deny*

Tab 10
Item 3

Dear Mr. Abbott, et al:

You are in receipt of another letter dated July 15, 2013, requesting you to allow TDCJ to withhold certain information crucial to my allegations of mismanagement, especially to me. See the attached letter.

If you have been following this, what is CRUCIAL to me, is that PRIOR TO MY EXPOSURE, there was no written unit-based policy on the Polunsky Chapel Paints, none that I was made aware, my associate Chaplain David Collier saying only that “paint cabinet was okayed by Warden Simmons.” Along with a host of other violations, the warden, et al, did not do a thing about the violations until I exposed it, after the fact of my letter dated on January 17, 2013.

Now they want to hide that as I have made a big stink about having been run off because the warden would not support me in my own defense of policy and good management principles. Plus, as I have discovered in previous OR requests, the TDCJ Serious Incident Review (SIR) dated Jan. 29, 2010, that was “supposed” to detail all the findings of the escape attempt mentions that the inmates that escaped from the chapel dyed their uniforms, but – odd as Turtleman piloting a 747 – the SIR does NOT mention how the inmates dyed their clothes, and was in fact one of the cheapest SIRs I have seen, nothing compared to the vastly more thorough SIR on the Texas Seven years prior. See that 2010 SIR here at my web site:

www.PreciousHeart.net/Polunsky-SIR-Escape-5-10-2010.pdf

So you can see my concern, for my own thorough report of things.

You have seen, MUST have seen by now, how much they have wanted to hide, for me to get a full story. They mention in their 15 Texas Government Codes,¹ and will likely quote a few in their brief – and, likely, whatever they are wanting to withhold is dated after January 17, 2013.

How in the world is unit-based PAINT policy confidential, unless they are trashing me in the memos, which I doubt – whatever, Polunsky Chapel is the only one allowed such. And the standard policy on non-hazardous chemical is public, and I already have that.

The point being, I exposed it that while a chaplain, could not get help on the unit, had to retire because of bullying and lack of support for my own defense of security policies: I could not get support for supervision of inmates *by themselves* in a chapel office with \$1,000s of computers, color laser scanners, cameras, etc., to say nothing of the lack of real supervision of paint! TDCJ only did something about it and the paints AFTER I exposed. Really!

They are wanting to withhold from me what they did about my own exposure! I need the dates of those memos and IOCs to back up that they all came after my multiple exposures after I retired on Oct. 31, 2012, and sent several letters of exposure, all in the attempt to redeem myself.

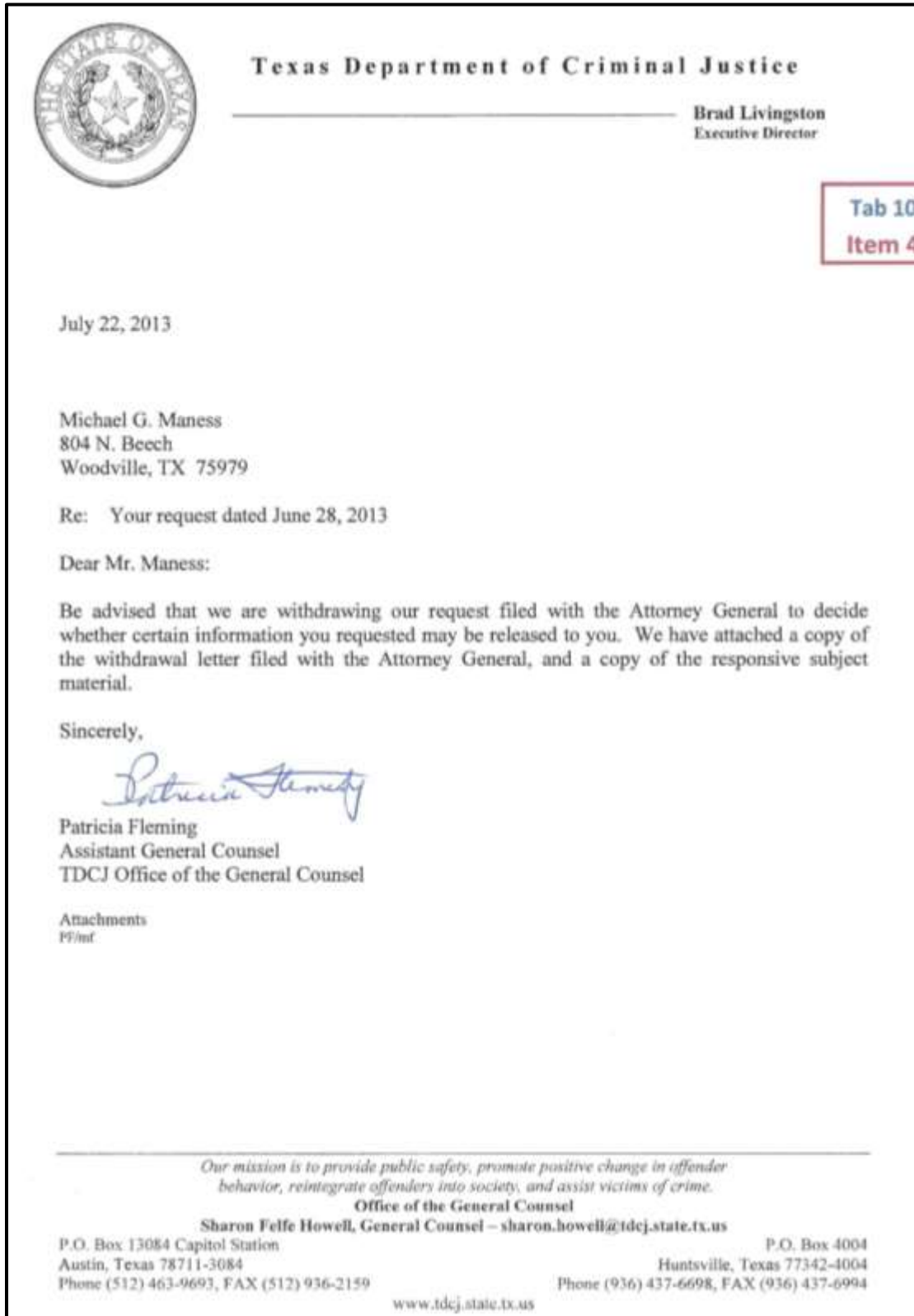
I was done WRONG by the wardens, who not only covered up my exposures of multiple security policy violations, but they are covering up that the wardens KNEW about the violations prior to my arrival at Polunsky in May of 2012, knew about the violations for YEARS prior. And, now, TDCJ does not want to me to see how they addressed those violations AFTER I EXPOSED them – so I can make my case clearer to Brad Livingston. PLEASE HELP ME here.

Sincerely,

Michael G. Maness
804 N. Beech, Woodville, TX 75979
409-383-4671 – Maness3@att.net

¹ They mention Gov. Code on “Motor Vehicle Records” and “Victim Impact Statement” – what is that? Another attempt at obfuscation, I dare say. You can see my original request emailed. If that is not a violation of the spirit of the OR laws, I do not know what it is. If any warden put into a memos his social security number, that can be redacted with a Sharpie.

Item 4. 07-22-13 TDCJ withdraws Request for AG to Deny Maness



Tab 10
Item 4

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
State Employees Are Supposed to be Treated Equally



Texas Department of Criminal Justice

Brad Livingston
Executive Director

July 22, 2013

Honorable Greg Abbott
Attorney General of Texas
Open Records
P.O. Box 12548
Austin, Texas 78711-2548

Re: Public Information Request of Michael Maness #8

Dear Attorney General Abbott:

In earlier correspondence, we requested your decision as to whether certain material requested by the above referenced requestor was excepted from disclosure. In the interim, we have identified and reviewed the subject material and determined that it may be released to the requestor. Please accept our apology for any inconvenience this matter may have caused to your staff.

Accordingly, we withdraw our request for your decision in this matter, and will release the subject material to Mr. Michael Maness, the requestor.

Respectfully,

A handwritten signature in cursive script, appearing to read "Patricia Fleming".

Patricia Fleming
Assistant General Counsel
TDCJ Office of the General Counsel

Cc: Michael Maness, 804 N. Beech, Woodville, TX 75979

PF/mf

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

Office of the General Counsel

Sharon Felfe Howell, General Counsel – sharon.howell@tdcj.state.tx.us

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Item 5. 06-14-13 – Polunsky Paint Control – NONE – “None” Documented Clearly – as dopey now in 2013 as it was in July 2012

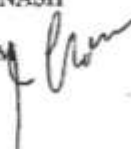
Item 5a. Polunsky “Practices” NOT “Rules” of Paint Cabinet – NO SUPERVISION of Prisoners Painting, NO weighing of paints, No Shaking Prisoners Down

07/02/2013 14:15 9369678437 POLUNSKY PAGE 02/85

Texas Department of Criminal Justice
Institutional Division

Inter-Office Communications

TO: ALICIA FREZIA NASH Date: 06/14/2013

FROM: J. CROSS URM  SUBJECT: PAINT CABINET

Tab 10
Item 5a

1. FOR YOUR REQUEST HERE IS THE ADMINISTRATIVE DIRECTIVE AD-03.16 ON PAGE 7 SECTION V. THAT WILL COVER THE PAINT USED IN THE CHAPEL IT IS ALL WATER BASED NON-TOXIC ACRYLIC PAINT. THE PRODUCT THEY USE FALLS UNDER CONSUMER PRODUCTS ,NOT CHEMICAL CONTROL AND ACCOUNTABILITY.
2. CHAPEL DOES NOT HAVE ANY PAINT THINNER ON THERE CART.
3. TRACKING OF PAINT IS DONE WITH A INVENTORY SHEET KEPT ON THE CART AT ALL TIMES . WHEN THEY NEED MORE PRODUCT CHAPLAIN CAN GO PURCHASE IT AT LOCAL CRAFT SHOP.
4. AT ALL TIMES THE CABINET IS LOCKED UNLESS IT IS BEING USED BY OFFENDERS.
5. WILL SENT A COPY OF MSDS ,ONE PRODUCT FROM CART TO SHOW NO HAZARDS EXIST FROM PRODUCT.
6. COPY OF INVENTORY OF ART TEAM CART.

Item 5b. Portion of Admin Directive on Chemical Control

Note – Respondents Put Parentheses on This Section

87/02/2013 14:15 9369678437 POLUNSKY PAGE 03/05

AD-03.16 (rev. 1)
Page 7 of 9

V. Non-Hazardous Chemicals

A. Non-hazardous chemicals are not subject to hazardous chemical requirements but use and storage shall be closely monitored.

B. The warden may require additional accountability requirements similar to those for hazardous chemicals.

VI. Safety

A. Where hazardous chemicals are stored, dispensed, or used, the respective chemical MSDS shall be reviewed to determine the requirements for providing emergency eye wash stations and safety showers.

B. Each department supervisor shall ensure adequate and appropriate PPE is provided to staff and offenders dispensing and using hazardous chemicals in accordance with the manufacturer’s specifications identified on the respective MSDS.

VII. Disposal

Spills involving hazardous chemicals shall be handled in accordance with the respective MSDS instructions. If assistance is required, contact the Facilities Division Environmental Branch.

VIII. Records Management

Completed Hazardous Chemical Inventory Sheets and Daily Hazardous Chemical Dispensing Logs shall be maintained within each department for 12 months.

Brad Livingston
Executive Director

Signature on file.

Tab 10
Item 5b

Item 5c. 07-02-13 – Polunsky Chapel PAINT Inventory

07/02/2013 14:15 9369678437 POLUNSKY PAGE 84/85

7-2-13

**POLUNSKY UNIT
INVENTORY FOR ART TEAM PAINT
"CONSUMER PRODUCTS"**

PAINT

NON-TOXIC WATER BASED **ACRYLIC PAINT**

OUNCES		NAME	QUARTS	NAME
2 OUNCES		RED VIOLET	1	BROWN
2oz	1	BLACK	1	DEEP YELLOW
2oz	2	PUMPKIN	1	BLUE
2oz	1	SUNLIGHT	1	BURNT UMBER
2oz	1	BURNT UMBER	1	ULTRAMARINE BLUE
2oz	1	HOLLY BERRY	4	BRIGHT RED
2oz	3	LEAF GREEN	1	PHTHALO RED
2oz	1	BONEFIRE ORANGE	1	MAGENTA
4oz	3	FOREST GREEN	1	METALLIC GOLD
8oz	1	COBALT BLUE	1	VIOLET
8oz	1	SILVER	1	PHTHALO GREEN
8oz	2	RED	1	RAW UMBER
8oz	1	GOLD	1	BURNT SIENNA
4oz	2	GOLD	2	TITANIUM WHITE
4oz	3	RED	2	MARS BLACK
4oz	4	BLUE	1	METALLIC SILVER
4oz	2	YELLOW	1	RAW SIENNA
4oz	2	BROWN	2	COBALT BLUE
4oz	1	PEACH	1	CHROME YELLOW
4oz	1	LIGHT PEACH	1	GREEN OXIDE
4oz	1	BLACK	1	RED
2oz	1	GOLD	1	BLOCKOUT WHITE
4oz	1	TAN	1	GREY
2oz	1	BLUE		
1oz	1	ULTRAMARINE		
PINT	1	WHITE		
39		TOTAL	29	TOTAL

68
7-2-13
29 QUARTS

Tab 10
Item 5c

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
 State Employees Are Supposed to be Treated Equally

Tab 10
Item 6

Item 6. 07-14-13 – Polunsky Chapel PAINT Inventory
 – notice 51 bottles including 20 quarts

INVENTORY FOR ART TEAM PAINT MISC. SUPPLIES		Art Cage	
(1 QT.) TITANIUM WHITE			2
(1 QT.) BLOCK OUT WHITE			2
(16 OZ.) TITANIUM WHITE			1
(1 QT.) RAW UMVER			1
(1 QT.) BURNT SIENNA			1
(1 QT.) GOLD			2
(1 QT.) SILVER			1
(8 OZ.) SILVER			1
(8 OZ.) GOLD			1
(1 QT.) PHTHALO BLUE			1
(1 QT.) COLBOLT BLUE			2
(1 QT.) VIOLET			1
(1 QT.) ULTRA MARINE BLUE			1
(1 QT.) MARS BLACK			2
(1 QT.) BRIGHT RED			4
(1 QT.) MAGENTA			1
(1 QT.) BURNT UMBER			2
(1 QT.) PHTHALO RED			1
(8 OZ.) RED			1
(8 OZ.) DARK RED			1
(8 OZ.) COBALY BLUE			1
(1 QT.) PHTHALO GREEN			1
(1 QT.) GREEN OXIDE			1
(1 QT.) RAW SIENNA			1
(1 QT.) DEEP YELLOW			1
(1 QT.) CHROME YELLOW			1
(16 OZ.) MARS BLACK			1
(2 OZ.) BALTIC BLUE			1
(2 OZ.) LEAF GREEN			2
(2 OZ.) BURNT UMBER			1
(2 OZ.) BURNT SIENNA			1
(2 OZ.) BLACK			1
(2 OZ.) GREEN			1
(4 OZ.) FOREST GREEN			1
(2 OZ.) HOLLY BERRY			1
(2 OZ.) PURPLE			1
(2 OZ.) PUMPKIN			2
(2 OZ.) SUN LIGHT			1
(2 OZ.) BONDFIRE ORANGE			1
		TOTAL SUM	51
			\$1


Tab 10
 Item 6

51
 7-14-12

Revised
 7-14-12
 1

800
 Paints

Item 7. Admin Directive – Chemical Control – 11pgs –

	TEXAS DEPARTMENT	NUMBER: AD-03.16 (rev. 1)
	OF	DATE: May 7, 2010
	CRIMINAL JUSTICE	PAGE: 1 of 9
		SUPERSEDES: AD-03.16 May 8, 2006
ADMINISTRATIVE DIRECTIVE		
SUBJECT:	CHEMICAL CONTROL AND ACCOUNTABILITY	
AUTHORITY:	29 CFR §§ 1910.106, 1910.1200, National Fire Protection Association (NFPA) Codes NFPA 30, 704 Reference: American Correctional Association (ACA), <i>Standards for Adult Correctional Institutions</i> , Standard 4-4215, Appendix D	
APPLICABILITY:	Texas Department of Criminal Justice (TDCJ)	
POLICY:	The TDCJ shall establish procedures for the storage, control, and accountability of all hazardous and non-hazardous chemicals. This policy does not apply to agricultural chemicals (e.g., bulk pesticides, fertilizer) or to chemicals used in a manufacturing process (e.g., soap factory).	
DEFINITIONS:	"Caustic (Corrosive) Material" is a substance capable of destroying or eating away by chemical reaction. "Chemical" is any element, chemical compound, or mixture of elements and/or compounds. "Combustible Liquid" is a substance with a flash point at or above 100 degrees Fahrenheit (°F)/ 37.8 degrees Centigrade (°C) and is identified as a Class II or Class III liquid. "Common Name" is the designation or identification (e.g., code name, code number, trade name, brand name, generic name) used to identify a chemical other than by its chemical name. "Container" is any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or like item containing a chemical. For the purpose of this directive, pipes or piping systems, engines, fuel tanks, or other operating systems in a vehicle, are not considered to be containers.	

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised

State Employees Are Supposed to be Treated Equally

AD-03.16 (rev. 1)

Page 2 of 9

“Flammable Liquid” is a substance with a flash point below 100°F/37.8°C and is identified as a Class I liquid.

“Flash Point” is the minimum temperature at which a liquid will give off sufficient vapors to form an ignitable mixture within the air.

“Hazard Communication (Haz-Com) Placard/NFPA 704 Hazard Communication (Haz-Com) Placard” is a four colored diamond placard identifying the specific hazards of a chemical/material by using a zero through four number rating system aiding in the identification of hazardous chemicals. The Haz-Com Placard/NFPA 704 Haz-Com Placard shall be used conjunctively with material safety data sheets (MSDS) identifying the hazards of chemicals used in the facility along with any noted warnings as listed on the chemical/material container. The hazard warnings listed in the MSDS shall be used to determine the hazard of the chemical and the NFPA 704 Haz-Com Placard shall be used to label the secondary container when manufacturer containers and labels are non-existent. The placard is divided into four hazard ratings: Red - flammability hazard, Blue - health hazard, Yellow - reactivity hazard, and White - specific hazard.

Flammability Hazard (Red): This degree of hazard is measured by using the flash point assigned to the product as specified on the MSDS. (zero - will not burn; one - above 200°F; two - above 100°F and below 200°F; three - below 100°F; and four - below 73°F)

Health Hazard (Blue): The likelihood of a material to cause, directly or indirectly, either temporary or permanent injury or incapacitation due to an acute exposure by contact, inhalation, or ingestion. (zero - normal material; one - slightly hazardous; two - moderately hazardous; three - extreme danger; and four - deadly)

Reactivity Hazard (Yellow): The violent chemical reaction associated with the introduction of water, chemicals could also polymerize, decompose or condense, become self-reactive, or otherwise undergo a violent chemical change under conditions of shock, pressure, or temperature. (zero - stable; one - unstable if heated; two - violent chemical change; three - shock and heat detonate; and four - may detonate)

Specific Hazard (White): Other properties of the material causing special problems or require special fire-fighting techniques. (ACID = acid; ALK = alkali; COR = corrosive; OXY = oxidizer; P = polymerization; or Y = radioactive)

“Hazardous Chemical” is any chemical that is identified by the manufacturer as having the capability of producing adverse effects on the health and safety of humans or has a NFPA hazard rating of two through four.

“Health Hazard” is a chemical or other substance for which there is statistically significant evidence that acute or chronic health effects may occur in exposed individuals. The term “health hazard” includes chemicals, which are carcinogens, toxic or highly toxic agents, reproductive toxins,

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irritants, corrosives, sensitizers, and other agents, which damage the lungs, skin, eyes, or mucous membranes.

“Immediate Use” means the hazardous chemical is under the control of and used by the person who transferred it from a labeled container and is used only within the work shift in which it is transferred.

“Label” is written, printed, or graphic material, displayed on or affixed to containers of hazardous chemicals.

“Material Safety Data Sheet” (MSDS) is the document required by government regulations for all hazardous chemical substances produced and/or sold in the United States. The MSDS provides information on the identity of the chemical, chemical characteristics, physical and health hazards, to include primary routes of entry, exposure limits, precautions for safe handling, storage, and use, control measures, emergency and first aid procedures, and the chemical manufacturer’s name, address, and telephone number.

“Non-Hazardous Chemicals” include over-the-counter items (e.g., furniture polish, dish soap, hand cleaner, shoe polish, disinfectants).

“Personal Protective Equipment” (PPE) is the protective clothing (e.g., gloves, safety glasses, safety harness, respirator) or like items intended to be worn by an individual to create a barrier against workplace hazards.

“Qualified Individual” is an employee whose training, education, and/or experience specifically qualify the employee to perform a specified job activity.

“Secondary Container” is a portable container into which chemicals are transferred for use.

“Toxic Material” is a substance through which a chemical reaction or mixture can produce possible injury or harm to the body by entry through the skin, digestive tract, or respiratory tract. The toxicity is dependant on the quantity absorbed and the rate, method, site of absorption, and the concentration of the chemical.

“Unit Chemical Control Procedure” is a written, unit specific set of guidelines identifying unique areas of concern or unit practices not covered by this directive.

“Unit of Measure” is the specified accounting method used to verify quantity of a particular hazardous chemical (e.g., ounces, pounds, gallons) in its specified container.

PROCEDURES:

I. General Guidelines

- A. Hazardous chemicals (including pesticides not intended for agricultural use) are subject to control and accountability. ~~and~~ include the following types:

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1. Flammable liquids and aerosols;
2. Combustible liquids and aerosols;
3. Toxic liquids, aerosols, powders, and solids; or
4. Caustic liquids, powders, and solids.

NOTE: Other chemicals labeled “Keep out of Reach of Children” or “May Be Harmful if Swallowed” are not necessarily subject to the accountability requirements; however, their use, control, and storage shall be monitored.

- B. All flammable storage cabinets shall be numbered. A consolidated list of all flammable storage cabinets shall be attached to the *Unit Fire Plan*.
- C. All secondary containers shall be properly labeled before being used to dispense chemicals. Chemicals dispensed (by the user) into smaller containers for immediate, one time use are not required to be labeled.
- D. When handling flammable, combustible, toxic, or caustic chemicals, offenders shall be under the supervision of a qualified individual and shall have access to and use any required PPE.
- E. If a department has a need to remove a hazardous chemical that is no longer used, the department shall contact the Facilities Division Environmental Branch for proper guidance in removing the chemicals.
- F. The department shall maintain an index of all chemicals used or stored in the department. This index shall include copies of the most current MSDS. The unit risk manager or designee shall maintain a master index of all chemicals used or stored within the unit. The MSDS shall be made available at all times to staff and offenders using chemicals.
- G. Any spill or disposal of chemicals shall be handled in accordance with the MSDS.

Storage Requirements

- A. Storage cabinets shall be properly constructed and securely locked. Storage rooms and cabinets shall be properly secured and supervised by an authorized staff member any time they are in use.
- B. Flammable chemicals shall be stored inside an approved flammable storage cabinet that can be securely locked or in an approved flammable storage room or building. No more than three flammable storage cabinets shall be maintained in one storage area. Each set of three cabinets shall be separated by no less than 100 feet.

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- C. Combustible, caustic, and toxic materials shall be stored in a chemical cabinet or in a secure area.
- D. All chemicals shall be stored with regard to respective chemical characteristics and compatibility in accordance with the manufacturer’s specifications, which are provided on the MSDS.
- E. Flammable and chemical storage cabinets or storage areas shall be neat and well organized. They shall not be used for storage of cloth, paper, or wood items.

(Exception: The shipping containers may be used to segregate the chemicals within the cabinet or storage area.)

- F. Each hazardous chemical storage cabinets or area shall be provided with a log book containing:
 - 1. A Hazardous Chemical Inventory Sheet (Attachment A);
 - 2. Daily Hazardous Chemical Dispensing Log (Attachment B);
 - 3. MSDS (behind each respective Daily Hazardous Chemical Dispensing Log); and
 - 4. A copy of this directive, and if appropriate, any unit chemical procedures.
- G. Access to the chemical storage cabinets and storage areas shall be restricted to staff designated by the warden.

III. Issuance of Hazardous Chemicals

- A. Hazardous chemicals shall be dispensed by authorized and qualified individuals and only to individuals trained in hazardous chemical use.
- B. All chemicals shall be issued in moderation. Only the quantity necessary to complete the assigned task shall be issued and unused portions shall be returned to stock.
- C. The Daily Hazardous Chemical Dispensing Log shall be required for hazardous chemicals, which shall include the current balance of each chemical and the amount dispensed each time the chemical is issued.
- D. Offenders shall not receive any chemicals in concentrated form. Chemicals shall be issued in ready-to-use form. Offenders using chemicals that are available only in a concentrated form (e.g., gas, diesel, oil, paint) shall be under direct supervision.

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- E. Each department issuing hazardous chemicals shall maintain dispensing records for each chemical used and/or stored within the department.
- F. Only an authorized and qualified individual can dispense flammable or combustible liquids.
- G. The only acceptable method for drawing from or transferring these liquids into containers inside a building is:
 - 1. Through a closed piping system;
 - 2. From safety cans;
 - 3. By a device through the top; or
 - 4. By gravity through an approved self-closing system.
- H. An acceptable unit of measure (e.g., ounces, pounds, gallons) for all hazardous chemicals shall be established for each chemical dependent on the normal usage of the chemical.

IV. Chemical Inventory

- A. All chemicals shall be inventoried when received on the unit. Each department responsible for chemicals shall record the correct unit of measure for each chemical received and add it to the department Hazardous Chemical Inventory Sheet.
- B. A three ring binder shall be maintained inside all cabinets and chemical storage areas. The binder shall contain at a minimum the following information:
 - 1. Hazardous Chemical Inventory Sheet;
 - 2. Daily Hazardous Chemical Dispensing Log for each chemical;
 - 3. MSDS behind each Daily Hazardous Chemical Dispensing Log; and
 - 4. A copy of this directive.

NOTE: For example, one binder shall be maintained in each craft shop containing an MSDS for each of the chemicals present in the craft shop and shall be made available upon request. The craft shop supervisor shall be responsible for updating the binder as necessary.

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Note – Respondents Put Parentheses on This Section

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V. Non-Hazardous Chemicals

A. Non-hazardous chemicals are not subject to hazardous chemical requirements but use and storage shall be closely monitored.

B. The warden may require additional accountability requirements similar to those for hazardous chemicals.

VI. Safety

A. Where hazardous chemicals are stored, dispensed, or used, the respective chemical MSDS shall be reviewed to determine the requirements for providing emergency eye wash stations and safety showers.

B. Each department supervisor shall ensure adequate and appropriate PPE is provided to staff and offenders dispensing and using hazardous chemicals in accordance with the manufacturer’s specifications identified on the respective MSDS.

VII. Disposal

Spills involving hazardous chemicals shall be handled in accordance with the respective MSDS instructions. If assistance is required, contact the Facilities Division Environmental Branch.

VIII. Records Management

Completed Hazardous Chemical Inventory Sheets and Daily Hazardous Chemical Dispensing Logs shall be maintained within each department for 12 months.

Brad Livingston*
Executive Director

* Signature on file.

Item 8. 01-28-13 – Maness OR Request for Polunsky SIR, et al

January 28, 2013

John C. West
TDCJ - OIG General Counsel
4616 Howard Lane, Ste 250
Austin, TX 78728 – 512.671.2490

OR 2013-00022
Certified Mail
Return Receipt Requested

Item

Dear Mr. West:

Thanks for the letter asking for clarification. I appreciate most of all appreciate your desire to help TDCJ be most effective in its mission. With respect to my request, some of it based on previous Open Requests (OR) with TDCJ and other agencies throughout the last two decades, and having had in-hand copies of a couple of Critical Incident Reviews (CIR), I did feel it appropriate to ask for such. I am not sure precisely what the final report is named, and do not need the entire folder of evidence, but I have seen several CIRs, and such, that went into written detail of everything that happened, the last one of which was the excellent CIR on the McConnell escape dubbed “The Texas Seven” that escaped in 2000, that I may still have in some box some place in storage ☺.

First Request answer on Polunsky Unit Escape CIR Report: appears to have been on or near Jan. 20, 2010 by **Albin Zelaya-Zelaya**, a 29-year-old Houston man, along with El Paso killer **Terry McDonald**, 29, and Calhoun County killer **Michael Dueitt**, 27, and **Juan Quintero**, 36, an illegal immigrant who made worldwide headlines in 2006 when he killed Houston Police officer Rodney Johnson, and I also believe **Donald Gower**, 41 – ages reflective of 2010, I believe.

Second Request on Senator Called from Death Row Report: was in September or October 2008 when Whitmire received threatening calls from Death Row inmate **Richard Tabler** who had a smuggled cell phone in his cell, and shortly after Governor Perry ordered a statewide lockdown to ferret out the criminal’s actions. Tabler’s mother was arrested on Monday Oct. 20, 2008.

Third Request answer on Chaplain who Carried Out Letter Report: TDCJ **Chaplain Richard Anderson** carried out letters for death row prisoner **Richard Tabler** a year later, around September 2009, for as of September 11, 2009, it was reported that Chaplain Anderson was facing dismissal for that terrible action. Anderson had been at Polunsky since March 2008. I understand that the inmate letter itself dated on May 9, 2009, was mailed, sadly enough, said Brad Livingston in one of the news reports. So the final report might be in late September or early October, 2009.

Fourth Request on Volunteer Chaplain who Had His Arm nearly Severed Report: it appears from the news briefs that on May 9, 2000, 33-year old death row inmate **Juan Salvez Soria**, TDCJ#837, pulled the arm of then 78-year-old Baptist volunteer prison chaplain **William Paul Westbrook** into his cell, tying a sheet around the chaplain’s arm and tying the other end to a toilet; Soria began cutting Westbrook’s arm with a razor blade, nearly taking off Westbrook’s arm off.

Obviously, I do now know the actual dates of the final reports of each incident. The CIRs I have seen were thorough documents, and did NOT have stamped them “top secret” either. I hope and pray the dates given and names should isolate them sufficiently. I apologize this was not included in the first request, as I thought their terrible notoriety would place them in a special section or something – gosh, they were terrible. Thanks for your help on this. Again, I would prefer the MS Word or PDF file or computer file, if available, and if not, the hard copy will suffice.

Sincerely,



Dr. Michael G. Maness
[Redacted Address]

c.409.383.4671 – Maness3@att.net enclosure: copy of West Letter

Item 9. 01-29-10 – Polunsky SIR on 05-05-10 on Attempted Escape, 14pgs

Given the 700-pages here, that Serious Incident Report on an ESCAPE is pretty damn cheap! Think NOT that there is NO relation to that SIR here. Listen closely:

**the security violations HERE were being
COVERED UP – listen closely – Prior to ... During ... and After
January 2010! – while Richard Alford was Asst. Warden!
volunteers longing for his return in 2012, to protect their Prisoners’ Computer Control Center**

that SIR was being Investigated. So, big, very big question is this: is that SIR a Falsified Record? Meant to reveal as little as possible about all the crazy bull going on in the chapel? I have said this before several times. Now, there is proof, absolute proof, here of cover up, and if that report was purposely hiding things, purposefully minimizing, then that is falsification of a record involving OIG. Falsifying to OIG is a felony! And minimizing anything regarding an escape is treason to TDCJ’s purpose and mission, for nothing, *nothing* is more important than security!

TEXAS DEPARTMENT OF CRIMINAL JUSTICE		Tab 10 Item 9
Inter-Office Communication		
TO:	Distribution	Date: May 5, 2010
FROM:	Rick Thaler ^{ACT} Director Correctional Institutions Division	RE: Serious Incident Review Polunsky – Attempted Escape January 29, 2010
Attached is the Serious Incident Review conducted at the Polunsky Unit. You may share this report with staff or members of the public who may have an interest in this incident.		
Distribution: Oliver Bell, Chairman, Texas Board of Criminal Justice John Moriarty, Inspector General, Texas Board of Criminal Justice Melinda Bozarth, General Counsel Jeff Baldwin, Chief of Staff, Executive Administration Michelle Lyons, Director of Public Information Michael Upshaw, Regional Director, Region I Brian Rodeen, Regional Director, Region II Paul Morales, Regional Director, Region III Robert Eason, Regional Director, Region IV Bruce Zeller, Regional Director, Region V Gilbert Campuzano, Regional Director, Region VI Tim Simmons, Polunsky Unit, Senior Warden		
Cc: Brad Livingston, Executive Director, TDCJ Bryan Collier, Deputy Executive Director, TDCJ William Stephens, Deputy Director, TDCJ Prison and Jail Operations Oscar Mendoza, Deputy Director, TDCJ Management Operations Thomas Prasifka Deputy Director, TDCJ Support Operations		

Why did the investigators fail to reveal HOW the prisoners dyed their clothes?

Why is a chaplain asking that question over three years later?

See page 3 of SIR

It may mean *nothing whatsoever*, but given all that was going on, it seems inconceivable that there is no relation at all between this SIR and the cover up before, during, and after this of more security violations in one department than any other in TDCJ history! Just seems inconceivable that such a crew would *miss* what the volunteers have been praising about Warden Alford, who was the Asst. Warden during that time. Lots of cover up!

**TEXAS DEPARTMENT OF
CRIMINAL JUSTICE**

Correctional Institutions Division



**SERIOUS INCIDENT REVIEW
Polunsky Unit**

Incident Date: January 29, 2010
On-Site Visit Date: February 2, 2010
Distribution Date: May 5, 2010



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TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Serious Incident Review

TO:	Rick Thaler Director Correctional Institutions Division	INITIAL SITE VISIT DATE: February 2, 2010
THRU:	William Stephens  Deputy Director Correctional Institutions Division	
FROM:	Bruce Zeller  Director Region V	RE: Serious Incident Review Polunsky Unit – Attempted Escape January 29, 2010

BACKGROUND

On January 29, 2010, at approximately 9:03 p.m., Offender Michael Dueitt TDCJ #1138640, Offender Donald Gower TDCJ #1521451, Offender Terry McDonald TDCJ #1497519, Offender Juan Quintero TDCJ #1502260, and Offender Ablin Zelaya-Zelaya TDCJ #1561950 were detected by the Perimeter Picket B Officer as they charged the inner perimeter fence. The officer immediately notified staff by radio and requested the Mobile Patrol Officer respond to the area. The officer then ordered the offenders to stop and the offenders refused to comply. The Perimeter Picket B Officer discharged four rounds from a Colt AR-15 semi-automatic rifle in the direction of the five offenders on the inner perimeter fence. Offender Dueitt, Offender Gower, and Offender McDonald made it over the inner perimeter fence while Offender Quintero and Offender Zelaya-Zelaya remained within the primary perimeter. After hearing the radio call, the Perimeter Picket E Officer stepped onto the picket walkway and observed the three offenders between the perimeter fences. The Perimeter Picket E Officer then discharged one round from an AR-15 in the direction of the offenders and ordered the offenders to stop. When the offenders failed to comply, the Perimeter Picket E Officer discharged six additional rounds from the AR-15 at the offenders who continued to climb the outer perimeter fence. The Mobile Patrol Officer arrived and observed Offender McDonald and Offender Gower climbing the outer perimeter fence. The Mobile Patrol Officer then discharged one round from a Remington 870P 12 gauge shotgun at Offender McDonald who was near the fence top. Offender McDonald fell to the ground while Offender Gower remained on the outer perimeter fence. As the Mobile Patrol Officer chambered a second round additional staff arrived and ordered a cease fire. Offender Gower complied with orders to get off the fence and lay on the ground. All offenders were restrained and received medical care without further incident.

An incident review team was formed at the request of Rick Thaler, Correctional Institutions Division (CID) Director. The review team was comprised of the following members:

Bruce Zeller, Director, Region V
David Hudson, Warden, Telford Unit
Steven Rich, Warden, Stiles Unit

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Serious Incident Review – Polunsky Unit

Eddie Williams, Warden, Allred Unit
Vanessa Jones, State Classification Committee Chairman, Classification and Records
Edith Reeves, State Classification Committee Member, Classification and Records
Billy Pierce, Manager I, Chaplain Services
Chris Black, RN, Health Services
Billie Burns, RN, Health Services
Kim Hantman, RN, Health Services
Albert Courtney, Program Specialist V, Security Systems
Shannon Kersh, Program Specialist V, Security Systems
Jill Lewis, Program Specialist I, Security Systems

The review team made an on-site visit to the Polunsky Unit on February 2, 2010. Team members have communicated with the Polunsky Unit staff since the on-site visit to finalize information in this report.

SCOPE AND OBJECTIVES

The scope of the review team was to examine unit staffing, security procedures, emergency response, classification, chaplaincy, health services, and physical plant. The objective of the team was to identify procedures that may prevent similar incidents in the future. The team utilized interviews with staff, visual inspections of the area where the incident occurred, and review of all applicable documents and procedures pertinent to the incident.

INCIDENT REVIEW

Participant Summary

Offenders:

Michael Dueitt TDCJ #1138640, W/M/27/G3

Offender Dueitt is serving a life sentence for capital murder out of Calhoun County.

Donald Gower TDCJ #1521451, W/M/41/G3

Offender Gower is serving a life sentence without the possibility of parole for capital murder out of Lampasas County.

Terry McDonald TDCJ #1497519, W/M/29/G3

Offender McDonald is serving a life sentence for capital murder out of El Paso County.

Juan Quintero TDCJ #1502260, H/M/36/G3

Offender Quintero is serving a life sentence without the possibility of parole for capital murder with a deadly weapon out of Harris County.

Serious Incident Review – Polunsky Unit

Ablin Zelaya-Zelaya TDCJ #1561950, H/M/29/G3

Offender Zelaya-Zelaya is serving a life sentence for burglary of a habitation with the intent to commit aggravated robbery with a deadly weapon out of Harris County.

CHRONOLOGY OF EVENTS

On January 29, 2010, the Polunsky Unit Chaplaincy Department conducted Friday night church services in Gym Four. At approximately 8:25 p.m., offenders were released to return to their housing areas. As Building 18-19 offenders were released, Building 7 assigned offenders Michael Dueitt TDCJ #1138640, Donald Gower TDCJ #1521451, Terry McDonald TDCJ #1497519, Juan Quintero TDCJ #1502260, and Albin Zelaya-Zelaya TDCJ #1561950 made their way past the A-Turnout Officer, Jeff Webster, Correctional Officer IV. The offenders were wearing orange wrist bands which identified them as Building 18-19 assigned offenders.

Offender interviews indicate that the five offenders then proceeded to the Building 18-19 gate where they climbed over the walkway fence, allowing them direct access to the inner perimeter fence. After crossing the walkway fence, the offenders went behind the Maintenance Department and removed their white shirt and pants revealing a second layer of dark stained clothing.

At approximately 9:03 p.m., Perimeter Picket B Officer, Robert Griffis, Correctional Officer V, detected the five offenders as they charged the inner perimeter fence. Officer Griffis immediately notified staff by radio and requested the Mobile Patrol Officer respond to the area. Officer Griffis then ordered the offenders to stop and the offenders refused to comply. Officer Griffis discharged four rounds from a Colt AR-15 semi-automatic rifle in the direction of the five offenders on the inner perimeter fence. Offender Dueitt, Offender Gower, and Offender McDonald made it over the inner perimeter fence while Offender Quintero and Offender Zelaya-Zelaya remained within the primary perimeter. After hearing the radio call, Perimeter Picket E Officer, James Gray, Correctional Officer IV, stepped onto the picket walkway and observed the three offenders between the perimeter fences. Officer Gray then discharged one round from an AR-15 in the direction of the offenders and ordered the offenders to stop. When the offenders failed to comply, Officer Gray discharged six additional rounds from the AR-15. The offenders continued to climb the outer perimeter fence. The Mobile Patrol Officer, Louis Hearren, Correctional Officer V, arrived and observed Offender McDonald and Offender Gower climbing the outer perimeter fence. Officer Hearren exited the patrol vehicle and discharged one round from a Remington 870P 12 gauge shotgun at Offender McDonald who was near the fence top. Offender McDonald fell to the ground while Offender Gower remained on the outer perimeter fence. As the Mobile Patrol Officer chambered a second round Lieutenant Raymond Newberry and Paul Thompson, Correctional Officer IV, arrived on the scene. Lieutenant Newberry ordered a cease fire and ordered Offender Gower to get off the fence. The offender complied with the order. Senior Warden Timothy Simmons arrived on the scene and assumed incident command. Warden Simmons ordered all five offenders to remain face down on the ground or force would be used. Warden Simmons then ordered the offenders to relinquish any weapons. All offenders complied with the exception of Offender Zelaya-Zelaya, who appeared unable to move. Offender Quintero after relinquishing his own weapon reached over, retrieved, and surrendered Offender Zelaya-Zelaya’s weapon.

Additional security staff arrived and collected the homemade weapons relinquished by the offenders. The offenders were then placed in leg and hand restraints, searched for additional weapons, and escorted to the back

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Serious Incident Review – Polunsky Unit

gate where they were assessed by unit medical staff. The offenders were then taken to the unit Medical Department where they were triaged, treated for their injuries, and transported as follows:

- At 10:56 p.m., Offender Dueitt departed the Polunsky Unit by ambulance enroute to Memorial Medical Center of Livingston where he was assessed, treated, and prepared for transport. On January 30, 2010, at 2:17 a.m., Offender Dueitt was transported by ambulance from Memorial Medical Center of Livingston to Hermann Memorial Hospital in Houston, Texas, where he was further treated for his injuries. Offender Dueitt was released from Hermann Memorial Hospital on January 30, 2010, at 7:40 a.m., and returned by unit van to the Polunsky Unit.
- At 11:17 p.m., Offender Zelaya-Zelaya departed the Polunsky Unit by ambulance enroute to Memorial Medical Center of Livingston where he was assessed, treated, and prepared for transport. On January 30, 2010, at 2:45 a.m., Offender Zelaya-Zelaya was transported by ambulance from Memorial Medical Center of Livingston to Hermann Memorial Hospital in Houston, Texas, where he was further treated for his injuries. Offender Zelaya-Zelaya was released from Hermann Memorial Hospital on January 31, 2010, at 5:12 p.m., and returned by unit van to the Polunsky Unit.
- At 11:34 p.m., Offender McDonald departed the Polunsky Unit by ambulance enroute to Memorial Medical Center of Livingston where he was assessed, treated, and prepared for transport. On January 30, 2010, at 5:20 a.m., Offender McDonald was transported by ambulance from Memorial Medical Center of Livingston to Hospital Galveston in Galveston, Texas, where he was further treated. Offender McDonald was released from Hospital Galveston on January 31, 2010, and returned by unit van to the Polunsky Unit.
- On January 30, 2010, at 12:51 a.m., Offender Gower departed the Polunsky Unit by unit van enroute to Memorial Medical Center of Livingston where he was assessed and treated for transport for his injuries. Offender Gower was released from Memorial Medical Center of Livingston on January 30, 2010, at 3:00 a.m., and returned by unit van to the Polunsky Unit.
- Offender Quintero was treated by unit medical staff.

At 9:09 p.m., Polk County Law Enforcement Agencies and the Texas Rangers were notified of a possible escape. The unit established a perimeter around the unit. At 9:21 p.m. Warden Simmons contacted the Office of the Inspector General (OIG). At 9:45 p.m. the Polk County Sheriff's Office and the Texas Department of Public Safety (DPS) arrived and established road blocks. At 10:21 p.m. a DPS helicopter arrived and conducted a search of the area. A unit roster count was conducted at 9:45 p.m. and cleared at 10:30 p.m. At 10:30 p.m. the unit tracking canines were deployed to conduct a track around the unit perimeter. A second unit roster count was conducted at 10:30 p.m. and again cleared at 11:55 p.m. Upon verification that all offenders were accounted for, law enforcement responders and agency administrators were notified.

OIG Investigator Jason Warren, the Texas Rangers, and DPS conducted a crime scene investigation and released the crime scene on January 30, 2010, at 5:20 a.m. All physical evidence previously collected by security staff was released to OIG Investigator Warren.

During the incident Offender Dueitt was shot one time in the upper right thigh, Offender Zelaya-Zelaya was shot one time in the left collar bone, and Offender McDonald was shot one time in the upper right arm and a second time in the left knee.

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Serious Incident Review – Polunsky Unit

UNIT STAFFING

The Polunsky Unit is staffed according to the Texas Department of Criminal Justice Security Staffing Plan dated March 1, 2009. Security staff members work 12 hour shifts. The 12 hour shift schedule follows a cycle of 4 days on duty followed by 4 days off duty.

Findings

- The Polunsky Unit is authorized 579 correctional officer positions and on January 29, 2010, there were 559 correctional officers assigned. The unit staffing strength was 96.5%.
- 70 correctional officers are allotted for operations on second shift general population and 55 correctional officers were available for shift on January 29, 2010, for an operational strength of 78.7%.
- Four priority I positions, two housing area positions (not required at the time of the incident due to housing area custody change) and two shakedown escort positions, were not filled. It was determined that these positions not being filled did not have an impact on the incident.
- The Perimeter Picket E is routinely filled from dusk until dawn. This position is not allocated on the current staffing plan. The Polunsky Unit deploys a Utility Officer to staff the Perimeter Picket E. This position was instrumental in preventing the offenders from escaping.
- A Captain was not on duty at the time of the incident. The Captain had been given permission to come in late.
- Current post orders were readily available and the Policy Acknowledgement Forms were signed by both Perimeter Picket Officers. The Policy Acknowledgement Form for the Mobile Patrol Officer was not signed by Officer Hearren.

Recommendations

- All priority I positions should be filled.
- Security Systems should appropriately adjust the Polunsky Unit Staffing Plan for second shift to be consistent with operational staff deployment.
- Each uniformed officer assuming a new post shall sign and date the Policy Acknowledgement Form admitting receipt of the post order.

SECURITY PROCEDURES AND EMERGENCY RESPONSE

The team reviewed unit security procedures and emergency response pertinent to the incident.

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Serious Incident Review – Polunsky Unit

Findings

- Chaplain Mary Berry supervised 273 A-Side and B-Side offenders during chapel services for approximately two hours and thirty minutes.
- The duties of the A-Turnout Officer include; A-Turnout, Building 18-19 walkway, Building 3-4 gate, pill window, laundry gate, and ingress/egress to chapel services, as well as monitoring offender traffic on the A-Sidewalk. No other staff support was available in the immediate area.
- Direct or indirect observation was not provided by staff on the walkway behind Building 4 leading to Building 18-19 Dorms and when Building 18-19 offenders returned to their housing area at approximately 9:30 p.m.
- Supervisory staff was actively engaged in unit operations and was not present on the sidewalk during chapel egress.
- The offenders utilized burlap sacks to facilitate their escape attempt. The sacks are believed to have come from the Food Service Department.
- Perimeter Security Team Members stated they receive qualification training one time per year at in-service training. Security Memorandum 02.06 - Perimeter Security Team, outlines that team members shall be required to qualify three times annually with one of the training sessions being conducted during annual in-service training.
- The unit followed appropriate procedures in effectively responding to the emergency situation, to include preservation of the crime scene and deployment of kennel operations.
- Additional security staff and medical staff responded immediately upon being notified and acted in a prompt and professional manner.
- Appropriate and timely contact was made to local law enforcement, OIG, unit staff, and agency administrators.
- A chain of custody was established for agency and offender weapons.
- The Crisis Response Intervention Support Program (CRISP) was offered to all staff involved in the incident and all staff declined.

Recommendations

- Chapel services for A-Side and B-Side offenders should not be conducted together. Separating the services will decrease the number of offenders in a single chapel service and minimize B-Side offender access to A-Side.
- The duties of the A-Turnout Officer should be evaluated. Staff redeployment during high offender traffic times should be considered.

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Serious Incident Review – Polunsky Unit

- Direct or indirect observation should be provided on the walkway behind Building 4 leading to Building 18-19 Dorms and when Building 18-19 offenders are returned to their housing area.
- Unit administrators should ensure a supervisor’s presence on the sidewalk during mass movement.
- Thorough and complete searches should be conducted of all offender workers leaving the Food Service Department.
- Perimeter Security Team Members should be required to receive qualification training as outlined in Security Memorandum 02.06 Perimeter Security Team.

CLASSIFICATION

Custody, housing assignments, and unit classification committee hearings pertaining to Ablin Zelaya-Zelaya TDCJ #1561950, Michael Dueitt TDCJ #1138640, Donald Gower TDCJ #1521451, Terry McDonald TDCJ #1497519, and Juan Quintero TDCJ #1502260, were reviewed.

Findings

Michael Dueitt TDCJ #1138640, W/M/27/G3, 5’9”, 192 pounds

Offender Dueitt was received by TDCJ on January 6, 2003. At the time of this incident the offender was assigned to Building 7, Pod I23, Cell B-44. His job assignment was to Field Squad 10.

Donald Gower TDCJ #1521451, W/M/41/G3, 5’5”, 162 pounds

Offender Gower was received by TDCJ on September 2, 2008. At the time of the incident he was assigned to Building 7, Pod I22, Cell B-40. His job assignment was to Inside Medical Squad 5.

Terry McDonald TDCJ #1497519, W/M/29/G3, 5’9”, 183 pounds

Offender McDonald was received by TDCJ on April 29, 2008. At the time of the incident the offender was assigned to Building 7, Pod I22, Cell B-37. His job assignment was to Kitchen Helper First Shift.

Juan Quintero TDCJ #1502260, H/M/36/G3, 5’10”, 146 pounds

Offender Quintero, Juan was received by TDCJ on April 22, 2008. At the time of the incident the offender was assigned to Building 7, Pod I13, Cell B-24. His job assignment was to Field Squad 10.

Ablin Zelaya-Zelaya TDCJ #1561950, H/M/29/G3, 5’9”, 188 pounds

Offender Zelaya-Zelaya was received by TDCJ on April 9, 2009. At the time of the incident the offender was assigned to Building 7, Pod G23, Cell T-44. His job assignment was to Field Squad 10.

- All involved offenders had appropriate job, custody and housing assignments as outlined in the Classification Plan.

Serious Incident Review – Polunsky Unit

- On the date of the incident the Polunsky Unit housed 342 G3 offenders. Also on that date, the Polunsky Unit housed a total of 24 offenders serving a life sentence without the possibility of parole (22 of the 24 offenders were assigned to general population), 139 offenders serving a life sentence, and 179 offenders serving a sentence of 50 years or greater. Unit classification tracks all offenders serving a life sentence without the possibility of parole at the request of the unit administration.
- All offender participants were assigned to the Polunsky Unit by the State Classification Committee as their initial unit of assignment.

Recommendations

- None

CHAPLAINCY

Interviews with chaplaincy staff were conducted.

Findings

- None

Recommendations

- None

HEALTH SERVICES

Interviews with medical staff members were conducted. Medical records and emergency medical procedures were reviewed.

Findings

- All medical staff responded appropriately upon being notified of the incident.

Recommendations

- None

**There is no excuse here.
The degree of violations
going on for years before
this and after – crazy!**

**Prisoners’ Computer Control Center
fully operational with full
supply train ...**

Serious Incident Review – Polunsky Unit

PHYSICAL PLANT

Review team members conducted a visual inspection of the incident area.

Findings

- The plastic perimeter light covers appear to be crystallized and not allowing for sufficient perimeter lighting.
- The fire road access gate directly behind the Maintenance Department did not have sufficient razor ribbon across the top and the gate was easily manipulated.
- The recreation area behind Building 7-8 and the area behind the Maintenance Department have limited lighting.
- Major Work Request #05402018 to construct a covered fenced walkway from Building 4 to Building 18-19 Dorm was submitted on May 31, 2002, and has been evaluated annually for prioritization.

Recommendations

- A work order should be developed to replace plastic perimeter light covers that are crystallized and not allowing for sufficient perimeter lighting.
- The unit should evaluate the need for additional lighting at the recreation area behind Building 7-8 and the area behind the Maintenance Department.
- Major Work Request #05402018 to construct a covered fenced walkway from Building 4 to Building 18-19 Dorm was evaluated and prioritized 142 of 354 on January 19, 2010. Major Work Request will be accomplished in prioritized order as funding permits. A construction project is also in progress to install a comprehensive video surveillance system at the Polunsky Unit to include coverage of the walkway from Building 4 to Building 18-19 Dorm and coverage of the unit perimeter fence.

CONCLUSION

The team reviewed all available evidence regarding the incident and has identified findings in the areas of unit staffing, security procedures, emergency procedures, classification, health services, and physical plant. During offender interviews Offender McDonald stated he took five burlap sacks from the Food Services Department by holding the sacks in his hand beneath his cap and clothing when strip searched. Offender participants also stated during interview that the A-Turnout Officer did conduct random pat searches during chapel ingress and egress.

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
State Employees Are Supposed to be Treated Equally

Serious Incident Review – Polunsky Unit

Following the incident the Polunsky Unit administration immediately initiated an investigation to include a lockdown and thorough search of all areas of the unit. Several operational changes that will enhance security were identified by Warden Simmons. The operational changes include:

- The use of wrist bands for offenders housed on Building 18-19 has been suspended.
- Additional razor ribbon was added to the perimeter fence where the incident occurred and to fire road access gate directly behind the Maintenance Department.

The offender participants have been added to the agency’s high profile watch list where by CID Administrators and OIG will be notified prior to all off unit transports. The offender participants were also identified as not for the same unit of assignment as the other offender participants and were issued security precaution designators for escape and staff assault.

Incident responders, health care providers, OIG Investigators, the Polk County Sheriff’s Office, DPS, and the Texas Rangers are to be commended for their prompt and professional response.

OIG continues to investigate the incident and will present their findings to a Polk County Grand Jury.

Attachment A – Unit Profile

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
State Employees Are Supposed to be Treated Equally

Serious Incident Review – Polunsky Unit

ATTACHMENT A

Page 11

TAB 10. Paints & SIR – Prisoners’ Use of Paint Confirmed – Unsupervised
 State Employees Are Supposed to be Treated Equally

Serious Incident Review – Polunsky Unit

POLUNSKY (TL)
 Correctional Institutions Division - Prison
 ACA Accredited Unit Since January 2003

Unit Address and Phone Number: 3872 FM 350 South, Livingston, Texas 77351
 (936) 957-8082 (**054)

Unit Location: Five (5) miles southwest of Livingston on FM 350 in Polk County

Senior Warden: Tim Simmons

Regional Director: Michael Upshaw, Region I

CI Division Deputy Director: William L. Stephens

Date Unit Established or On Line: November 1993

Total Employees *: 785

Security Employees *: 607

Non-Security Employees *: 110

Windham Education Employees *: 16

Contract Medical and Psychiatric Employees *: Medical = 47, Psychiatric = 5

Offender Gender: Male

Maximum Capacity*: 2,900

Custody Levels Housed: G1-G5, Death Row, Administrative Segregation

Approximate Acreage: 472

Agricultural Operations: Security Horses/Dogs, Brood Mare Program, Tree Farm, Unit Garden, Unit Food Bank Garden Program

Manufacturing and Logistics Op.: Box Factory

Facility Operations: Unit Maintenance

Medical Capabilities: Ambulatory medical, dental and mental health services. UTMB medical hub site. Seventeen-bed infirmary including 13 assisted living beds, two respiratory isolation rooms and two psychiatric observation rooms. Type I Geriatric Facility, Type I sheltered housing for visually-impaired offenders. Telemedicine Services and chronic care available. All services on a single level, including handicapped showers. Managed by UTMB.

Educational Programs: Literacy (Adult Basic Education/GED), Special Education, CHANGES/Pre-Release, English as a Second Language, Cognitive Intervention, Project RIO Career and Technology Programs: Automotive Specialization (Transmission Repair); Custodial Technician; Heating, Ventilation, Air Conditioning and Refrigeration; Mill and Cabinetmaking

Additional Programs/Services: Faith Based Dormitory, Adult Education Program (upon availability), HIV Peer Education, Crime Stoppers

Community Work Projects: Services provided to city agencies, the Texas Department of Transportation and Texas Parks and Wildlife.

Volunteer Initiatives: Employment/Job Skills, Substance Abuse Education, Life Skills, Parent Training, Support Groups, Mentoring, Religious/Faith Based Studies and Activities

* Data as of July 31, 2009

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Tab 11.

TAB 11. Movies ☺ –

Vast List of Pirated Movies Regularly Shown No Copyright Releases ... Ever ... Who Knows?

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Not a terrible security breach, the real question is **WHAT did the Prisoners Record? – no one, that is, **NO ONE knows for sure**, for **YEARS**, and this has been **COMPLETELY COVERED UP!****

MOVIES?

NOT the playing that was so bad, but **how** all were managed that was bad.

It is important to note that the movies were brought in at leisure and copied to the prisoners' hard drives, and also copies made to DVDs. A violation of several policies, but – come now – not a really big violation. Bigger violations by Chaplain Collier and Warden Muniz and Warden Alford who knew all about them, bigger by far than the disciplinaries contrived for me – oh yeah – but violations smaller than *how* they were managed. What is important is *not* the playing of movies, so much, for television has been a “management” tool in TDCJ forever. What is important is “how” they were managed,

totally managed by the prisoners

and no volunteer or staff knew how to access them, or cared to know, as Chaplain Collier and the lead Volunteer Chaplains were just *proud* as peacocks how their “Godly men” ran their Prisoners Computer Control Center, much less how to navigate the several hard drives. It was doubly wrong that the staff chaplains – all of them – for the last 6 years, including me, did not know, another part of my relentless exposure. We did *not* know what the prisoners were doing all day every day and, worse, did *not* know what the prisoners were capable of doing.

And the wardens did not care!

TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
State Employees Are Supposed to be Treated Equally

And now that (then) Reg. Dir. Michael Upshaw had the hard drive “cleaned,” in spite of my full exposure that *no one knew for years* what the prisoners **were doing** or what they were **capable of doing**. We must stress this, for it was clearly a cover up, not a “cleaning” – a conscious effort sweep under the rug what he had allowed for years. We shall *never* know, either, whether it was simply *movie* productions or worse, whether the life-sentenced murderers were totally pure and holy, or, per chance, did something wrong while in the dark with the windows covered all those years. And, sheese, the movies looked like decent movies, and so it is all the more terrible that Michael Upshaw *erased* all, so we will never know just how holy and pure and without fault Upshaw’s protected programming was. I hope the prisoners are innocent, but we will *never* know for sure. The only thing we do know for sure is that Upshaw insured we would never know!



TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
State Employees Are Supposed to be Treated Equally

Item 1. Movies, Movies – Inventory by Folders

FAITHBASE DVD'S

Monday, May 14, 2012



- (MOVIE) 2012 (EDITED DVD FORMAT)
- (MOVIE) 2012(edited)
- (MOVIE) A SHINE OF RAINBOWS
- (MOVIE) Amazing Grace
- (MOVIE) ASUNDER PLAY
- (MOVIE) Believe In Me
- (MOVIE) Bella
- (MOVIE) BILLY EARLY YEARS
- (MOVIE) Blind Side (Edited)
- (MOVIE) Christmas Child
- (MOVIE) CHRISTMAS MIRACLE OF JONATHAN TOOMEY
- (MOVIE) CLANCY
- (MOVIE) COURAGEOUS
- (MOVIE) Facing The Giants
- (MOVIE) Faith Like Potatoes
- (MOVIE) FIELDERS CHOICE
- (MOVIE) FIGHTING THE TEMPTATIONS
- (MOVIE) FINAL INQUIRY
- (MOVIE) Final Inquiry DVD Version
- (MOVIE) Fireproof
- (MOVIE) FLYWHEEL
- (MOVIE) FORGIVEN
- (MOVIE) GET_LOW
- (MOVIE) GIFTED HANDS
- (MOVIE) Glory Road
- (MOVIE) Gospel of John
- (MOVIE) HANGMANS CURSE
- (MOVIE) HIDDEN IN SILENCE
- (MOVIE) House
- (MOVIE) ISLAND OF GRACE
- (MOVIE) ITS A WONDERFUL LIFE (B_W)
- (MOVIE) ITS A WONDERFUL LIFE (COLOR)
- (MOVIE) JESUS
- (MOVIE) Joshua
- (MOVIE) JUMPING THE BROOM
- (MOVIE) Kingdom of Heaven
- (MOVIE) LEFT BEHIND PART 1
- (MOVIE) LEFT BEHIND TRIBULATION FORCE PART 2
- (MOVIE) LEFT BEHIND WORLD AT WAR PART 3
- (MOVIE) LETTERS TO GOD
- (MOVIE) LIKE DANDELION DUST
- (MOVIE) MADEA CHRISTMAS
- (MOVIE) MADEA GOES TO JAIL PART 1
- (MOVIE) MADEAS BIG HAPPY FAMILY
- (MOVIE) Madea's Family R
- (MOVIE) MAN OF MIRACLES
- (MOVIE) MARRIAGE COUNSELOR
- (TEACHING) TO JAKES REPOSITION YOURSELF
- (TEACHING) MANLY MAN CONFERENCE DISC 4
- (TEACHING) Bad Girls Of The Bible
- (TEACHING) Creation Science (Dinosaur) Part 3
- (TEACHING) Creation Science (Evangelism) Part 1
- (TEACHING) Creation Science (Evolution) Part 3
- (TEACHING) Faith Lessons, The Premiered Land
- (TEACHING) Faith Lessons, Walk as Jesus Walked
- (TEACHING) Giglio Fruitcake
- (TEACHING) Giglio Hope
- (TEACHING) Giglio: How Great Is Our God
- (TEACHING) Giglio Indivisible
- (TEACHING) Giglio: The Heart Of Passion
- (TEACHING) Glimpse Of Passion (disc 1)
- (TEACHING) Glimpse Of Passion (disc 2)
- (TEACHING) Manly Man Conference DISC 1
- (TEACHING) MANLY MAN CONFERENCE DISC 2
- (TEACHING) MANLY MAN CONFERENCE DISC 3
- (TEACHING) MASONIC B
- (TEACHING) MASONIC LODGE
- (TEACHING) PRAY THE DEVIL BACK TO HELL DOCUMENTARY
- (TEACHING) REEVES - SCRIPTURE UNDER SCRUTINY
- (TEACHING) REEVES - THE AUTHENTIC CHRIST
- (TEACHING) REEVES - WHY BE THE CANON OF SCRIPTURE
- (TEACHING) REEVES - WILLIAM TYNDALE
- (TEACHING) SHARK WEEK DISC 1
- (TEACHING) SHARK WEEK DISC 2
- (TEACHING) THE STAR OF BETHLEHEM
- (TEACHING) THE STORY DISC 1
- (TEACHING) THE STORY DISC 2
- (TEACHING) Truth Project Parts 1 to 12
- (TEACHING)The Quest for Authentic Manhood DVD's
- (MOVIE) NARNIA
- (MOVIE) NARNIA II
- (MOVIE) NARNIA III
- (MOVIE) NOT EASILY BROKEN
- (MOVIE) OMAR AND PETE
- (MOVIE) ONE HIT FROM HOME
- (MOVIE) ORDINARY MIRACLES
- (MOVIE) Passion Of The Christ
- (MOVIE) PILGRIMS PROGRESS
- (MOVIE) REDEMPTION RIDE
- (MOVIE) ROAD TO EMMAUS
- (MOVIE) Saving God
- (MOVIE) Saving Sarah Cain
- (MOVIE) Scars_Spanish
- (MOVIE) Second Chance
- (MOVIE) SECRETARIAT
- (MOVIE) SEVEN DAYS IN UTOPIA
- (MOVIE) SOUL SURFER
- (MOVIE) STANDING FIRM
- (MOVIE) TO JAKES REPOSITION YOURSELF
- (MOVIE) TENDER MERCIES
- (MOVIE) THE 5TH QUARTER
- (MOVIE) THE APOSTLE
- (MOVIE) The Christmas Child
- (MOVIE) The Christmas Chior
- (MOVIE) THE ENCOUNTER
- (MOVIE) The Family That Preys
- (MOVIE) THE GOLDEN COMPASS
- (MOVIE) The Gospel
- (MOVIE) THE GRACE CARD
- (MOVIE) THE INHERITANCE
- (MOVIE) The Last Sinner
- (MOVIE) The Least Among You
- (MOVIE) The List
- (MOVIE) The Long Ride Home
- (MOVIE) THE MBRACLE OF HOPE
- (MOVIE) The Nativity Story
- (MOVIE) THE PEWNY
- (MOVIE) The Pistol
- (MOVIE) The Ride
- (MOVIE) THE SECRETS OF JONATHAN SPERRY
- (MOVIE) THE TRIAL
- (MOVIE) The Wager
- (MOVIE) THE WIDOWS MIGHT
- (MOVIE) THICKER THAN WATER
- (MOVIE) Three
- (MOVIE) TO SAVE A LIFE EDITED
- (MOVIE) Ultimate Gift
- (MOVIE) UNCROSS THE STARS
- (MOVIE) Visitation
- (MOVIE) WHAT IF
- (MOVIE) WHERE THERES A WILL
- (MOVIE) Woman Thou Art Loosed

TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
State Employees Are Supposed to be Treated Equally

Item 2. Movies, Movies – Inventory on MS OneNote System – 2pgs

CLASS AND WORSHIP SERVICE FILM/MOVIE TIMES						
CLASS	DATE	FILM	END POINT TIME	TOTAL MOVIE TIME	NOTES	
SAT FILM	12-26-2011	TO SAVE A LIFE	1:06:00 OF 1:51:00	1:51:06		
MASS FILM	12-26-2011	MADAGASCAR II	00:47:26	1:29:22		
SAT FILM	12-26-2011	NO FILM SHOWN				
IB CLASST	12-27-2011	UNKNOWN (EDITED)	00:51:45:00	1:15:29	QAM PART 12 FINISHED	
MASS FILM	12-28-2011	MADAGASCAR II	1:07:54:00	1:29:22	Christmas Choir Next up!!!	
SAT FILM	12-30-2011	TO SAVE A LIFE	1:37:53:00	1:51:06		
IB CLASST	12-31-2011	WHAT IF	00:58:23:00	1:58:16	QAM 13 (FINISHED UNKNOWN) 12-21-2011 FELLOWSHIP NO CLASS MATERIALS!	
MASS FILM	12-15-2011	THE CHRISTMAS CHOIR	00:17:35:00	1:24:28	FINISHED MADAGASCAR	
SAT FILM	12-17-2011	MADAGASCAR	00:23:14:00	1:29:22	STILL NEED TO FINISH "TO SAVE A LIFE"	
SUN FILM	12-11-2011	GRACE CARD	00:05:31:00	2:49:57		
SUN FILM	12-18-2011	NO FILM SHOWN			CHRISTMAS SET TOOK ENTIRE SERVICE	
IB CLASST	12-28-2011	WHAT IF	FINISHED		NO QAM FILM TODAY...REVIEW ONLY!	
IB CLASST	12-28-2011	7 DAYS IN UTOPIA	00:49:10:00	1:58:42		
MASS FILM	12-29-2011	FREEDOM WRITERS	00:58:12:00	2:02:42		
KAIROS FILM	01-09-2012	JUMPING THE BROOM	00:58:05	1:52:18		
IB CLASST	01-04-2012	7 DAYS IN UTOPIA	FINISHED!	1:38:42	QAM 14...NOTHING NEW STARTED!	
MASS FILM	01-05-2012	FREEDOM WRITERS	FINISHED!	2:02:42		
SAT FILM	01-07-2012	MADAGASCAR	00:53:08	1:29:22		
SUN FILM	01-08-2012	NO FILM SHOWN				
IB CLASST	01-11-2012	JUMP THE BROOM	00:40:53:00	1:52:18	"ASUNDER PLAY" ENDED AT: 7 ...QAM 15	
MASS FILM	01-12-2012	THE CONVICTION	00:21:53:00	1:37:01	LABBE OFF NEXT WEEK	
SAT FILM	01-14-2012	NO FILM				
KAIROS FILM	01-17-2012	JUMPING THE BROOM	01:30:05	1:52:18		
MASS FILM	01-19-2012	THE CONVICTION	01:09:02	1:37:01	VECDHO (3IT-IN)	
SAT FILM	01-21-2012	COURAGEOUS	00:40:30:00	2:09:13		
SUN FILM	01-22-2012	NO FILM				
VOYAGER CLASS	01-23-2012	COURAGEOUS	FINISHED IT		WATCHED COURAGEOUS AND FINISHED THE WHOLE MOVIE!	
IB CLASST	01-25-2012	COURAGEOUS	FINISHED	2:09:13	NO TEACHING DVD	
MASS FILM	01-26-2012	THE CONVICTION	01:24:38	2:09:13	COURAGEOUS NEXT!	
SAT FILM	01-28-2012	COURAGEOUS	01:13:00	2:09:13		
SUN FILM	01-29-2012	POPPERS PENGUINS	00:06:00		NEXT FILM-KINGDOM OF HEAVEN	
IB CLASST	02-01-2012	JUMPING THE BROOM	01:34:00	1:52:18	QAM 16!	
MASS FILM	02-02-2012	COURAGEOUS	00:04:27	2:09:13	FINISHED THE CONVICTION!	
SAT FILM	02-04-2012	COURAGEOUS	01:13:00	2:09:13	DID NOT GET TO START-COURT CLEARED	
SUN FILM	02-05-2012	POPPERS PENGUINS	00:29:20	1:34:00		
VOYAGER	02-06-2012	THE HEART OF TEXAS	FINISHED	1:00:14		
KAIROS FILM	02-07-2012	THE GOLDEN COMPASS	00:19:11	1:53:17	FINISHED JUMPING THE BROOM / STARTED GOLDEN COMPASS!	
IB CLASST	02-08-2012	TRUE GRIT	00:46:17	1:50:18	FINISHED JUMPING THE BROOM / QAM 17	
MASS FILM	02-09-2012	COURAGEOUS	00:17:11	2:09:13		
SAT FILM	02-11-2012	COURAGEOUS	01:45:46	2:09:13		
SUN FILM	02-12-2012	POPPERS PENGUINS	FINISHED	1:34:00	NEXT FILM-5 TH QUARTER	
CR CLASS	02-13-2012	RISE	00:15:00	1:44:56		
VOYAGER	02-15-2012	ULTIMATE GIFT	01:12:00	1:57:00		
IB CLASST	02-15-2012	TRUE GRIT		1:50:18	COMPLETED	
MASS FILM	02-16-2012	COURAGEOUS	00:30:50	2:09:13		
SAT FILM	02-18-2012	KINGDOM OF HEAVEN	00:19:08	2:24:24	FINISHED COURAGEOUS!	
KAIROS FILM	02-21-2012	THE GOLDEN COMPASS	01:09:11	1:53:17		
IB CLASST	02-22-2012	FIREPROOF	01:13:12	1:58:12	QAM 18	
MASS FILM	02-23-2012	COURAGEOUS	00:54:39	2:09:13	NO LABBE!	
SAT FILM	02-25-2012	KINGDOM OF HEAVEN	00:46:21	2:24:24		
SUN FILM	02-26-2012	5TH QUARTER	00:42:37	1:29:36		
CR CLASS	02-27-2012	SHARK WK DISK #2/RISE-APES	00:40:00/00:53:26		COMPLETED-APES	
VOYAGER	02-27-2012	ULTIMATE GIFT,SHARK DISK 1	SHARK DISK 1-		COMPLETED ULTIMATE GIFT	

Continued on Next Page

TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
 State Employees Are Supposed to be Treated Equally

CLASS AND WORSHIP SERVICE FILM/MOVIE TIMES						
CLASS	DATE	FILM	END POINT TIME	TOTAL MOVIE TIME	NOTES	
VOYAGER	02-27-2012	ULTIMATE GIFT/SHARK DISK 1	SHARK DISK 1-00:43:55		COMPLETED ULTIMATE GIFT	
KB CLWEST	02-29-2012	FIREPROOF		1:58:12	QAM 19-COMPLETED FIREPROOF	
MASS FILM	0301-2012	COURAGEOUS	01:32:03	2:09:13	LABEL	
SUN FILM	03-04-2012	THE 5TH QUARTER	01:02:14	1:29:36		
CR CLASS	03-05-2012	SHARK WK DISK #2/RISE-APES	01:10:00		COMPLETED APES	
VOYAGER	02-27-2012	ULTIMATE GIFT/SHARK DISK 1	SHARK DISK 1		COMPLETED ULTIMATE GIFT	
VOYAGER	03-06-2012	SEVEN DAYS TO UTOPIA	00:50:43			
PENTECOSTAL SERVICE	03-06-2012	THE SECOND COMING	00:24:25	01:00:00		
KAIROS FILM	03-06-2012	THE GOLDEN COMPASS		1:53:17	COMPLETED	
KB CLWEST	03-07-2012	WHY DID I GET MARRIED	00:49:54	1:58:19	QAM 20-COMPLETED	
MASS	03-08-2012	KINGDOM OF HEAVEN	00:13:50	2:24:00		
SAT FILM	03-10-2012	KINGDOM OF HEAVEN	01:02:44	2:24:24		
SUN FILM	03-11-2012	2012	00:05:30	2:24:00		
KB CLWEST	03-28-2012	WHY DID I GET MARRIED	FINISHED!	1:58:19	QAM 23-COMPLETED	
MASS	03-29-2012	THE PASSION	FINISHED!	2:06:25	STARTED FROM SCENE 12 PER COORDIN. MONTOYA	
SAT FILM	03-31-2012	KINGDOM OF HEAVEN	01:09:44	2:24:24		
CR FILM	04-02-2012	TWILIGHT PART 1	00:24:00	2:01:50		
KAIROS FILM	04-03-2012	LEFT BEHIND 1	00:42:41	1:39:48		
KB CLWEST	04-04-2012	TRON	00:25:19	1:59:00	QAM 22-COMPLETED	
MASS	04-05-2012	KINGDOM OF HEAVEN	00:21:49	2:24:00	STARTED 2012 PER FACULTATOR MONTOYA	
SAT FILM	04-07-2012	KINGDOM OF HEAVEN	FINISHED!	2:24:24	STARTED "STANDING FIRM" ENDED AT: 00:10:07	
SUN FILM	04-08-2012	2012	00:40:38	2:24:00		
CR FILM	04-09-2012	TWILIGHT PART 1	01:37:24	2:01:50	LESSON: "YES!"	
VOYAGER	04-09-2012	CONVICTION	01:07:56	01:37:01		
KB CLWEST	04-11-2012	TRON	FINISHED!	1:59:00	QAM 23-COMPLETED!	
MASS	04-13-2012	2012	00:11:30	2:24:00		
SAT FILM	04-01-2011	STANDING FIRM!	00:10:07	1:20:30		
SAT FILM	04-14-2011	STANDING FIRM!	00:21:44	1:20:30		
SUN FILM	04-15-2012	2012	01:39:36	2:24:00		
CR FILM	04-16-2012	TWILIGHT PART 2	00:35:49	2:04:36	NO LESSON TODAY: FINISHED TWILIGHT 1, STARTED 2	
VOYAGER	04-16-2012	CONVICTION		01:37:01		
KAIROS FILM	04-17-2012	LEFT BEHIND 2	00:14:18	1:35:12	FINISHED PART 1, STARTED PART 2	
KB CLWEST	04-18-2012	SEVEN POUNDS	01:39:21	1:57:01	QAM 24 (LAST DVD)-COMPLETED!	
MASS	04-19-2012	2012	00:31:46	2:24:00		
SUN FILM	04-22-2012	2012	02:14:00	2:24:00		
CR FILM	04-23-2012	TWILIGHT PART 2	FINISHED	2:04:36		
VOYAGER	04-23-2012	CLASH	FINISHED	1:46:07	FELLOWSHIP DAY	
KB CLWEST	04-25-2012	FINISHED "7 POUNDS!"			NOTHING NEW STARTED-LAST DAY OF CLASS TILL GRADUATION	
MASS	04-29-2012	2012	01:28:00	2:24:00		
KAIROS FILM	05-01-2012	LEFT BEHIND 3	01:11:00	1:35:12		
MASS	05-03-2012	2012	01:50:07	2:24:00		
SUN FILM	05-06-2012	ONE HIT FROM HOME IS NEXT		1:39:00	FINISHED 2012	
VOYAGER	05-07-2012	LIMITLESS	0:53:20	1:37:40		
MASS	05-10-2012	2012	FINISHED	2:24:00		
SAT FILM	05-12-2012	STANDING FIRM!	00:33:00	1:20:30		
VOYAGER	05-14-2012	LIMITLESS	1:30:09	1:37:40		
KAIROS FILM	05-15-2012	LEFT BEHIND 3	0:02:00	1:35:14	LAST STARTED PART 3	
SAT FILM	05-19-2012	STANDING FIRM!	00:47:00	1:20:30		
SUN FILM	05-20-2012	ONE HIT FROM HOME	00:32:45	1:39:00		
VOYAGER	05-21-2012	WOMAN THOU ART LOOSED	00:47:16	1:37:30	FINISHED LIMITLESS!	
MASS	05-24-2012	KINGDOM OF HEAVEN	00:19:00	2:24:24		
SAT FILM	05-26-2012	STANDING FIRM!	01:01:00	1:20:30		
SUN FILM	05-27-2012	ONE HIT FROM HOME	00:54:11	1:39:00		
MASS	05-31-2012	KINGDOM OF HEAVEN	00:32:00	2:24:24		
SAT FILM	06-02-2012	FINISHED STANDING FIRM	NOTHING NEW STARTED			
SUN FILM	06-03-2012	ONE HIT FROM HOME	01:04:51	1:39:00		
KAIROS FILM	06-05-2012	LEFT BEHIND 3	01:19:00	1:35:14		
MASS	06-07-2012	KINGDOM OF HEAVEN	00:54:35	2:24:24		

CONTINUED ON NEXT PAGE

TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
State Employees Are Supposed to be Treated Equally

Item 3. Movies, Movies – Inventory Based on Hard Drive Address – 4pgs

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TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
 State Employees Are Supposed to be Treated Equally

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TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
 State Employees Are Supposed to be Treated Equally

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FAITH BASED FILMS Page 4

Lastly, look at the computer addresses. I do NOT know what all that means. Do you? Well, since Upshaw erased it all, we will *never know* – but, by God, we should have known. Years before. We should have *known* the day it was written, and had written permission for the prisoners to locate the movies RIGHT there, where we told them. And no more. But, Upshaw fixed that, for *his* Warden Alford and *his* Chaplain Collier, not for TDCJ’s future, and certainly not for its Chaplaincy Department’s future.

Upshaw will have some find sounding words for that, too. He is immune.



TAB 11. Movies – Vast List of Pirated Movies Regularly Shown, and Worse
State Employees Are Supposed to be Treated Equally



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Tab 12.

TAB 12. Off-Shore Account/s, Money Train, Cash Cows, and Computer Codes

TAB 12. Off-Shore Account/s, Money Train, Cash Cows, and Computer Codes389

Item 1. 04-03-11 – Money, Money – Off-Shore Account/s Finances in Mystery Accounting.....391

Ordered as prisoners wanted, as “Personal Property” signed off mostly by Wardens Simmons and Muniz. BONANZA! From an Off-Shore Accounts *still* unaccounted for. Complete and dangerous circumvention of policy knowingly supported by ALL the Wardens! Warden Alford in Tab 5a covers up all with an attempt to claim an “inventory” and to *begin* to get property *properly* donated after FIVE years of BONANZA! Liar – he *knew* all was illegitimate for years! Still unanswered a year after my exposure: **how long did the money train BONANZA go on? - oh, hell fire! How many accounts? How come NO ONE knows, that is, knows?!**

Item 2. 07-2012 – Chaplaincy PC Passwords *Managed* by Prisoners!.....392

Off-Shore Account that – YES – funnels money to the prisoner supply train running the most policy-violating department in history, all **OUTSIDE** of any accounting system, reporting system – just whatever the prisoners wanted ... *for the church*. We don’t even know who is on the board or the name/s of the account. Just how much came into the Polunsky Chaplaincy Department in finances *and* inventory? Why does *no one* know? And Region 1 Dir. Michael Upshaw had ITD Techs erase evidence!

How much came in? How come *no one* knows? And a month after exposure, Collier gets his *third* good Annual Evaluation in a row by Reg. Dir. Alford, Dir. of Chaplain Pierce, and Manager III Dunbar all supporting the mysterious accounting ... or did they not know that too? How do you get jobs like that?

Chaplaincy Ruination – even the whole of Chaplaincy HQ did not know HOW the Polunsky Chapel was operation was – listen closely – **FUNDED**. Chaplain Collier was awarded Chaplain of the Year in about 2009 or 2010 for a program the “managers” did not know HOW it was funded, run in illegitimately procured computers running a “rogue” network (Tab 6 & Epilogue) by unsupervised life-sentenced murderers ... in the dark ... for years. It cannot get worse, except that the chaplain exposing that is forced to retire, his half-dozen letters ignored, and has to write this outrageous exposure.

Stupid Treason is inadequate. My career *ruined* for that[^]!! Not if I can help it. Now hear this, the “managers” are covering that up, too. How much *more* have they covered up?

Now, let’s take the gloves off, no more Mr. Nice Guy. Damn! I had been working *nicely* for 15 years of advocacy to *help* professional Chaplaincy against ignorant bureaucratic fools, who had been promoted over chaplaincy as merely a way to get a raise with the RPD consciously excluding the more experienced and dedicated. Now, we have those over Chaplaincy repeatedly caught with not a little, but with complete and utter ignorance, deliberate indifference, and – after exposure – in pig lard pride covering up *years* of violations. Chaplain Leaders have been *hired* because they are ignorant, want to remain ignorant, and after the largest exposure in TDCJ history they *still* do not want to do their jobs and find out

a single thing about Polunsky Chapel, even after I sent nearly a 100 pages from July 2012 through March 2013! How utterly ignorant, insubordinate, sub-standard duty, and treasonous can a dozen directors, managers, and wardens be? And, at the heart of Chaplaincy Supervision, the very ones who are *supposed* to know the most, actually know the less – I am, Michael Maness, am *ruined* because they want to remain ignorant fools many pay grades above their competency, many pay grades above their common sense, many pay grades above their loyalty to TDCJ, and, hell fire this is God’s work, many pay grades above their love for their subordinates. So, I will rub this in, deeply, the Manager III Marvin Dunbar, Region 1 Director Richard Alford, and Director of Chaplaincy *Operations* Bill Pierce *all* signed Chaplain Collier’s third good Annual Evaluation in *row* just one month after I exposed all, one month after TDCJ ITD Techs worked four weeks to reconfigure the worst set of illegitimate computers in TDCJ history – and *what?* – Dunbar hires a man off the street Michael Rutledge with zero prison chaplaincy experience to be *groomed* to replace Bill Pierce when he retires, to complete the ruination of Chaplaincy. And none of them, not *one* of them has cared to see *how* the Polunsky Chaplaincy was run, how it was financed, and cover all up for five years before I got there, and for over a year now after I started my exposure.

Signal Humiliations – Funding Covered Up Too – one of the Signal Humiliations Marvin Dunbar leveled to me, repeatedly, in my disciplinary hearing on Sub-Standard Duty for a contrived violation, retaliating against me for the 50-page Faith-Based Housing Letter, was Dunbar *humiliating* the “cost” factor in that letter. Dunbar laughed, giggled, and goaded me that there was “no cost” involved, calling himself the “numbers man” while having done no substantial “numbers” work on chaplaincy since his arrival – and to the point here – not even asking how Polunsky was *funded* for the last five years. Instead, being ignorant, he simply aided and abetted Alford and Upshaw in their cover up, helping hid the Off-Shore Account/s of Chaplain Collier and ex-Vol. Chaplain Ed Reeves still functioning as a CVCA – instructing his pawn Bill Pierce on how to hid and connive and hiring another in Michael Rutledge.

God have mercy – it’s time to call for the angels in heaven, for no one else cares.

Maness Equality versus Equality to Cash Cow Off-Shore Supply Train under Collier? Not in the Slightest. Tell me, again, that Warden Bill Lewis (Tab 17, Items 5a-5d) found me guilty of “Inappropriate Relationship with an offender” because I had an offender’s wife as a friend on my Facebook account among 1,300-plus *other* “friends” and, yet, there is NO SUCH “inappropriate” relationship with this kind of Cash Cow Supply Train of stuff going to Polunsky Chapel Prisoners! Inequality, to say the least, but this also reveals something very special about Bill Lewis’ mission from the start. And, as detailed in Tab 17, that Senior Warden Lewis could even write such that more senior Senior Warden Gary Hunter would summarily dismiss, just speaks another volume about Bill Lewis’ integrity, his mission from the start, and more.

Now, volunteers *properly* donating things is another bird. There is a policy, and all chaplains love generous volunteers, as those volunteers love to give. Still, security comes first, and most of all of the volunteers at Polunsky had no intention whatsoever of *knowingly* violating policy. That is a critical.


CAVEAT on Cash Cow: no pun or derogatory intention meant to “cash cow,” for every chaplain, including myself, values to the uttermost generous volunteers. And there *is* a process for donating that is *not* complicated and is *very* generous and simple. “Cash cow” refers to the “process” as prisoners saw it.

VIOLATIONS – every property policy violated! With the other policies on prisoner supervision, the issue here is that there is *no* policy specifically dealing with the use of funds they Chaplain Collier and his lead chaplains were doing. The major violations of policy and common sense go with how Chaplain Collier circumvented policy entirely; all of the “inventory” come in as “personal property,” and violated again with all the “purchases” were made *through* prisoner consultation. So personal property was purchased for prisoners, but *lied* by pretending it was *personal* when Chaplain Collier or the Vol. Chaplain *never* used their *personal* property. No one thought for six years that such was crossing the barrier of an inappropriate relationship with prisoners. A host of violations with “how” all was procured, and another host regarding **non-supervision** – the *every* day no supervision. In the DARK – who cared?




TAB 12. Money, Cash Cows, and Codes
State Employees Are Supposed to be Treated Equally

Item 1. 04-03-11 – Money, Money – Off-Shore Account Finances in Mystery Accounting



PAGE (1) FINANCIAL TRACKING LOG



Tab 12
Item 1

TRANSACTION DATES: 09/07/2011 TO 04/03/2012 CARRY-OVER BALANCE: \$445.29 CONFIRMED

DATE OF TRANSACTION	DEPOSIT	DEBIT	BALANCE	AUTHORITY (INIT)	TRANSACTION NOTES: (ORDER#, CONF.#, DESCRIPTIONS, ETC.)
9/7/2011	\$ 2,000.00		\$2,445.29	DC	RUNNING BALANCE CARRYOVER + DEPOSIT
9/13/2011		\$ (810.00)	\$2035.29	DC	office depot/quilt/CHAIR
9/20/2011		\$ (40.00)	\$1995.29	ER	SMALL BIRLS
9/21/2011		\$ (198.00)	\$1797.29	DC	TRANSMITTER
9/21/2011		\$ (39.00)	\$1758.29	DC	MICROPHONE
9/22/2011		\$ (200.00)	\$1558.29	DC	OFFICE SUPPLY
9/25/2011		\$ (450.00)	\$1108.29	DC	Christmas cards
10/12/2011		\$ (25.00)	\$1083.29	DC	MOUSER ELEC. - ELECTRONICS
10/19/2011		\$ (28.00)	\$1055.29	DC	MOUSER ELEC. - ELECTRONICS
10/19/2011		\$ (44.00)	\$1011.29	DC	AMERICAN SUPPLY - STRING
10/20/2011		\$ (181.00)	\$830.29	DC	C.B.D. BOOKS/MOVIE
10/24/2011		\$ (40.00)	\$790.29	DC	AMERICAN SUPPLY - HARMONICA
11/1/2011	\$ 2,000.00		\$2,790.29	DC	DEPOSIT
11/1/2011		\$ (97.00)	\$2693.29	DC	QUILL - USB, DVD'S, CD'S
11/21/2011		\$ (415.93)	\$2277.96	DC	CHURCH
11/28/2011		\$ (120.00)	\$2157.96	DC	PARTS EXPRESS - MIS PARTS
11/28/2011		\$ (130.00)	\$2027.96	DC	AMERICAN MUSIC SUPPLY - HEADPHONES
11/28/2011		\$ (187.01)	\$1840.95	DC	OFFICE DEPOT - REFRIGERATOR
11/28/2011	\$ 653.78		\$2494.73	DC	DEPOSIT
12/7/2011		\$ (46.87)	\$2447.86	DC	PARTS EXPRESS - HDMI CABLE/SURGE PRO
12/12/2011		\$ (810.57)	\$1,938.05	DC	FIXED ACCOUNT
01/10/2012		\$ (356.21)	\$1,581.84	JH	PARTS FOR SOUNDROOM
01/10/2012		\$ (40.00)	\$1,541.84	ER	B-DAY CARDS
01/11/2012		\$ (325.67)	\$1,216.17	DC	CANDY (CONFIRMED 1/11/2012 DC)
01/28/2012		\$ (62.13)	\$1154.04	DC	SUPPLIES FOR BANQUET
02/01/2012	\$2,000.00				DEPOSIT
UPDATED 3/05/2012			\$1,769.22	JH	UPDATED THE CURRENT BALANCE
03/05/2012		\$ (51.87)		JH	PARTS EXPRESS FOR WIRE AND SOUND ROOM STUFF
03/05/2012		\$ (39.99)		JH	TIGER DIRECT FOR HEAD SET
03/05/2012		\$ (79.85)		JH	B&H ELECTRONICS
03/05/2012			1,597.51		CURRENT BALANCE
03/27/2012		\$ (258.78)	408.07	JH	KINGDOM/ PARTS EXPRESS/ B&H ELECTRONICS
03/28/2012	\$3,000.00			JH	DEPOSIT
04/01/2012		\$ (342.00)		JH	Office supplies
04/02/2012		\$ (152.00)		JH	Office Supplies
04/03/2012		\$ (804.83)		JH	B&H DVD PLAYER B&H LAPTOP CBD COMMUNITIES

This was on the MS OneNote System, managed by the Prisoner SSI (Service Support Prisoner) and through Chaplain Collier and CVCA Ed Reeves, to order “supplies” and all the “personal property” without an end in sight and with ZERO tracking. Chaplain Collier said, “The account and credit card were in his church’s name and Reeve’s name, so there would be no conflict.” Another element HIDDEN away, and Warden Simmons, Warden Muniz – NO ONE – questioned where all the money for the endless supply train of “supplies” came from. Oddest thing was how the prisoners helped “order” *THROUGH Chaplain Collier and Vol. Ed Reeves* almost without questions. Money bags! Oh, don’t ask. Of course I did NOT ever ask for a Statement of Accounts, or for any of the normal financial statements – just knew there were none.

This was clearly and simply an account FUNDED by the staff Chaplain Collier and Vol. Reeves for the prisoners as the prisoners helped manage the Chaplaincy Department, and, of course, help supply the Prisoners’ Computer Office! This too has been covered up, yet – because I have not made a big deal over

it, preferring to focus on the Prisoners’ Office – I would bet it is *still* going on, subtly, *through* Chaplain Vitela, innocently supporting Chaplain Collier’s still continuing Polunsky Chapel supervision.

Item 2. 07-2012 – Chaplaincy PC Passwords Managed by Prisoners!

Polunsky Chapel Computer Passwords

*All on MS OneNote System
used by Inmate SSLs Every Day*

**Tab 12
Item 2**

CHAPLAINCY PC PASSWORDS

3 GYM CHAPEL, DEATHROW PC'S, AND 7 GYM CHAPEL ONLY!

COMPUTER	LOCATION	USER NAME	PASSWORD
CHAPLAIN COLLIER	COLLIER DESK 3 GYM	Chaplain*	Link1
SOUND AREA PC	SOUND AREA 3 GYM	Chaplain*	DAVID (ALL CAPS)
CLERK PC	OFFICE CLERK DESK (OFFICE) 3 GYM	N/A	david (Lower Case)
VIDEO ROOM PC #1 (HP)	FRONT OFFICE 3 GYM	N/A	david (Lower Case)
VIDEO ROOM PC #2 (HP)	FRONT OFFICE 3 GYM	N/A	david (Lower Case)
VIDEO ROOM PC #3 (SONY)	FRONT OFFICE 3 GYM	Chaplain*	david (Lower Case)
DEATH ROW PC	12 BLD	Chaplain*	Ch0lc3 (0= zero)
CHAPEL DATABASE	ON CLERK PC 3 GYM	N/A	#1 betty #2 vic_
VOLUNTEER PC	ON VOL. DESK (OFFICE) 3 GYM	clerk1	david (Lower Case)
VOL. DILLS ACER LAPTOP	7 GYM	N/A	9896
VOL. DILLS HP LAPTOP	7 GYM	N/A	?
CHAPLAINS DESK	7 GYM	?	?
VIDEO ROOM PC #4 (HP LAP)	FRONT OFFICE 3 GYM	N/A	david
LAPTOP PEER HEALTH	COLLIER DESK 3GYM	S.CARES	david

*Note: Ensure that you enter the user name as "Chaplain" with a capital "C"

Notice the Power-On Password to Chaplain Collier’s STATE Computer! As soon as I found that, I began in earnest to check out the whole OneNote System. I immediately removed that. During this “cleaning” of mine in **July 2012**, I found the Virus mentioned in my Mainframe Email to Warden Muniz and mentioned in the 4-page IOC to Muniz (Tab 4, Item 1).¹⁶⁸

Critically Important: Read Senior Warden Richard Alford’s January 2013 IOC that clearly says – lying through his teeth – that he discovered in Maness’ Grievance Hearing my informing him of “potential concerns with the computers and technology” that – I repeat – I had mainframe emailed to Muniz on July 11, 2012, at 12:21 p.m., a few hours after I had confirmed with Muniz in the Polunsky ODR that he had received my 4-page IOC. Not thinking I had a copy of that email to Muniz, and so much more, Alford lied again in this same IOC: Muniz told Alford in the weeks of transition between July and August 2012. Note the virus provides a “backdoor,” which was a hell of a problem for me in July 2012, and NOT a problem for Warden Muniz, or Warden Simmons, or Alford, for some still mysterious reason.



¹⁶⁸ See www.ESET.eu/encyclopaedia/win32-peerfrag-fm-p2p-worm-palevo-kxw-trojan-meredrop-axqx?lng=en for a full description: “Win32/Peerfrag.FM is a worm that spreads via P2P networks. The worm contains a backdoor. It can be controlled remotely.”

Tab 13.

TAB 13. Inventories – Prisoner Supply Train

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pg 3 – Laser Printer, JVC Camera, Ms. Langley Kodak Camera, Computer	
pg 4 – 36 blank CDs, 61 blank DVDs (what happened to 39 others in 100 spool?), a 465 GB Hard Drive, a high-end HP Pavillion DV7 Laptop	
pg 8 – Audio CAVE Dimension Computer – free access, no controls whatsoever	
pg 9 – List of oz. & QUARTS of paint, once unlocked, totally unsupervised	
pg 18 – PP3 personal property Vol. Chaplain Reeves 100s feet of cable	
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to allow TDCJ Employee Lisa Langley, over TDCJ Peer Program, to bring in Laptop and REMOVE it, but it was NEVER removed and <i>became</i> lead Prisoner Ramy Hozaifeh #705504 computer for almost two years, a high- end laptop, used 10-12 hours a day, 7 days a week for almost two years WITHOUT staff supervision of any kind! – and Wardens KNEW about it!	
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TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

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TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Inventory Introduction: Huge Stores Unsupervised

Huge store of electronics, parts, and never ending Supply Train totally untracked and unsupervised, all with the Warden Lester, Warden Muniz, and Warden Simmons' permission. Another award goes to Polunsky for the

Most Untracked and Unsupervised Inventory of Prisoners' Goodies in TDCJ History!

Critically Important: no other prison Chaplaincy Department in TDCJ even remotely resembles the Polunsky Chaplaincy, and never has. In addition to the other violations, the property of policy had not been followed at all, not for Personal Property, Department Property, and Prisoner Religious Property, and the Polunsky circumvented the normal Mailroom trust, forcing the Mailroom to develop and implement a Polunsky-specific policy. The Mailroom did this to get the warden's permission for them to override the Chaplaincy Department violations, and on occasion when the prisoners themselves had items shipped to the Chaplaincy Department. No disciplinaries on the horizon!

All persons know that inventory control is crucial to any well-oiled department, but not at the Polunsky Chaplaincy. Not only the often-repeated complaint that I have made over the last year on lack of supervision in the Prisoners' Computer Control Center, but this issue of inventory is heart and center.

This inventory freedom, and wholesale freedom from accountability for the prisoners and for the volunteers, is directly related to the mystery of Chaplain Collier's enchantment of the wardens. The wardens *knew* the policy on computer supervision and were wise on security, so there was no conceivable way the wardens did NOT know about the prisoners doing their own maintenance on computers with zero prisons.

Furthermore, from Items 5 through 30, and the request for all things related to inventory and the Supply Train exclusively for 2011-2012. What is remarkable, as mentioned in 5c, are the anomalies found, further proof of lack of supervision and accountability an entire month *after* Warden Alford wrote his fateful IOC in January. After looking at the selection of only 30 items from the 250 sent, and some sent unawares, no reasonable person – much less any warden worth his grit – could see all of the forgoing as nothing other than a total haywire mess. And still, here it is, the short form, just a small selection from a stack of 250 pages of permissions and orders and other items mostly outside of written policy.

Furthermore, given the six items of interpretation of the 250 pages and the 30 selected there, a complete and utter hodge-podge of accountability. The wardens that know so thoroughly how all the other departments in the TDCJ prison run were not ignorant of that hodge-podge and vacancy of supervision – impossible for any TDCJ warden – but, regarding chaplaincy, the wardens turned away, almost as if they had planned for a tragedy.

And, regarding this inventory, even today and a year after my first exposures – and regardless of the many corrections I was able to make in the months I was there – there were still things I tried to correct but could not accomplish (Tab 2, Item 2, Section II). And even as late as June of 2013, when I got the Texas Fire Marshal to investigate Polunsky, there were safety violations exposed a year earlier that had not been addressed – what kind of supervision of a prison is that, that ignored exposures and has to be told by the Texas Fire Marshal?

This Tab 13, alone, took over 40 hours of work. Most of the violations here, 100s repeated over and over and over again for many years, are far worse than any of the violations I was charged with, many violations of policy by Chaplain Collier and several wardens. The favor, unaccountable freedom, and lack of supervision so painfully explored – all of it adds to an extraordinary and unmatched super-favor given to Chaplain Collier. Fairness and equality had no friend. No other Chaplain in TDCJ or U.S. prison history has enjoyed so much immunity!

This and more can be discerned from the inventory analysis alone, just one of 20 Tabs.



TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally



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TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 1. 01-10-12 – On-File Inventory

Note: [VIDEO ROOM] REFERS TO 3 GYM FRONT OFFICE VIDEO ROOM.
[SOUND AREA] REFERS TO 3 GYM SOUND AREA IN THE CORNER AREA OF THE GYM.

COMPUTERS (STATE):

ASSET TRACKING NUMBER	DESCRIPTION	NOTE	PHYSICAL LOCATION	DATE VERIFIED	SPECIAL
100012870101	72PCA MICRO-COMPUTER DELL 230-1292	BROKEN MAGNETIC	3 GYM OFFICE CABINET	01-10-2012	ASSET TAG MISSING
100014179901	427N191 COMPUTER, DIMENSION E310 W/MONITOR	SOUND AREA PC	3 GYM SOUND AREA	01-10-2012	
100014179901	227N191 COMPUTER, DIMENSION E310 W/MONITOR	VOLUME FILES PC	3 GYM RACK OFFICE	01-10-2012	
100010083101	485872 DESKTOP, PC OPTIPLEX GX280, 2.9 GHZ, P1	CHAPLAIN COLLIER'S PC	3 GYM CHAPLAIN COLLIER'S DESK	01-10-2012	
100030085001	F86GR81 PC, D1, DELL, OPTIPLEX GX270, 2.6 GHZ	MR. YAWS PC	12 BLD CHAPLAINS OFFICE	01-10-2012	

MISC:

ASSET TRACKING NUMBER	DESCRIPTION	NOTE	PHYSICAL LOCATION	DATE VERIFIED	SPECIAL
100014900201	YAMAHA (PIANO) KEYSBOARD	S/N: UANM11064	3 GYM STAGE	01-10-2012	
100014900301	WOODEN PIANO 3 BLD	S/N: 28576	1 BUILDING CHAPEL	01-10-2012	
100014900301	YAMAHA MIXING BOARD	S/N: 246XU/LMCON74	3 GYM SOUND AREA	01-10-2012	

PERSONAL PROPERTY PC'S (3 GYM):

ASSET TRACKING NUMBER	DESCRIPTION	NOTE	PHYSICAL LOCATION	DATE VERIFIED	SPECIAL
N/A	HP DESKTOP #1 (SR1)	VIDEO ROOM PC	3 GYM VIDEO ROOM	01-10-2012	
N/A	HP DESKTOP #2 (SR2)	VIDEO ROOM PC	3 GYM VIDEO ROOM	01-10-2012	
N/A	SONY LAPTOP (SR3)	VIDEO ROOM	3 GYM VIDEO ROOM	04-25-2012	
N/A	HP LAPTOP (SR7)	VIDEO ROOM	3 GYM VIDEO ROOM	02-20-2012	
N/A	DELL LAPTOP (SR8)	VIDEO ROOM	3 GYM VIDEO ROOM	06-26-2012	DONATED BY PEER ED

PERSONAL PROPERTY (3 GYM):

ASSET TRACKING NUMBER	DESCRIPTION	NOTE	PHYSICAL LOCATION	DATE VERIFIED	SPECIAL
N/A	PROJECTOR #1 (SECONDARY)	OPTIMA PROJECTOR	3 GYM WALL MOUNTED	01-10-2012	
N/A	PROJECTOR#2 (MAIN)	PEARSON PROJECTOR	3 GYM WALL MOUNTED	01-10-2012	
N/A	OSC SPEAKERS (C2)	LARGE CHAPEL SPEAKERS	3 GYM CHAPEL STAGE	01-10-2012	
N/A	CUSTOM MONITOR SPEAKERS (X8)	SMALL STAGE MONITOR SPEAKERS	3 GYM CHAPEL STAGE	01-10-2012	
N/A	EUROMIXER MIXING BOARD	SOUND BOARD	3 GYM VIDEO ROOM	01-10-2012	
N/A	SMA VIDEO MIXER	VIDEO MIXER	3 GYM VIDEO ROOM	01-10-2012	
N/A	HOLAND DIGITAL RECORDER	DIGITAL RECORDER	3 GYM VIDEO ROOM	01-10-2012	
N/A	DELL MONITOR	34" MONITOR	3 GYM VIDEO ROOM	01-10-2012	
N/A	DELL MONITOR	17" MONITOR	3 GYM VIDEO ROOM	01-10-2012	
N/A	COMPAQ MONITOR	17" MONITOR	3 GYM VIDEO ROOM	01-10-2012	
N/A	EMERSON DVD PLAYER	DVD PLAYER	3 GYM VIDEO ROOM	01-10-2012	
N/A	CINEVISION DVD PLAYER	DVD PLAYER	3 GYM VIDEO ROOM	01-10-2012	
N/A	SONY DVD PLAYER	DVD PLAYER	3 GYM VIDEO ROOM	01-10-2012	
N/A	CLEARVIEW DVD PLAYER	DVD PLAYER	3 GYM VIDEO ROOM	01-10-2012	
N/A	GRAPHIC EQUALIZER	31 CHANNEL EQ	3 GYM VIDEO ROOM	01-10-2012	
N/A	SAMSON AMPLIFIER	SOUND AMP	3 GYM VIDEO ROOM	01-10-2012	
N/A	FURMAN POWER SOURCE	POWER STRIP	3 GYM VIDEO ROOM	01-10-2012	
N/A	EURO HEADPHONE AMP	4 CHANNEL H/P AMP	3 GYM VIDEO ROOM	01-10-2012	
N/A	GET TV TELEVISION	16" COLOR TV	3 GYM VIDEO ROOM	01-10-2012	
N/A	DIGITAL CAMERA	DIGITAL CAMERA	3 GYM VIDEO ROOM	01-10-2012	
N/A	HP LASER PRINTER	HP MULTI PRINTER C81322	3 GYM VIDEO ROOM	01-10-2012	
N/A	HP INKJET PRINTER	HP INKJET 7210	3 GYM VIDEO ROOM	01-10-2012	
N/A	CUSTOM MONITOR SPEAKER	SPEAKER	3 GYM VIDEO ROOM	01-10-2012	
N/A	JENSON MONITOR SPEAKER (X2)	SPEAKERS	3 GYM VIDEO ROOM	01-10-2012	
N/A	PATCH BAY	SOUND PATCH BAY	3 GYM VIDEO ROOM	01-10-2012	
N/A	COMPONENT TOWER	LARGE COMPONENT TOWER	3 GYM VIDEO ROOM	01-10-2012	
N/A	ROOM RECORDER	DIGITAL RECORDER	3 GYM SOUND ROOM	01-10-2012	
N/A	2 FACH MACKIE MIXER	4 CHANNEL MIXER	3 GYM SOUND ROOM	01-10-2012	
N/A	TASCAM CD/CASSETTE PLAYER	CD/CASSETTE PLAYER	3 GYM SOUND ROOM	01-10-2012	
N/A	FURMAN POWER SOURCE	POWER STRIP	3 GYM SOUND ROOM	01-10-2012	
N/A	DEX POWERED SPEAKER OPTIMIZER	SPEAKER MANAGEMENT SYSTEM	3 GYM SOUND ROOM	01-10-2012	
N/A	DXO SPECTRUM ANALYZER	SPECTRUM ANALYZER	3 GYM SOUND ROOM	01-10-2012	
N/A	BEHRINGER HEAD PHONE AMP	HEAD PHONE AMP	3 GYM SOUND ROOM	01-10-2012	
N/A	BEHRINGER COMPRESSOR	COMPRESSOR	3 GYM SOUND ROOM	01-10-2012	
N/A	BEHRINGER DUAL EQUALIZER	2 CHANNEL EQUALIZER	3 GYM SOUND ROOM	01-10-2012	
N/A	BEHRINGER DUAL EQUALIZER	2 CHANNEL EQUALIZER	3 GYM SOUND ROOM	01-10-2012	
N/A	BEHRINGER PATCH BAY	PATCH BAY	3 GYM SOUND ROOM	01-10-2012	
N/A	BEHRINGER DRUM MIXER	DRUM MIXER	3 GYM SOUND ROOM	01-10-2012	
N/A	PASO MIC AMPLIFIER	MIC AMPLIFIER	3 GYM SOUND ROOM	01-10-2012	
N/A	EFFECTS RACK	EFFECTS RACK	3 GYM SOUND ROOM	01-10-2012	
N/A	6 EACH SHURE CORDLESS MICROPHONE SET	CORDLESS MICROPHONE SET	3 GYM SOUND ROOM	01-10-2012	
N/A	YAMAHA KEY BOARD (SOUND EFFECTS BOARD)	KEY BOARD IN SOUND AREA	3 GYM SOUND ROOM	01-10-2012	
N/A	TELEVISION/PC MONITOR	FLATSCREEN MONITOR IN SOUND AREA	3 GYM SOUND ROOM	01-10-2012	

INDEXED ASSETS Page 1

Tab 13
Item 1

TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 2. 07-14-12 – Inventory Maness Ordered – 18pgs

Voluntaries 3 Gym Chaplaincy Inventory

#:	Description/Make/Model:	Serial Number:	Location (Bldg/Room):	Receive Date:	Source Code:	Delete Date:	Delete Code:
Office							
1	FELLOWS PAPER SHREDER DC-12C	N/A	OFFICE		PP3		
1	GE MICROWAVE OVEN	69-81E05550-011372	OFFICE		PP3		
1	HAIER REFRIGERATOR	HNSE045	OFFICE		PP3		
1	BUNN COFFEE MAKER	N/A	OFFICE		PP3		
1	COFFEE PRO COFFEE POT	N/A	OFFICE		PP3		
4	OFFICE CHAIRS	N/A	OFFICE		PP3		
2	CANNON LASER TONER CARTIDGE	8489A001AA	OFFICE		PP3		
Media Room							
3	OFFICE CHAIR	N/A	MEDIA ROOM		PP3		
1	HP LASER PRINTER	CNB6844889	MEDIA ROOM		PP4		
1	LOGITECH CORDLESS KEYBOARD/ Y-BN90	8-20-001633	MEDIA ROOM		PP3		
1	BALKO HI SPEED USB 2 PORT	F5UY04-BLK	MEDIA ROOM		PP3		

- Source Code:**
 PP3 (Volunteer Reeves)
 PP4 (Volunteer Dill)
 PP5 (Volunteer Ogletree)
 PP6 (Volunteer Roach)
 PP7 (Volunteer Vitela)

Tab 13
Item 2

Revised
7-14-12

Handwritten initials and "PS 1"

PP8 (Volunteer Banks)
PP9 (Volunteer Coy)

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

3 GYM CHAPLAIN'S INVENTORY

Media Room

1	BOGEN AMP MI-250C	MT-2500	MEDIA ROOM	PP1
1	DELL LASER PRINTER/ 1355CN	CN-ONCFJ1-71971-232-L1	MEDIA ROOM	PP3
1	EUROMIXER/ UB183FX-PRO	N0314425162	MEDIA ROOM	PP1
1	SIMA VIDEO MIXER/ SFX-10	CY10413	MEDIA ROOM	PP1
1	ROLAND DIGITAL MIXER/ VS-840	ZK64988	MEDIA ROOM	PP1
1	DELL 24" MONITOR/ 2407WFR	MX-0CC302-46634-755-2EF	MEDIA ROOM	PP1
1	DELL 15" MONITOR/ N/A	CN-OF5035-6418-5AB-OFD	MEDIA ROOM	PP1
1	EMERSON DVD PLAYER	D255321128	MEDIA ROOM	PP1
1	CINEVISION DVD PLAYER/ DVR1000	747010116183	MEDIA ROOM	PP1
1	SONY DVD PLAYER/ DVP-N5501P	2167274	MEDIA ROOM	PP1
1	CLEARVIEW DVD PLAYER/ ANCOR 747HD	3271000000323	MEDIA ROOM	PP1
1	GRPAHIC EQ DBX/ DBX231	D3X231V	MEDIA ROOM	PP1
1	SAMSON AMP/ SERVO 40	605E1128	MEDIA ROOM	PP1
1	FURMAN POWER SOURCE/ PL-8	N/A	MEDIA ROOM	PP1
1	EURO HEADPHONE AMP/ PRO-XL	S1103538184	MEDIA ROOM	PP1
1	GE TELEVISION/ 13GP210B	604395372	MEDIA ROOM	PP1
1	JVC CAMERA/ EVERIO HYBRED	GZMG130U	MEDIA ROOM	PP1
1	KODAK CAMERA/ Z981	KVYMN102G2380	MEDIA ROOM	PP3
1	HP INKJET PRINTER/ 7210	107893552000634	MEDIA ROOM	PP1
1	PATCHBAY #1/ ULTRA PATCH PRO	N0417418268	MEDIA ROOM	PP1
1	COMPONENT TOWER/ MODEL N/A	N/A	MEDIA ROOM	PP1
1	ZOOM RECORDER/ MRS 1608	13763	MEDIA ROOM	PP1
1	MACKIE MIXER #1/ DFX12	21HD55639	MEDIA ROOM	PP1
1	MACKIE MIXER #2/ DFX12	21HD52485	MEDIA ROOM	PP1
1	DOD SPECTRUM ANALYZER/ RTA II	3713214	MEDIA ROOM	PP1
1	BOOKCASES (W/CUPBOARD) (X2)	N/A	MEDIA ROOM	PP1
1	BEHRINGER DUAL EQ/ FBO6200	N1001277230	MEDIA ROOM	PP1
1	HP DESKJET 970cxi	MY08U1713P	MEDIA ROOM	PP1

Source Code:
 PP1 (Chaplain Collier)
 PP2 (Chaplain Maness)

Revised
 7-13-12

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PP3 (Ms. Langley) Peer Education

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

3 GYM CHAPLAIN'S INVENTORY

1	PROJECTOR #1 (SECONDARY) HITACHI	SN5437-7890-34678	GYM AREA	PP1
1	PROJECTOR #2 (MAIN) PLANER/ PR5022	P36792370101	GYM AREA	PP1
1	QSC MAIN SPEAKER/ HPR153I	GJ8360079	GYM AREA	PP1
1	QSC MAIN SPEAKER/ HPR153:	GJ8360073	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	101792277	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	J10201693	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	0718-001619	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	101792276	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	0714-001957	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	0321-004245	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	101792200	GYM AREA	PP1
1	KUSTOM MONITOR/ KPC12M	J10201791	GYM AREA	PP1
1	TASCAM CD PLAYER/ A500	810111	GYM AREA	PP1
1	FURMAN POWER SOURCE/ PL-8	N/A	GYM AREA	PP1
1	DBX OPTIMIZER/ DRIVE RACK PX	N/A	GYM AREA	PP1
1	BEHRINGER H/P AMP/ HA8000	N0334274185	GYM AREA	PP1
1	BEHRINGER COMPRESSOR/ MDX2600	N0512562178	GYM AREA	PP1
1	BEHRINGER DUAL EQ/ FBX2600	N0512562178	GYM AREA	PP1
1	PATCH BAY #2/ HA8000	N/A	GYM AREA	PP1
1	BEHRINGER DRUM MIXER/ MX602A	257987086	GYM AREA	PP1
1	SHURE CORDLESS MIC/ SM58	0530070268-05	GYM AREA	PP1
1	SHURE CORDLESS MIC/ SM58	0613061271-05	GYM AREA	PP1
1	SHURE CORDLESS MIC/ SM58	0619060266-03	GYM AREA	PP1
1	SHURE CORDLESS MIC/ SM58	0530840269-05	GYM AREA	PP1
1	SHURE CORDLESS MIC/ GSI	0619060269-01	GYM AREA	PP1
1	SHURE CORDLESS MIC/ GSI	1025060149-02	GYM AREA	PP1
1	MUSIC STANDS (X7)/ HERCULES	N/A	GYM AREA	PP1
1	MUSIC STANDS (X3)/ MANHASSET	N/A	GYM AREA	PP1
1	KORG KEYBOARD/	OUT FOR REPAIRS	GYM AREA	PP1
1	SAXOPHONE/ YAMAHA ED-18	N/A	GYM AREA	PP1
1	LINE-6 GUITAR AMP/ SPIDER IV 75	1425200861	GYM AREA	PP1
1	LINE-6 GUITAR AMP/ SPIDER III	1425200241	GYM AREA	PP1

Source Code:
 PP1 (Chaplain Collier)
 PP2 (Chaplain Maness)

Revised
 7-13-12

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PP3 (Ms. Langley) Peer Education

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

3 GYM CHAPLAIN'S INVENTORY

1	FENDER BASS GUITAR AMP/ BXR	CR-120618	GYM AREA	PP1
1	SAMSON STAGE AMPLIFIER/ SERVO 550	N/A	GYM AREA	PP1
1	BEHRINGER STAGE AMPLIFIER/ EP2000	60065	GYM AREA	PP1
1	BOSS BEAT MACHINE/ DR880	ZT19473	GYM AREA	PP1
1	IBANEZ BASS GUITAR/ GIO	GSR-200	GYM AREA	PP1
1	FENDER ACOUSTIC GUITAR/ CD-100CE	CSK09003706	GYM AREA	PP1
1	EPIPHONE S.G. GUITAR/ SG	806201990	GYM AREA	PP1
1	EPIPHONE GUITAR/ SPECIAL II	SI05044334	GYM AREA	PP1
1	BOSS PEDAL BOARD/ GT-3	N/A	GYM AREA	PP1
1	SET 5 PIECE TAMA DRUM SET/ TAMA	N/A	GYM AREA	PP1
5	GUITAR STANDS (X5)/ N/A	N/A	GYM AREA	PP1
8	CORDED MICS (X8)/ SHURE SM58	N/A	GYM AREA	PP1
1	SONY STAGE CD PLAYER/ VAC 5	8442378	GYM AREA	PP1
1	SQUIER BASS GUITAR	1C00077772	GYM AREA	PP1
1	STAND-UP FAN/ 3138	8149222	GYM AREA	PP1
1	STAND-UP FAN/ 3138	8177221	GYM AREA	PP1
1	STAND-UP FAN/ 3138	8177221	GYM AREA	PP1
1	STAND-UP FAN/ 3138	8149222	GYM AREA	PP1
1	BEHRINGER GUITAR AMP/ ULTTA WIN	D0213195077	GYM AREA	PP1
6	HARMONICA	N/A	GYM AREA	PP1
1	CARLO RODELLI ACOUSTIC GUITAR/ N/A	CW4102128	GYM AREA	PP1
1	DIGIX DVD PLAYER/ DV-28881 W/ REMOTE	108500003967	GYM AREA	PP1
1	HANSPREE TV/MONITOR/ HSG1103	009YK2XY00509	GYM AREA	PP1
1	ULTRI D.I. RACK/ ULTRA DI	51103022208	GYM AREA	PP1
1	EXTERNAL DVD BURNER/ SE5084	S084F	GYM AREA	PP1
1	MACGREGOR TIMER/CLOCK/ MCS82222	9095	GYM AREA	PP1
1	LAPTOP STAND/ NA	93120	GYM AREA	PP1
2	STAGE SNAKES X2/ RADCO 100'	N/A	GYM AREA	PP1
1	HP KEYBOARD	CW04925011	GYM AREA	PP1
1	DR. FONG SUB SPEAKER/ EB153	7-27FPE2-4	GYM AREA	PP1
1	TRANSLATION SYSTEM/ ALS-600	ALS660010948	GYM AREA	PP1
1	JENSENS SPEAKER/ JP1200	C2300101544	GYM AREA	PP1
1	JENSENS SPEAKER/ JP1200	C2300101527	GYM AREA	PP1

Source Code:
 PP1 (Chaplain Collier)
 PP2 (Chaplain Marress)

Revised
 7-13-12

PP3 (Ms. Langley) Peer Education

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TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

3 GYM CHAPLAIN'S INVENTORY

		Sound Area			
1	42TN191 COMPUTER DIMENSION E310	100014179801	SOUND AREA		PP1
1	HANNSPREE REMOTE CONTRO	N/A	SOUND AREA		PP1
1	TASCAM RC-A500 DVD	N/A	SOUND AREA		PP1
1	DIGIX DVD W/ REMOTE CONROL	N/A	SOUND AREA		PP1
1	WIRELESS MOUSE/MICROSOFT	N/A	SOUND AREA		PP1
1	MEDICINE BALL	N/A	SOUND AREA		PP1
1	IRON	N/A	SOUND AREA		PP1
1	BROKE COMPUTER FAN	N/A	SOUND AREA		PP1
1	BROKE POWER CONDITIONER	N/A	SOUND AREA		PP1
8	DRUM STICK	N/A	SOUND AREA		PP1
1	CABLE TESTER	N/A	SOUND AREA		PP1
1	BROKE HEADPHONE	N/A	SOUND AREA		PP1

Source Code:
 PP1 (Chaplain Collier)
 PP2 (Chaplain Maness)

Revised
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PP3 (Ms. Langley) Peer Education

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

3 Gym Chaplaincy Dept. Inventory

		Gym Area		
2	BOOK SHELVES	N/A	GYM AREA	C
3	PULPITS	N/A	GYM AREA	C
10	ROUND TABLES	N/A	GYM AREA	C
2	WIRE CAGES ON WHEELS	N/A	GYM AREA	C
1	WOOD CABINETS	N/A	GYM AREA	C
1	WOOD CART	N/A	GYM AREA	C
2	ROUND WOOD TABLES	N/A	GYM AREA	C
		Sound Area		
13	AAA BATTERIES	N/A	SOUND AREA	C
50	AA BATTERIES	N/A	SOUND AREA	C
6	9-VOLT BATTERIES	N/A	SOUND AREA	C
1	FLASH LIGHT	N/A	SOUND AREA	C
2	TAPE DISPENSER	N/A	SOUND AREA	C
1	STAPLER	N/A	SOUND AREA	C
1	THREE HOLE PUNCH	N/A	SOUND AREA	C
1bag	RUBBER BANDS	N/A	SOUND AREA	C
3	OFFICE CHAIRS	N/A	SOUND AREA	C
1box	HAND SOAPS	N/A	SOUND AREA	C
40	AA DEAD BATTERIES	N/A	SOUND AREA	C
2	9-VOLT BATTERIES	N/A	SOUND AREA	C
6	AAA BATTERIES	N/A	SOUND AREA	C
6	D-SIZE BATTERIES	N/A	SOUND AREA	C

Source Code:
 C (Chaplaincy Dept.)
 D (Donated Item)
 T (Transferred from another Unit/Dept.)

Revised
 7-14-12


Delete code:
 X (Deleted to Unit Property)
 T (Transferred to another Unit/Dept.)

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

3 Gym Chaplaincy Dept. Inventory

#:	Description/Make/Model:	Serial Number:	Location (Bldg/Room):	Receive Date:	Source Code:	Delete Date:	Delete Code:
Office							
3	DESK	N/A	OFFICE		C		
4	SMALL WOOD TABLES	N/A	OFFICE		C		
5	FILE CABINETS	N/A	OFFICE		C		
2	TALL STEEL CABINETS	N/A	OFFICE		C		
3	OFFICE CHAIRS	N/A	OFFICE		C		
3	TAPE DISPENSER	N/A	OFFICE		C		
4	STAPLERS	N/A	OFFICE		C		
2	THREE HOLE PUNCH	N/A	OFFICE		C		
1	LG STAPLER	N/A	OFFICE		C		
1	ELECTRIC PENCIL SHARPENER	N/A	OFFICE		C		
2	HP PRINTER	N/A	OFFICE		C		
1	STATE TELEPHONE	N/A	OFFICE		C		
1	48GB71 DESKTOP, PC OPTI PLEX GX280	100040083101	OFFICE		C		
52	YELLOW HIGH LIGHTERS	N/A	OFFICE		C		
22	RED MAKERS	N/A	OFFICE		C		
10	BLACK MAKERS	N/A	OFFICE		C		
24	RED MAKERS	N/A	OFFICE		C		
23	GREEN MARKERS	N/A	OFFICE		C		
88	PENCILS	N/A	OFFICE		C		
84	BLACK PENS	N/A	OFFICE		C		
49	RED PENS	N/A	OFFICE		C		
4	PK WHITE INDEX CARDS	N/A	OFFICE		C		
1	PK BLUE INDEX CARDS	N/A	OFFICE		C		
10	BOXES OF STAPLES	N/A	OFFICE		C		
6	WHITE ERASERS	N/A	OFFICE		C		
2	BOXES THUMB TACKS	N/A	OFFICE		C		

Source Code:
 C (Chaplaincy Dept.)
 D (Donated Item)
 T (Transferred from another Unit/Dept.)

Revised
 7-14-12

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Delete code:
 X (Deleted to Unit Property)
 T (Transferred to another Unit/Dept.)

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

Voluntaries 7 Gym Chaplaincy Inventory

#:	Description/Make/Model:	Serial Number:	Location (Bldg/Room):	Receive Date:	Source Code:	Delete Date:	Delete Code:
Office							
1	SYLVANIA DVD PLAYER/ DVD-1080P9	U07418169	OFFICE		PP7		
1	ACER LAPTOP COMPUTER/ ASPIRE 4730Z	LXATU0X006846	OFFICE (TRAVEL)		PP4		
1	HP LAPTOP COMPUTER/ PAVALION G SER.	000196-221-163-135	OFFICE		PP4		
1	DESKTOP COMPUTER/ULTRA	N/A	OFFICE		PP4		
1	PRINTER/DELL 948	CN-0XM5060-73198-7A7-1143	OFFICE		PP7		
1	COMPUTER MONITOR/ V50LCD	3Z120680NA	OFFICE		PP4		
1	TV/ TOSHIBA CE20E1G	84915419-	OFFICE		PP7		
1	PANASONIC/ MICROWAVE	N/A	OFFICE		PP7		
1	COFFEE MAKER/ GE	E317954	OFFICE		PP7		
1	BOSTICH BOOK STAPLER	N/A	OFFICE		PP7		
1	TAN SHORT FILE CABINET	N/A	OFFICE		PP6		
1	SMALL COFFEE STAND	N/A	OFFICE		PP3		
1	SMALL BLACK FILE CABINET	N/A	OFFICE		PP4		
1	PANASONIC PROJECTOR #PT-LB20V4	SA5450065	OFFICE		PP4		
1	BLACK GE TELEPHONE MOD. 29585FE1-A	N/A	OFFICE		PP7		
Media/ Sound Area							
1	EMERSON MONITOR/TV	THIA1109133259	SOUND/ MEDIA ROOM		PP5		
1	VISEO BLUE-RAY DVD	DCC01VDM0101064	SOUND/ MEDIA ROOM		PP5		
1	SAMSUNG DVD PLAYER	D5146CC5606450Y	SOUND/ MEDIA ROOM		PP7		
1	USB HUB	N/A	SOUND/ MEDIA ROOM		PP7		
1	NADY AUDIO HEADPHONE	N/A	SOUND/ MEDIA ROOM	7/5/2012	PP7		
1	WD EXTERNAL HARD DRIVE	WCAU4A721564	SOUND/ MEDIA ROOM		PP7		

Source Code:

- PP3 (Volunteer Reeves)
- PP4 (Volunteer Dill)
- PP5 (Volunteer Ogletree)
- PP6 (Volunteer Roach)
- PP7 (Volunteer Vitela)

Revised
7-14-12

3 PP5/13

PP8 (Volunteer Banks)
PP9 (Volunteer Coy)

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

Voluntaries 7 Gym Unaplaincy Inventory

		N/A	SOUND/ MEDIA ROOM	PP7
1	MR. COFFEE MAKER/ CG13	N/A	SOUND/ MEDIA ROOM	PP7
1	KOSS KPH16 HEADPHONES	N/A	SOUND/ MEDIA ROOM	PP7
1	GE A730 DIGITAL CAMERA	N/A	SOUND/ MEDIA ROOM	PP4
3	DRY ERASE BOARDS	N/A	SOUND/ MEDIA ROOM	PP3
2	CD/DVD FOLDERS	N/A	SOUND/ MEDIA ROOM	PP3
Gym Area				
1	OPTIMA EP761 PROJECTOR	Q87M834AAAAAC0080	GYM AREA	PP7
1	BLACK DVD PLAYER/ VCR MAGNAVOX	D2206246	GYM AREA	PP7
1	PLANER PROJECTOR/ DLP/		GYM AREA	PP7
1	BEHRINGER MIXING BOARD/ PMP5000	N0904528567	GYM AREA	PP7
1	BEHRINGER EQUALIZER/ FBQ1502	N1009320166	GYM AREA	PP7
1	BEHRINGER GUITAR AMP	N0510976143	GYM AREA	PP7
1	EPIPHONE GUITAR W/CASE	SE05044329	GYM AREA	PP3
1	YAMAHA YPG-225 KEYBOARD CASE	UBNK01894	GYM AREA	PP4
1	CASIO KEYBOARD	N/A	GYM AREA	PP7
1	MONITOR SPEAKER/ ROSS	4438-	GYM AREA	PP7
1	MONITOR SPEAKER/ ROSS	4314-	GYM AREA	PP7
1	MONITOR SPEAKER/ KUSTOM	0321-004	GYM AREA	PP7
1	DBX DRIVE RACK POWERED SPEAKER OPT.	10010997-	GYM AREA	PP7
1	QSC K12 ACTIVE SPEAKER	GCC541990	GYM AREA	PP7
1	QSC K12 ACTIVE SPEAKER	GJB541562	GYM AREA	PP7
1	BEHRINGER EUROLIVE FLOOR MONITOR	W1200134A4S	GYM AREA	PP7
1	BEHRINGER EUROLIVE FLOOR MONITOR	W1200405A4S	GYM AREA	PP7
1	CBI PERFORMANCE SERIES SNAKE	843559095123-	GYM AREA	PP7

Source Code:

- PP3 (Volunteer Reeves)
- PP4 (Volunteer Dill)
- PP5 (Volunteer Ogletree)
- PP6 (Volunteer Roach)
- PP7 (Volunteer Vitela)

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BP 14

PP8 (Volunteer Banks)
PP9 (Volunteer Coy)

TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

Chaplain's 7 gym Inventory

#:	Description/Make/Model:	Serial Number:	Location (Bldg/Room):	Receive Date:	Source Code:	Delete Date:	Delete Code:
Office							
1	REFRIGERATOR/ HAIER	CDI30CL1Z2HAI	OFFICE		PP1		
1	PAPER SHREDDER	N/A	OFFICE		PP1		
1	CAMERA/ POLAROID 600 FILM	N/A	OFFICE		PP1		
Media/ Sound Area							
Gym Area							
1	FENDER DELUXE 90 GUITAR AMP	M1039748	GYM AREA		PP1		
1	KURZELL KME61 KEYBOARD W/ CAS	S9002BB00779	GYM AREA		PP1		
1	LASKO 30" FAN NSC-243	N/A	GYM AREA		PP1		
1	LASKO 30" FAN NSC-243	N/A	GYM AREA		PP1		
1	LASKO 30" FAN NSC-243	N/A	GYM AREA		PP1		
1	PEAVEY ECS 1500 SPEAKER	N/A	GYM AREA		PP1		
137	WHITE CHAIRS	N/A	GYM AREA		PP1		
42	BROWN CUSHION CHAIRS	N/A	GYM AREA		PP1		
40	BLUE CHAIRS	N/A	GYM AREA		PP1		
3	TALL CHAIR CARRIER	N/A	GYM AREA		PP1		
1	LONG CHAIR CARRIER	N/A	GYM AREA		PP1		
1	FENDER DELUXE 90 GUITAR AMP	M1039748	GYM AREA		PP1		

Source Code:
 PP1 (CHAPLAIN COLLIER)
 PP2 (CHAPLAIN MANESS)

Revised
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TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

Chaplain's 7 Gym Inventory

1	YAMAHA DIGITAL DRUMS/ YDD-60	UCN001496	GYM AREA	PP1
1	BEHRINGER FOOT CONTROLLER	N0800089089	GYM AREA	PP1
1	HOME MADE 12 INPUT SNAKE	N/A	GYM AREA	PP1
Classroom				
6	SPEAKER STANDS	N/A	CLASSROOM	PP1
2	GATOR GUITAR CASE	N/A	CLASSROOM	PP1
1	BUNDY/ FLUTE	N/A	CLASSROOM	PP1
1	CONN/ TRUMPET	N/A	CLASSROOM	PP1
3	WHITE TABLES 8FOOT	N/A	CLASSROOM	PP1
4	MIC. STANDS	N/A	CLASSROOM	PP1
1	EURO POWER 2000/ BEHRINGER AM	N81463361	CLASSROOM	PP1

Source Code:
 PP1 (CHAPLAIN COLLIER)
 PP2 (CHAPLAIN MANESS)

Revised
 7-14-12


TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

Cables 7 Gym Inventory

#:	Description/Make/Model:	Serial Number:	Location (Bldg/Room):	Receive Date:	Source Code:	Delete Date:	Delete Code:
Gym							
4	1/4 SPEAKER CABLES	N/A	GYM		PP7		
1	50' XLR LT. SPEAKER	N/A	GYM		PP3		
1	25' XLR RT. SPEAKER	N/A	GYM		PP3		
1	25' SPEAKON TO 1/2 SPEAKER CABLE	N/A	GYM		PP3		
23	XLR CABLES	N/A	GYM		PP3		
1	50' 1/4 TO 1/4 INSTRUMENT CABLES	N/A	GYM		PP3		
3	6' MULTI PLUG	N/A	GYM		PP3		
3	25' EXT. CORDS	N/A	GYM		PP3		
1	7 Outlet	N/A	GYM		PP3		
1	Bik Outlet	N/A	GYM		PP3		
1	7 Outlet	N/A	GYM		PP3		
1	7 Outlet	N/A	GYM		PP3		
1	Org/Bik Cord 25'	N/A	GYM		PP3		
1	Org. Cord 25'	N/A	GYM		PP3		
1	Org/Bik Cord 25'	N/A	GYM		PP3		
1	Org. Cord 25'	N/A	GYM		PP3		
1	Org. Cord 25'	N/A	GYM		PP3		
1	Blu/Bik 50'	N/A	GYM		PP3		
1	Blu/Bik 50'	N/A	GYM		PP3		
1	7 Outlet	N/A	GYM		PP3		
1	7 Outlet	N/A	GYM		PP3		
1	Grn Ext Cord	N/A	GYM		PP3		

Source Code:
 PP3 (Volunteer Reeves)
 PP4 (Volunteer Dill)
 PP5 (Volunteer Ogletree)
 PP6 (Volunteer Roach)
 PP7 (Volunteer Vitela)

Revised
 7-14-12


PP8 (Volunteer Banks)
 PP9 (Volunteer Coy)

TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 3. 07-14-12 – Inventory of Computer Programs Ordered by Maness

Part of the Inventory, and list of things I do not even understand, much less other Staff Chaplains and Volunteer Chaplains. What were the Prisoners capable of doing? Covered up, now, forever.

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6 Series/C200 Series Chipset Family USB Enhanced Host Controller - 1C2D
@usb.inf,%usb\class_09.deviceidesc%,Generic USB Hub
@usb.inf,%usb\class_09.deviceidesc%,Generic USB Hub
@usb.inf,%usb\composite.deviceidesc%,USB Composite Device
@usb.inf,%usb\composite.deviceidesc%,USB Composite Device
@usb.inf,%usb\composite.deviceidesc%,USB Composite Device
@usb.inf,%usb\composite.deviceidesc%,USB Composite Device
@usb.inf,%usb\composite.deviceidesc%,USB Composite Device
@usb.inf,%usb\composite.deviceidesc%,USB Composite Device
@usbport.inf,%usb\root_hub20.deviceidesc%,USB Root Hub
@usbport.inf,%usb\root_hub20.deviceidesc%,USB Root Hub
@usbprint.inf,%usb\print.deviceidesc%,USB Printing Support
@usbprint.inf,%usb\print.deviceidesc%,USB Printing Support
pcouffin device for Amd 64 bits systems
Z981 Digital Camera

Software Licenses

Adobe - Acrobat Distiller	970787028861746541223356
Adobe - Adobe Acrobat	970787028861746541223356
Hewlett-Packard - HPActiveSupport	AIT61UA#ABA
Microsoft - Office Professional Edition 2003	70145-OEM-5790716-24207
Microsoft - Office OneNote 2007	89397-862-8436842-63978
Microsoft - Office Professional Plus 2007	89409-707-0865504-65284

Software Versions

Adobe Version Cue CS4 Version 4, 0, 0, 0	Hewlett-Packard Development Company, L.P. - HP Quick Launch Version 2.3.1.0
GUI Application Version 4, 5, 0, 0	Hewlett-Packard Development Company, L.P. - HP Quick Launch Version 2.3.6.0
2007 Microsoft Office system Version 12.0.4518.1014	HP - Simple Pass 2011 Version 5, 1, 0, 495
Acresso Corporation - Software Manager Version 11, 60	HP - Simple Pass 2011 Version 5.1.0.495
Acresso Software Inc. - FLEXnet Publisher (32 bit)	HP CoolSense Version 1.0.1.4
Acresso Software Inc. - FLEXnet Publisher (64 bit)	HP Recovery Manager Version 2.0.8.0
Acrobat.com	HP ToolboxFX Version 4.12.146.0
AcroTray - Adobe Acrobat Distiller helper application. Version 9.0.0.2008061100	HPUsageTracking Version 1.0.2600.30732
Adobe Acrobat Version 10.0.0.396	I.R.I.S. SA - Registration Wizard Version 5, 0, 0, 2
Adobe Acrobat Version 9.0.0.2008061200	IDT PC Audio Version 1.0.6329.0
Adobe After Effects CS4 Version 9.0	ImTOO DVD Ripper Platinum Version 5.0.50.0430
Adobe AIR 1.1 Version 1.1	Inno Setup
Adobe Contribute CS4 Version 5.0.0.3264	Intel Corporation - IAStorDataSvc Version 10.1.2.1004
Adobe CS4 Service Manager Version 4, 0, 0	Intel Corporation - IAStorIcon Version 10.1.2.1004
Adobe Device Central CS4 Version 2.0.0	Intel Corporation - IAStorUI Version 10.1.2.1004
Adobe Dreamweaver CS4 Version 10.0.0.4117	Intel Corporation - WiDiApp Version 2.1.39.0
Adobe Drive CS4 Version 4.0.0.0client1	Intel PROSet/Wireless Bluetooth Version 1.0.0.0049

PS 1

**Tab 13
Item 3**

file:///C:/Program%20Files%20(x86)/Belarc/Advisor/System/tmp/(Sb7).html 7/10/2012

NOTICE the Date of the pull: July 10, 2012.

TAB 13. Inventories – Prisoner Supply Train

State Employees Are Supposed to be Treated Equally

Adobe Encore Version 4.0.0.258*	Intel(R) Active Management Technology Local Manageability Service Version 7.1.1.1039*
Adobe Extension Manager Version 2.0.0.274*	Intel(R) Management and Security Application User Notification Service Version 7.1.1.1039*
Adobe Flash CS4 Version 10.0.0*	Intel(R) PROSet/Wireless Version 14, 0, 3, 0*
Adobe Illustrator CS4 CS4*	IRIS (Image Recognition Integrated Systems) - Readiris Application Version 1,10,0,4063*
Adobe InDesign CS4 Version 6.0*	K-NFB Reading Technology - Blio Version 2.2.6699.0*
Adobe LiveCycle Designer ES Version 8, 2, 1, 3144, 1, 471865*	Macrovision Corporation - InstallShield Version 11.50*
Adobe Media Encoder CS4 Version 4, 0, 0, 0*	Merriam-Webster Dictionaries Version 3, 0, 0, 0*
Adobe Media Player *	Microsoft Clip Organizer Version 11.0.5510*
Adobe OnLocation Version 4.0,0,0*	Microsoft Corp. - Windows Live Writer Version 15.4.3508.1109*
Adobe Photoshop CS4 CS4*	Microsoft Corporation - Bing Bar Version 3.1.158.0*
Adobe Pixel Bender Toolkit *	Microsoft Corporation - Internet Explorer Version 9.00.8112.16421*
Adobe Premiere Pro CS4 Version 4, 0, 0, 0*	Microsoft Corporation - Office Diagnostics Service Version 12.0.4518.1014*
Adobe Reader and Acrobat Manager Version 1.4.7.0*	Microsoft Corporation - Office Source Engine Version 12.0.4518.1014*
Adobe Reader Version 10.0.0.396*	Microsoft Corporation - Windows Installer - Unicode Version 5.0.7600.16385*
Adobe Soundbooth CS4 Version 2.0*	Microsoft Corporation - Windows Live Mail Version 15.4.3508.1109*
Adobe Systems Incorporated - ESTK CS4 2008/08/28-22:14:15 Version 53.355769_1747*	Microsoft Corporation - Windows Live Mesh Version 15.4.3502.0922*
Adobe Systems Incorporated - Fireworks Version 10.0.0.495*	Microsoft Corporation - Windows Live Mesh Version 15.4.5722.2*
Adobe Systems Incorporated. - Acrobat Distiller for Windows Version 9.0.0.2008061100*	Microsoft Corporation - Windows Live Messenger Version 15.4.3508.1109*
Adobe Systems, Inc. - Bridge Version 2.0*	Microsoft Corporation - Windows Live Photo Gallery Version 15.4.3508.1109*
Adobe Systems, Inc. - Bridge Version 3.0.0.464*	Microsoft Corporation - Windows Live? Photo Gallery Version 15.4.3508.1109*
Adobe Systems, Inc. - Shockwave Flash Version 10,0,2,54*	Microsoft Corporation - Windows Live™ Movie Maker Version 15.4.3508.1109*
Adobe Version Cue CS4 Version 4, 0, 0, 0*	Microsoft Corporation. - Bing Bar Version 7.0.610.0*
Advanced Micro Devices, Inc. - Catalyst® Control Center Version 3.5.0.0*	Microsoft Office 2003 Version 11.0.5510*
Agatha Christie - Peril at Lind House Version 29.1.0.28*	Microsoft Office 2003 Version 11.0.5614*
Andrea Electronics Corporation - APO Access Service (64-bit) *	Microsoft Office 2010 Version 14.0.4750.1000*
Belarc Advisor and BeLive - Belarc's Content Personalization with Privacy Version 5.0m*	Microsoft Office Document Imaging Version 11.0.1897.0*
BibleOcean.com BiblePro Version 12.7.4.99*	Microsoft Office InfoPath Version 11.0.5510*
BlasterBall3 Version 3.0.0.80*	Microsoft Office InfoPath Version 12.0.4518.1014*
Code Sector Inc. - TeraCopy Version 2.01*	Microsoft Office OneNote Version 12.0.4518.1014*
cyberlink brs Version 1, 0, 0, 1*	Microsoft Office Outlook Version 12.0.4518.1014*
CyberLink Corp. - PDVDLaunchPolicy Application Version 10.00.1815*	Microsoft® .NET Framework Version 2.0.50727.4927*
CyberLink Corp. - PowerDVD RC Service Version 7.00.2314*	Microsoft® .NET Framework Version 3.0.4506.4926*
CyberLink Corp. - YouCam Version 3.5.3922.15409*	Microsoft® .NET Framework Version 3.0.4506.5420*
CyberLink KM Service Version 1.101.3429.r2745*	Microsoft® .NET Framework Version 3.0.6920.5011*
Dell - ScanButton Manager Version 1, 0, 0, 0*	Microsoft® CoReXT Version 7.250.4225.0*
Dell 1355cn Series Color MFP Version 1.0.0.1*	Microsoft® Silverlight Version 4.0.50401.0*
Dell 1355cn Series Color MFP Version 1.0.1.3*	Nero AG - Cover Designer Version 5.0.7.100*
Dell 1355cn Series Color MFP Version 1.0.1.5*	
Dell 1355cn Status Database *	
Dell Support Tools Version 1, 0, 0, 0*	
Dell Support Tools Version 1.0.1.1*	
DLRMM Application Version 1, 0, 0, 6*	
DVD Shrink Version 3.2.0.15*	
Easybits Rcovery Version 2.0.0.0*	
EasyBits Software AS - EasyBits SEngine for Windows Version 7.0.0.0*	
EasyBits Software AS - Magic Desktop Version 2.0.0.0*	

pg 2

NOTICE the Date of the pull: July 10, 2012.



TAB 13. Inventories – Prisoner Supply Train
 State Employees Are Supposed to be Treated Equally

ESTsoft Corp. - ALShow Setup Version 1.91.0.0*	Nero BackItUp Version 5.4.14.101*
ESTsoft corp. - ALShow Version 1.91.0.0*	Nero Burning ROM Version 10.0.7.100*
ESTsoft Corp. - ALTools Updater Version 9, 12, 2, 1*	Nero ControlCenter Module Version 10.0.1.0*
ezGetMore.exe*	Nero Express Version 10.0.7.100*
Fax Config Application Version 1, 0, 5, 3*	Nero MediaHub Version 1.0.6.100*
Fengtao Software Inc. - DVDFab Version 5, 2, 3, 2*	Nero Recode Version 4.6.1.100*
Fengtao Software Inc. - http://www.dvddle.com - DVDFab Decrypter Version 2, 9, 8, 30*	Nero SoundTrax Version 4, 6, 1, 100*
Google Desktop Version 4.2006.509.1244*	Nero StartSmart Version 10.0.4.100*
Google Inc. - Picasa Photo Viewer Version 3.1.0*	Nero Vision Version 7.0.4.100*
Google Inc. - Picasa Version 3.1.0*	Nero WaveEditor Version 5, 6, 1, 100*
Google Updater Version 2.0.711.37800.beta*	NeroUpdate Version 1.0.0012*
Hewlett-Packard - hpwuSchd Application Version 100, 0, 1, 0*	Nova Development - Publisher Pro Photo Editor Version 2,0,0,5*
Hewlett-Packard - HP Installer Version 10,0,0,76*	Nuance Communications, Inc. - PaperPort Version 12.1*
Hewlett-Packard - HP Software Update Client Version 4, 0, 6, 1*	Nuance Communications, Inc. - PDF Viewer Plus Version 5.3*
Hewlett-Packard - HPAuto Version 1, 0, 12935, 3667*	Nuance Imaging Products / Scanning Subsystem Release 6.03/1047*
Hewlett-Packard - HPTCS Version 8.6.4530.3651*	Nuance PDF Products Version 5.2*
Hewlett-Packard - NotebookDocs Version 1.5.0.0*	Nullsoft, Inc. - Winamp Agent Version 5.6.0.3091*
Hewlett-Packard - ScheduledLaunch Version 0.1.0.0*	Nullsoft, Inc. - Winamp Detect Version 1.0.0.1*
Hewlett-Packard Co. - hp digital imaging - hp all-in-one series Version 100.000.170.000*	Nullsoft, Inc. - Winamp Installer Version 5.6.0 Build 3091*
Hewlett-Packard Co. - HP LaserJet MiP Software Version 1.0.000.001*	Nullsoft, Inc. - Winamp Version 5.6.0.3091*
Hewlett-Packard Co. - HP LaserJet Series Version 1, 0, 1, 3*	Online Publishing, Inc. - Power BibleCD Version 4.6*
Hewlett-Packard Company - HP Client Services Version 1, 1, 0, 3539*	Provenio Software Corporation - Say the Time Version 10.0.1*
Hewlett-Packard Company - HP Quick Synchronization Service Version 4, 0, 110, 1*	Renesas Electronics Corporation - USB 3.0 Monitor Version 2.0.28.0*
Hewlett-Packard Company - HP Solution Center Version 100.000.065.000*	Rhapsody International Inc. - Try Unlimited Music for Free!*
Hewlett-Packard Company - HP Support Assistant Version 5.2.9.2*	RoxioNow Player Version 1, 9, 5, 0*
Hewlett-Packard Company - hpqwmix Module Version 4, 0, 110, 1*	Scrf (Europe) Ltd - Art Explosion Publisher Pro Version 2.0*
Hewlett-Packard Company - Setup Manager Version 1.1.13253.3682*	Skype Version 5.1*
Hewlett-Packard Development Company L.P. - HP Connection Manager Version 4, 0, 45, 1*	Softouch Development, Inc. - Easy Worship Presentation Software Version 2007.1.7*
Hewlett-Packard Development Company L.P. - HPCMDelayStart Application Version 4, 0, 45, 1*	Sonic Solutions - RoxioNow Version 2.0.2.2*
Hewlett-Packard Development Company L.P. - HPConnectionManager Version 4.0.45.1*	Sun Microsystems, Inc. - Java(TM) Platform SE 6 U24 Version 6.0.240.7*
Hewlett-Packard Development Company L.P. - Shop for HP Supplies Version 2.3.0.0000*	the VideoLAN Team - VLC media player Version 1,1,5,0*
Hewlett-Packard Development Company, L.P. - HP On Screen Display Version 1.1.1.0*	Variety Games, Inc. - Crossword Weaver Version 8.2005.08.11*
	WildTangent - Game Explorer Categories Version 29.1.0.28*
	WildTangent Games App Presence Detector Version 4.0.5.4*
	WildTangent Games App Version 4.0.4918.0*
	Wireless PAN DHCP and DNS Server Version 14, 0, 3, 0*
	WizLink Application Version 1, 0, 0, 1*
	WORDsearch Corp. - Bible Explorer Version 4.0*
	WORDsearch Corp. - Library Merge Version 1.0*
	WORDsearch Corp. - STEP Import Version 2.0*

* Click to see where software is installed.
 a. Megahertz measurement may be inaccurate if other programs were busy during last analysis.

pg 3



And NO ONE to date knows what the prisoners were capable of doing with those. No one! And, thanks to Upshaw's orders to **erase all**, no one will *ever* know what the prisoners did for five years **in the dark**.

TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 4. 08-09-2011 – IOC from Chaplain Collier to Warden Simmons

IOC 08-09-2011 from Chaplain Collier to Warden Simmons, et al – to allow TDCJ Employee Lisa Langley of Peer Program to bring in Laptop and REMOVE it, but it was NEVER removed and *became* lead Prisoner Ramy Hozaifeh’s #705504 computer, a high-end laptop, 10-12 hours a day, 7 days a week for almost two years WITHOUT staff supervision of any kind! – and Wardens KNEW about it!


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director

Tab 13
Item 4

Inter-Office Communication

To: Warden Simmons, Warden Butcher Date: August 9, 2011

From: Chaplain Collier Subject: Diana Langley

Peer Education Coordinator, Diana Langley from Huntsville, will be coming on unit Wednesday August 10th 2011 through Friday August 12th 2011 and will return on Monday August 15th 2011. She will be bringing her laptop on unit and she will leave the lap top on unit with Chaplain Collier and Chaplain Berry under lock and key. Ms. Langley will be taking her laptop off unit on Monday, August 15th 2011.

Thank you, Chaplain Collier

Approved: _____

Polunsky Unit
Chaplain Collier / Chaplain Berry
3872 FM 350 South
Livingston, Texas 77351
(936) 967- 8082 or fax (936) 967- 8437

Did she even know she was violating policy in *leaving* here computer for prisoners to use? Really – and I was disciplined for what? An email from my home? Think about *equality* here!

**Item 5a. 01-07-13 – Open Records Request for 2011 & 2012 Yields
further PROOF Bizarre Lack of Supervision**

No reasonable warden would knowingly allow this in any prison without some kind of tracking and supervision, nor would any normal chaplain – and I could not stop it. Here is my OR request that covers the specific time of 2011 and 2012, essentially before and after I arrived in May 2012 and gives specific guidance to the prisoners too. The two inventories in Items 1-2 were from my orders in July 2012, and what one will see below is that – yes – confirmed now, most of the electronics inventory ARRIVED over a year before I got there. One would think that **Critically Important** to Warden Alford's IOC that in essence claims such ignorance – he was the ONLY warden who came the chapel and was at Polunsky during the Chaplaincy Department's most significant growth 2002-08 and during Chaplain Collier's first three years, and I repeat, so much hoped for to return by the volunteers for his *previous* support for all ... something Alford intentionally leaves out.

From: Michael Maness [mailto:maness3@att.net]
Sent: Friday, January 04, 2013 11:07 PM
To: exec.services@tdcj.state.tx.us
Cc: 'Michael Maness'
Subject: OR Request - Polunsky

January 7, 2013


Dear folks,

I would like copies of the following please:

1. All of the chaplaincy property permission clearances submitted by the Polunsky Chaplaincy office to the Polunsky Mailroom for incoming property to the Polunsky chaplaincy office for the calendar years of 2011 and 2012.
2. A copy of each of the chaplaincy property permission IOCs they used for property coming into the Polunsky Unit for the chaplaincy office/volunteers for the calendar years 2011 and 2012. For #2, inmate SSI Jesse Hernandez 79465 knew where copies of were for retention purposes.
3. A copy of the computer files of chaplaincy property inventories for all places at the Polunsky Unit: there are about 7-12, unless they have combined them all into one by now as previously instructed. For #3, inmate SSI Chris Raya 1149025 was charged with putting these files together and I would like the most up-to-date copies, as mine copies are old.
4. A copy of the list of movies the chaplaincy department has on hand for viewing (they had a binder full of movies, and then one of those 100 dvd spools of movies).
5. A copy of the copyright release for each movie they have and a copy of any copyright releases they have.
6. A copy of each and every media release the chaplaincy department has signed by inmates releasing TDCJ from sound, video, interviews, etc.

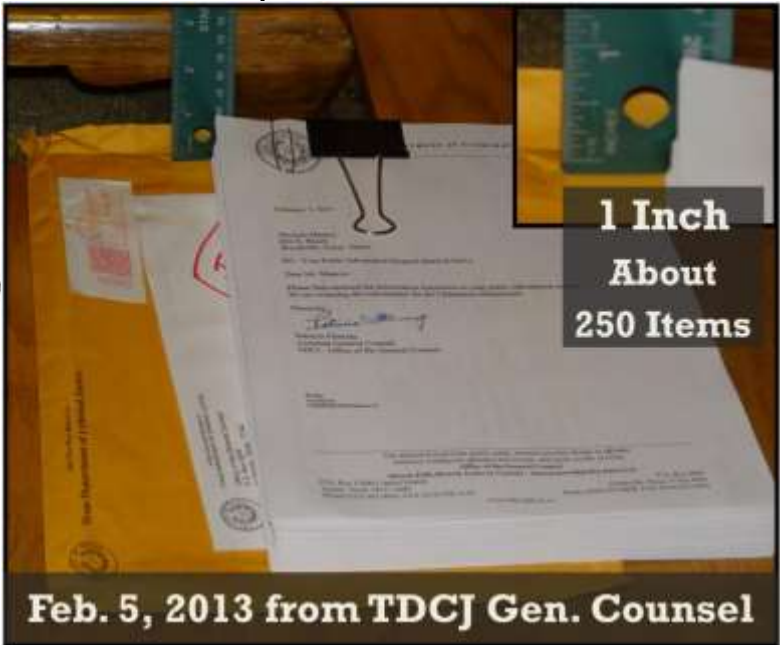
Though the inmates might not be currently assigned, it surely would not be much of a problem for an escort to help the chaplain or designee to help find the stuff. I don't think anyone else really knows where to look for those items.

Thanks so much.

Michael G. Maness

409-383-4671

Item 5b. 02-05-13 – TDCJ Gen. Counsel Responds with Heavy Load

I have become very acquainted with TDCJ’s legal counsel, and have always been impressed by their hard work. At times, I have felt a bit sad for the work I have caused them, as some of this must appear to be a waste of time. Here is one example of their good work, wherein the respondent is Legal Counsel Patricia Fleming, which means they saw all this *before* it was shipped to me; that is, my request was examined and the material herein was sent from Polunsky Chaplaincy to Fleming, who – knowing some legal minds – likely kept a copy for herself.



It is absolutely **Critically Important** to note in the following selection that, indeed, the approximately 250 pages sent do reveal a hodge-podge of organization in several ways, confirming from these, too, the lack of supervision *still* going on in February 2013, after Warden Alford’s January IOC attempted to cover up.

Item 5c. 02-05-13 – OR Record Interpretation

It is absolutely **Critically Important** to note in the following selection that, indeed, the approximately 250 pages sent do reveal a hodge-podge of organization in several ways:

1. **How it Sent:** revealed that those in Chaplaincy were lazy in compiling, not categorized or in any semblance of order, with several other oddities;
2. **Few Media Releases:** revealed essentially *no supervision* of photos and videos taken nearly every day, 6-7 days a week, including *nothing* for the productions for Div. Director Hazlewood; that is, the Chaplaincy kept no records of the Media Releases he took off the prison, nor were ANY Media Releases placed in the prisoner files – but who cares, there was no supervision at all of the prisoners themselves taking the photos and videos, under the EYES of Warden Alford, that he covered up;
3. **Notices to the Mailroom:** revealed no accounting for huge inventory, *meaning* that most of the electronics *arrived long before I got there in May 2012*; worse, this was not *all* of what came in during those two years
4. **Accounting Bad:** not just poor, but *bad* is the only conclusion one can come to in this stack of 250 pages sent by the Chaplain, himself, revealing very clearly his own lack of supervision of the inventory; what was sent in February 2013 in this stack does not even given an accounting of what the TDCJ ITD Techs found, took of the prison, and returned just a few months earlier in November 2012 (see Tab 3), to say little of the fuller inventories in this Tab 13, Items 1-2, or the OneNote Inventories on Disk 3.

Critically Important: Inventory Control was *not* important to Chaplain Collier or *any* Volunteer Chaplain, and this further proves it even *after* several letters of exposures, that the current Chaplain *still* was NOT IN CONTROL of inventory in February 2013 AFTER Warden Alford's bogus IOC of January 2013 (Tab 5a, Item 3). Wait until you see a small selection of the 250 below! No modern prison department anywhere in TDCJ – no other Chaplaincy Dept. I assure you – or anywhere in the world operated so loosely, and it is still covered up, granting another award to Polunsky Chaplaincy, uniquely, in the Least Control of Inventory Award in TDCJ History.

5. **Stupid Accounting:** the following reveals just how stupid some of the control was, for no one in their right mind would approve stuff in such a carte blanc fashion, *knowing* that the equipment coming in was *for* the prisoners to *work with*; that is, listen closely, because no one else has in the last two years, the electronic equipment and parts and supplies where handled by the prisoners without any supervision, especially in their Prisoners' Computer Control Center, where parts and cords and cables and jacks, ad infinitum, were hung on a cork board and *ordered* without end. It was obviously **STUPID Accounting**, where Chaplain Collier and the good-hearted Volunteers simply *let* the prisoners do what they pleased all day, every day. Chaplain Collier told Warden Muniz in my presence two times, "Ramy [using prisoner's first name] changes stuff like a woman," meaning the prisoner was *always* moving, adjusting, reconfiguring the computers and cables and *all* without the chaplain or *anyone* knowing what he was doing.
6. **TDCJ General Counsel Knows:** I am so very thankful that TDCJ's General Counsel got this stack *first*, and am just 99% certain they kept an exact copy of what they sent. In addition to the 100-plus other documents in the 19 Tabs, the 26 below *also* come against Warden Alford's January 2013 IOC, in that the lack of supervision I complained about, fought, and could *not* get for the prisoners until I was forced to retire in October 31, 2012. Alford pretends that TDCJ ITD Techs were finally bringing things in order, but what had been coming in, weekly, sometimes daily, was a supply train that *caused* the Mailroom to initiate its own protections.

Item 6. Prisoner Supply Train: Prisoner Computers in 2004!

Chronological Order

The following were selected from the approximately 250 documents sent, mostly reflecting unique items, all reflecting one or more violations of policy, often signed off by Warden Muniz, and many revealing with clarity the total lack of supervision of the prisoners.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE Chaplaincy Department CHAPLAINCY MANUAL		Policy Number: 04.01 (rev. 3) Att. A Page: 1 of 1 Date: August 2012 Supersedes: 04.01 (rev. 2) March 2004					
TEXAS DEPARTMENT OF CRIMINAL JUSTICE Chaplaincy Department Unit: TL							
3GYM 2004!							
Property Inventory							
	Description (Make/Model)	Inventory Number	Location (Bldg/Room)	Receive Date	Source Code	Delete Date	Delete Code
1	COMPUTER/ 48GB71 DESKTOP, PC OPT: PLEX GX280	100040083101	OFFICE		C		
1	PRINTER/ DELL 1720 TDCJ#J0009676 (CHAP COLLIER)	OHK111 73190 BZM 2597	OFFICE		C		
1	PRINTER/ DELL 1720 TDCJ#J9730	54M4171	OFFICE		C		
1	22TN191 COMPUTER DIMENSION E310	100014179901	OFFICE		D		
1	42TN191 COMPUTER DIMENSION E310	100014179801	OFFICE		D		
1	DELL LAPTOP VISEO 3555	X16-96076	MEDIA ROOM	X	PEER ED		
1	TV CART 42"	N/A	GYM AREA		C		
1	RCA COLOR TV 25" MOD#27R410T	N/A	GYM AREA		C		
1	KODAK CAMERA/ Z981	KVYMN102G2380	MEDIA ROOM	X	PEER ED		
1	DELL PRINTER 1355CN	CN-ONCFJ1-71971- 232-L119	MEDIA ROOM	X	PEER ED		

Handwritten notes:
 We now know what I counted
 (some said we
 + 1 laptop +
 printer

Source Code:
 > (Chaplaincy Dept.)
 > (Donated Item)
 T (Transferred from another Unit/Dept.)

Delete Code:
 X (Deleted to Unit Property)
 T (Transferred to another Unit/Dept.)

Remember that Richard Alford was Assistant Warden at Polunsky 11-2002 – 08-2008! The Peer Education had *delivered* a Dell Laptop, printer, and Kodak Camera, that the prisoners were using from – what? – 2004 through 2012!

TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 7a. Prisoner Supply Train: Personal Property TO Prisoners

This two-page **PERSONAL PROPERTY INVENTORY** was undated and pre-dated 2012, to be sure, but – God have mercy – there was no attempt at all to even hide that Personal Property was in the hands of prisoners for years. And, look, the contents of the Prisoners’ Computer Control Room now has an *another* camera and more printers and disk players and recorders.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE Chaplaincy Department Unit: TL			
Personal Property Inventory			
#	Description/Make/Model	Serial Number	Location (Bldg/Room)
1BLD			
1	PRO AUDIO PA SYSTEM/ PUMA930	68888-8941335	CLOSET
1	DVD PLAYER/ SONY DVP- SR200P	8983286-	CLOSET
1	TELEVISION PP26649/ SANYO 26"	TELEVISION PP26649/ SANYO 26"	CLOSET
1	SAXOPHONE/ YAMAHA ED-18	N/A	CHAPEL CLOSET
1	12 STRING GUITAR	N/A	CHAPEL CLOSET
3GYM			
1	PANASONIC VIDEO CAMERA/ MOD.HC-V700M	VQT3Y41	OFFICE
1	COMPUTER /72FCA MICRO DELL 220-1391	100012870101	OFFICE
1	COMPUTER/ ACER ASPIRE X3950	PTSE6P2000213905A 623000	OFFICE
1	EMERSON TELEPHONE	N/A	OFFICE
1	AT&T TELEPHONE	N/A	OFFICE
1	DURABRAN TELEPHONE	N/A	OFFICE
1	50 CUP COFFEE POT	N/A	OFFICE
1	HP LASER JET PRINTER. CP1215	CMB1417510	OFFICE
1	JVC CAMERA/ EVERIO HYBRED	GZMG130U	MEDIA ROOM
1	PROJECTOR/ BENQ SH960 P/N: 9HJ4L77.168	PDH2C02910000	GYM AREA
1	HP LAPTOP PAVILLION DV7/ AX3959-UR30P	196192936185	MEDIA ROOM
1	COMPUTER/ HP DESKTOP #1 (SB1)/ MOD#A6400F	2 BAR CODE ONLY	MEDIA ROOM
1	COMPUTER/ HP DESKTOP #2 (SB2)/ MOD# P6730F	3 4CE10101DO	MEDIA ROOM
1	EUROMIXER/ UB183FX-PRO	N0314425162	MEDIA ROOM
1	SIMA VIDEO MIXER/ SFX-10	CY10413	MEDIA ROOM
1	ROLAND DIGITAL MIXER/ VS-840	ZK64958	MEDIA ROOM
1	DELL 24" MONITOR/ 2407WFR	MX-0CC302-46634- 755-2EFU	MEDIA ROOM
1	DELL 15" MONITOR/ N/A	CN-OF5035-6418- 5AB-OFDC	MEDIA ROOM
1	HP LAPTOP PAVILLION DV7/ AX3959-UR30P	196192936185	MEDIA ROOM
1	COMPUTER/ HP DESKTOP #1 (SB1)/ MOD#A6400F	BAR CODE ONLY	MEDIA ROOM
1	COMPUTER/ HP DESKTOP #2 (SB2)/ MOD# P6730F	4CE10101DO	MEDIA ROOM

1

TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 7b. Prisoner Supply Train: Personal Property TO Prisoners

6 - DVD/Disk Player/Recorders!

#	Description/Make/Model	Serial Number	Location (Bldg/Room)
1	EMERSON DVD PLAYER 1	D255321128	MEDIA ROOM
1	CINEVISION DVD PLAYER/ DVR1000 2	747010116183	MEDIA ROOM
1	SONY DVD PLAYER/ DVP-N5501P 3	2167274	MEDIA ROOM
1	CLEARVIEW DVD PLAYER/ ANCOR 747HD 4	3271000000323	MEDIA ROOM
1	GRAPAHIC EQ DBX/ DBX231	D3X231V	MEDIA ROOM
1	FURMAN POWER SOURCE/ PL-8	N/A	MEDIA ROOM
1	EURO HEADPHONE AMP/ PRO-XL	S1103538184	MEDIA ROOM
1	GE TELEVISION/ 13GP210B	604395372	MEDIA ROOM
1	HP INKJET PRINTER/ 7210	107893552000634	MEDIA ROOM
1	PATCHBAY #1/ ULTRA PATCH PRO	N0417418268	MEDIA ROOM
1	ZOOM RECORDER/ MRS 1608	13763	MEDIA ROOM
1	MACKIE MIXER #1/ DFX12	21HD55639	MEDIA ROOM
1	MACKIE MIXER #2/ DFX12	21HD52485	MEDIA ROOM
1	DOD SPECTRUM ANALYZER/ RTA II	3713214	MEDIA ROOM
1	PRINTER/ HP DESKJET 970cxi	MY08U1713P	MEDIA ROOM
1	PASO MIC AMPLIFIER/ T-21	N/A	MEDIA ROOM
1	EFFECTS RACK/ NA	N/A	MEDIA ROOM
1	YAMAHA KEYBOARD/ PSR E303	UBLMO1951	MEDIA ROOM
1	MAGNAVOX DVD PLAYER/ MWD200F	N/A	MEDIA ROOM
1	SONY DISC RECORDER 5	ICD-PX820	MEDIA ROOM
2	OLYMPUS DISC RECORDER 6	6200PC	MEDIA ROOM
1	SONY CASSETTE PLAYER	N/A	MEDIA ROOM
1	WD HARD DRIVE/ 465 GBS (CHURCH SERV)	N/A	MEDIA ROOM
1	HP LASER PRINTER	CNB8844889	MEDIA ROOM
1	PROJECTOR #1 (SECONDARY) HITACHI	SN5437-7890-34678	GYM AREA
1	PROJECTOR #2 (MAIN) PLANER/ PR5022	P36792370101	GYM AREA
1	QSC MAIN SPEAKER/ HPR153I	GJ8360079	GYM AREA
1	QSC MAIN SPEAKER/ HPR153	GJ8360073	GYM AREA
1	KUSTOM MONITOR/ KPC12M	101792277	GYM AREA
1	KUSTOM MONITOR/ KPC12M	J10201693	GYM AREA
1	KUSTOM MONITOR/ KPC12M	0718-001619	GYM AREA
1	KUSTOM MONITOR/ KPC12M	101792276	GYM AREA
1	KUSTOM MONITOR/ KPC12M	0714-001957	GYM AREA
1	KUSTOM MONITOR/ KPC12M	0321-004245	GYM AREA
1	KUSTOM MONITOR/ KPC12M	101792200	GYM AREA
1	KUSTOM MONITOR/ KPC12M	J10201791	GYM AREA
1	TASCAM CD PLAYER/ A500	810111	GYM AREA
1	FURMAN POWER SOURCE/ PL-8	N/A	GYM AREA
1	DBX OPTIMIZER/ DRIVE RACK PX	N/A	GYM AREA
1	BEHRINGER HIP AMP/ HA8000	N0334274185	GYM AREA

what did these come from? who? NO CNT known


Printers

3 >

Yes, I complained about this in July 2012, as well as nearly EVERY Week until my last day in mid-October 2012. Chaplain Collier and many volunteers and officers and the wardens and majors and captains and even both the Polunsky Supply Department and Mailroom knew of my discontent from July 2012 and on. There was no excuse or defense of this, especially in the dark, and this is made all the worse and violates more policies in that the prisoners used all of this **in the DARK**.

Item 8a. Prisoner Supply Train: Expired Copyright to Downloaded Videos?

This was the *only* Copyright Release! What is THIS? *Please*, as I make clear in the Treason Paper, do *not* think Polunsky typical of TDCJ Chaplaincy. All of us had dozens of specific Copyright Releases for various videos, as for the Passion of Christ, etc. And few purchased bulk licenses. But look at this: it is an **expired** release to **DOWNLOAD videos**. Who was doing that? When and where? What was downloaded and how were the downloaded videos brought into the prison, presuming they were not downloaded from *inside* the prison. Who know? Look at the 8b for *who!*



Christian Video Licensing International
CVLI


Certificate of License

License No.
502378320

Be it known *Polunsky Unit - Chapel* has obtained from Christian Video Licensing International the right under the copyright law of the United States of America to publicly perform certain lawfully manufactured pre-recorded home videocassettes and DVDs in the manner and at the location(s) specified in the license agreement between these parties.

This license is set to expire on : **June 28, 2008**

Christian Video Licensing International
By *Jon R. Keel*



Christian Video Licensing International
CVLI

Downloaded?
Download?
2008 to 2013 -
Downloads
what? what?
by who?

Dear Mr. Edwards:

Please find, attached above, your new CVLI Certificate of License. In accordance with our underlying agreement, your CVLI Video License automatically renewed for next year on April 29, 2007, under the same terms and conditions for the exhibition of home videocassettes and DVDs. If you wish to receive additional license certificates, please let us know.

The license fee remains the same, except for a small increase equal to the Federal Cost-of-Living Adjustment, and is \$186.00 for the upcoming year. Attached is a renewal invoice for your review and processing for payment.

ScreenVue Now Features Major Movie Scene Downloads... And a Tremendous Offer!

ScreenVue, the only legal online subscription service providing professionally edited movie scenes and ideas for sermon/teaching illustrations, now provides current **Major Movie Scene Downloads**. ScreenVue also provides hundreds of scene downloads from Christian/independent producers, plus over 1,000 scene ideas for the movies you rent or purchase yourself.

All ScreenVue scenes and ideas can be publicly performed in accordance with your CVLI license. Please check the enclosed insert for more information about this exciting new development with ScreenVue! Right now, if you purchase a ScreenVue subscription, we will extend your next CVLI Video License renewal date by two months... giving you two bonus months of coverage for FREE!

On behalf of the CVLI and our Member Licensors, I would like to extend our thanks to you for continuing to make all of your exhibitions legal under the U.S. Copyright Act.

If you have any questions or if we can be of further assistance, please contact our Member Services Department at (888) 771-CVLI (2854) option 1.

Sincerely,
Jay Wilson
Member Services Representative

QUANTITY	DESCRIPTION	<u>INVOICE</u>	AMOUNT DUE	Invoice #	502378320
1	CVLI VIDEO LICENSE COVERING THE TERM: June 28, 2007 to June 28, 2008.		\$186.00	Date:	4/30/07
				Rep.	DJW
		TOTAL:	\$186.00	CUSTOMER SERVICE: 1-888-771-CVLI (2854) option 1	

Please include invoice # on check, payable to CVLI
TERMS: PAYABLE UPON RECEIPT

**Item 8b. Prisoner Supply Train:
 Expired Copyright to Downloaded Videos? – STILL in 2013**

STILL DOWNLOADING IN 2013?!? Come now! I am so thankful TDCJ General Counsel sent this, for it would be hard to believe otherwise, and becomes ridiculous in the full light. In October 2012 I was being forced to retire because of the Wardens' refusal to support me in efforts to bring things into compliance, and Chaplain Jose Vitella was the Staff Chaplain at the Gib Lewis Prison, yet still a *Volunteer Chaplain* at Polunsky, and he is the one *downloading* videos for the prisoners! And, this is all, this is it – meaning, there was still no copyright release for whatever the prisoners were showing in February 2013 while Chaplain Vitella had been the Polunsky Staff Chaplain for a few months!



Christian Video Licensing International
CVI

Dear Mr. Edwards:

Please find, attached above, your license renewed for next year on April 30, 2008. Additional license certificates, if applicable, will be mailed to you in the upcoming year.

The license fee remains the same. Attached is a renewal invoice for your information.

ScreenVue Now Features Major Motion Pictures

ScreenVue, the only legal online video rental service, provides current Major Motion Pictures over 1,000 scene ideas for the upcoming year.

All ScreenVue scenes and idea about this exciting new development. Right now, if you purchase a ScreenVue subscription, we will extend your next CVLI Video License renewal date by two months... giving you two bonus months of coverage for FREE!

On behalf of the CVLI and our Member Licensors, I would like to extend our thanks to you for continuing to make all of your exhibitions legal under the U.S. Copyright Act.

If you have any questions or if we can be of further assistance, please contact our Member Services Department at (888) 771-CVLI (2854) option 1.


Sincerely,
 Jose Vitella
 Member Services Representative

New Certificate ordered
10-9-12
By 2-13-13 Still not done And Vitella is Polunsky Staff Chaplain
NOT Received - Recorder CHAP Vitella
Volunteer - while Gib Lewis Staff Chaplain By 2-13-13 Still not done!

QUANTITY	DESCRIPTION	INVOICE	AMOUNT DUE	Invoice #	502378320
1	CVLI VIDEO LICENSE COVERING THE TERM: June 28, 2007 to June 28, 2008.		\$186.00	Date: 4/30/07 Rep. DJW	
Please include invoice # on check, payable to CVLI. TERMS: PAYABLE UPON RECEIPT			TOTAL: \$186.00	CUSTOMER SERVICE: 1-888-771-CVLI (2854) option 1	

Item 9. Prisoner Supply Train: 2009 – 7-Gym Gets Projector too

With the above and this, I wonder if the Polunsky Chaplaincy respondents (Chaplain Jose Vitella?) actually sent *all* of their IOCs for 2004 through 2012. Regardless, it is clear by this that one of the projectors was brought into 7-Gym in 2009, run by prisoner-controlled computers. With 7-Gym being the secondary Chapel, with (I believe) the primary still being in 4-Gym, later moved to 3-Gym – that being said, projectors and their prisoner-controlled computers were in FULL use in 2009! And, here, a captain, Captain Dickens, was approving equipment. Hmm? Not normal for a captain.


TEXAS DEPARTMENT OF CRIMINAL JUSTICE


Brad Livingston
Executive Director

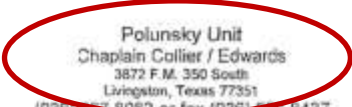
Inter-Office Communication

To: Captain Dickens Date: June 22, 2009

From: Chaplain Anderson Subject: Projector

With your approval a projector in my name will be mailed in. The projector will be used in 7GYM programs, also for 8MPR services.

Approved: 
Captain Dickens


Polunsky Unit
Chaplain Collier / Edwards
3872 F.M. 350 South
Livingston, Texas 77351
(936) 367-8082 or fax (936) 367-8437

Do note this: Chaplain Loren Edwards was partly responsible for the move to 4-Gym, as I understand, but he could not stand Chaplain Collier's loose ways with prisoners, and Edwards, too, could not get support from the Wardens to correct things. He left too.

Item 10. Prisoner Supply Train: 2010 – Prisoner Property “Approved”

I-60 from prisoner in 2010, “Approved” and sent to mailroom. That was how *prisoner* property came into Polunsky in 2010, before the Mailroom clamped down, to cover themselves.

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

THIS IS JUST TO LET YOU KNOW THAT A CHANUKAH PACKAGE WILL BE COMING TO ME SOON BECAUSE IT STARTS THIS YEAR ON DECEMBER 2nd thru DECEMBER 9th. PLEASE LET ME KNOW IF YOUR IN NEED OF DONATIONS FOR THE CHAPEL CHANUKAH CELEBRATIONS FOR INMATES? THANK YOU FOR ALL YOU DO CHAP!

SHALOM..

*Approved
Stephen Collins
10/11/10*

*Sent to Mail Room
10/11/10*

Name: MAX SOFFAR No: 000685 Unit: PL
Living Quarters: 12-AC-32 Work Assignment: _____

DISPOSITION: (inmate will not write in this space)


All that was going to mail room by font NEW Polunsky / Policy specific

I-60 (Rev. 11-90)

Item 11. Prisoner Supply Train: 03-14-11 – Mailroom Clamps Down

Neat – and this says a lot. Sadly, it not only reveals how Chaplain Collier was totally OUTSIDE of the Chaplaincy Policy, especially on religious items, but it reveals the extent of the Supply Train. It was scary to the Mailroom Supervisor, *knowing* what any normal person would know, that no Chaplain of Volunteer Chaplain was actually using all of the equipment. The simple and casual dialogue between the Chaplain escorting and the chapel prisoners revealed who was using all most of the time. And, oh, how happy *everyone* was when new, higher power audio equipment came.

Texas Department of Criminal Justice
INSTITUTIONAL DIVISION



Inter-Office Communications

Mailroom Protects Itself!

To Mailroom/Chaplains Date March 14, 2011

Thru Warden Simmons

From Warden Butcher Subject Religious Related Mail Packages

The following steps will be followed when dealing with incoming Religious Related Packages:

1. Offenders that are requesting to receive religious items shall send an I-60 to the Chaplain along with an I-25 if required, for approval.
2. The Chaplain will document all approvals on an IOC and forward it to the Mailroom so they will be expecting its arrival.
3. If the offender receives a package that was not previously authorized by the Chaplain, the package will be returned to the sender.
4. The Chaplain will notify the Mailroom (via IOC) of all packages that it is expecting to be delivered to them.
5. If the Mailroom receives a package addressed to the Chaplaincy Department or one of our Chaplains, and the Mailroom was not notified of its pending delivery, it will be forwarded to the appropriate Assistant Warden's office.
6. If the package was expected, the Mailroom will notify the Chaplain's office to pick it up.


Cc: Warden Simmons
Warden Lester
Major Dickerson
Major Smith

what is the story behind this Polunsky-specific Policy!

Many in TDCJ were struggling with color ink. Many in TDCJ were told there would be no more color ink, to leave their color ink cartridges in their printers, even when empty, because the printers would not work without the cartridges. Only black ink was provided. How it must have seemed to the Mailroom to see color ink for many kinds of printers come to the Chaplaincy Department. From my perspective, I could not get anyone to track the replacement of color ink, and gave up on that, as I just continued to hammer on the harder things: prisoners unsupervised in the Computer Control Center.

Item 12. Prisoner Supply Train: 05-16-11 – “Laptop Recall”? – Makes One Smile

“Laptop Recall,” was what Chaplain Collier called it, securing approval from Warden Simmons, Lester, and Butcher to *again* circumvent policy on computers. Take the Laptop out of the prison and bring it back, after whoever does whatever. In 2011, that was a perfect example of how loosely everything was cooking in the Prisoners’ Computer Control Center, and – clearly – ALL the wardens knew all about it.


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director

Inter-Office Communication

To: Warden Simmons, Lester, Butcher Date: May 16, 2011


From: Chaplain Collier Subject: LAPTOP RECALL

With your approval, I or CVCA Reeves will be taking off the unit our Sound board Laptop for recall repair and will bring it back on unit when repairs are completed.

Thank You

*Warden Lester
Responsible for A lot
under Simmons,
before MUM12*

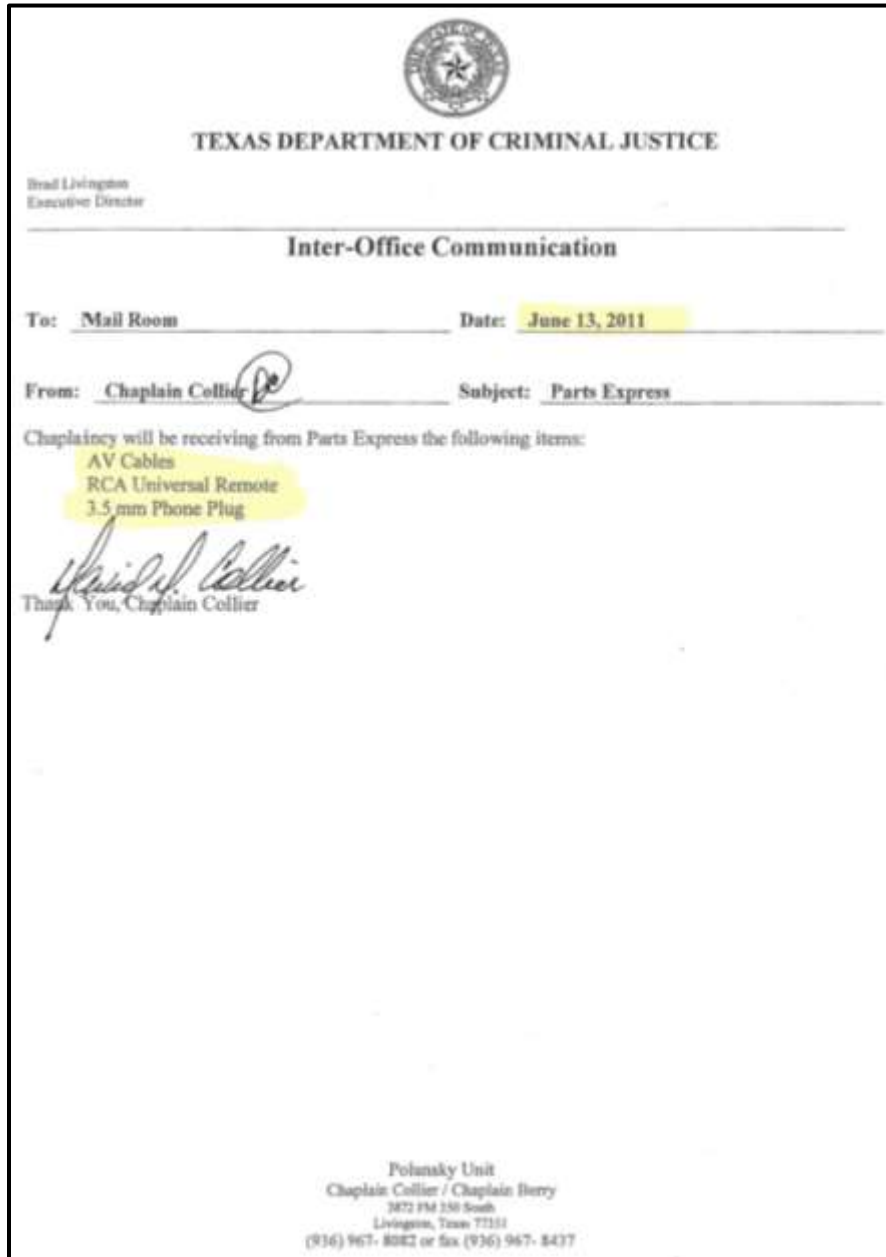
*IT is supposed
to do all
this?*

Approval: 
Warden

Polunsky Unit
Chaplain Collier/Chaplain Berry
3872 FM 350 South
Livingston, Texas 77351
(936) 967- 8082 or fax (936) 967- 8437

Item 13. Prisoner Supply Train: 06-13-11 – Just Cables and Phone Plug

Parts – AV Cables, RCA Universal Remote, and 3.5 mm Phone Plug. What were they for? Don't think for a minute, or half a second that Chaplain Collier or any Volunteer Chaplain would be "running" AV Cables, which, I think mean Audio Visual cables. Just *parts* coming on the Polunsky Chaplaincy Supply Train for the prisoners to repair, rewire, reconfigure the \$25,000 or more of audio-visual equipment from the Prisoners' Computer Control Center. Don't even need the warden's approval for those, or maintenance, or TDCJ ITD folks – goodness, why bother with policy at all?




The image shows a document from the Texas Department of Criminal Justice. At the top center is the state seal, followed by the text "TEXAS DEPARTMENT OF CRIMINAL JUSTICE". Below this is the name "Brad Livingston, Executive Director". The document is titled "Inter-Office Communication". It contains a memo with the following fields: "To: Mail Room", "Date: June 13, 2011", "From: Chaplain Collier" (with a handwritten signature), and "Subject: Parts Express". The memo text states: "Chaplaincy will be receiving from Parts Express the following items: AV Cables, RCA Universal Remote, 3.5 mm Phone Plug". Below this is a handwritten signature and the text "Thank You, Chaplain Collier". At the bottom, it lists the "Polunsky Unit" address: "Chaplain Collier / Chaplain Berry, 3872 FM 250 South, Livingston, Texas 77151, (936) 967- 8082 or fax (936) 967- 8437".

And what in the world is the "Phone Plug" for? As I have said before, to Warden Simmons and Alford, to shrugs, inside the dark fortified Prisoners' Computer Control Center was a live phone line. No, I never saw a prisoner use it, but Vol. Chaplain Ed Reeves did, in the dark, with the prisoners, as ordered parts.

Item 14. Prisoner Supply Train: 07-27-11 – Audio/Video “Switch”?


Ahhh, “Audio/Video Switch” and Microphone “connectors” signed off by Senior Warden Simmons almost one year before I arrived and before he retired on July 31, 2012. Now then – seriously – what were those for? Knowing that the prisoners were “installing” and reconfiguring and doing whatever without any supervision, not even a hint. Under the million-dollar eyes-in-the-sky with three high resolution cameras in the 3-Gym and 7-Gym. Yes, Warden Simmons *knew* all and sanctioned all!


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director

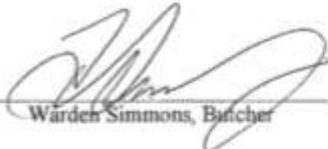
Inter-Office Communication

To: Warden Simmons, Butcher Date: July 27, 2011

From: Chaplain Collier  Subject: Media Equipment

With your approval, we would like to bring onto the unit the following items to be used in 7GYM services.


1. Audio/ Video Switch
2. Microphone connectors

Approved: 
Warden Simmons, Butcher

Polunsky Unit
Chaplain Berry/ Collier
3672 F.M. 350 South
Livingston, Texas 77351
(936) 967 8082 or fax (936) 967 8437

Item 15. Prisoner Supply Train: 08-02-11 – Two 50' Extension Cords!

Finally, some regulation by a warden, Warden Butcher. The 50' extension cords must follow policy. Yet, guess what? The “behind two locks” was sped read, I suppose, but the “behind” part was never followed, for over a year. What they did in BOTH 3-Gym and 7-Gym was “lock” to “two padlocks” onto the extension cords themselves as they lay on the 3-Gym and 7-Gym floors in view of the three high resolution cameras in both gyms, and – yes – there they lay for years. That is, in 3-Gym they lay for years, for this IOC was for 7-Gym to just procure *additional* extension cords.


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director

Inter-Office Communication

To: Warden Simmons, Butcher Date: August 2, 2011

From: Chaplain Collier Subject: Fans

With your approval, we will be bringing onto the unit 3-fans and 2-50' extension cords through the back gate. These items are to be used in 7 Gym.

Thank you,
Chaplain Collier
David D. Collier

Approved: *[Signature]*
Warden Simmons, Butcher

*Warden Butcher
now done!
Name checked*

Extension Cords to be inventoried & secured behind two locks when not in use. Treat as a Sensitive tool.


Polunsky Unit
Chaplain Berry/ Collier
3672 F.M. 350 South
Livingston, Texas 77351
(936) 967 8062 or fax (936) 967 8437

Bear in mind a sensitive tool policy on extension cords already existed *before* this request for two *more* 50' extension cords. Chaplaincy did not store any extension cord under a real lock. But everybody knew that, too, and – still – that was minor compared to unsupervised prisoners.

How many policy violations are here? All the many violations far, far worse than *any* of my three contrived violations – by far. Chaplain Collier disobeys a *direct* written order.

Item 16. Prisoner Supply Train: 10-19-11 – Projector Repair

Not a big in itself, just another written indication that Warden Simmons knew all of what was going on in the 3-Gym and 7-Gym, even if he never did actually watch those areas from his television monitor connected to the three high resolution security cameras viewing the Prisoners' Computer Control Center.


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Boyd Livingston
Executive Director

Inter-Office Communication

To: Warden Simmons, Butcher or Munoz Date: October 19, 2011

From: Chaplain Collier Subject: Projector

With your approval, we would like to take off the unit a projector to be repaired than brought back on


Approved: *David L. Collier*
Chaplain Collier

Approved: *[Signature]*
Warden Simmons, Butcher or
Munoz
SIMMONS

Polunsky Unit
Chaplain Collier / Berry
3672 F.M. 350 South
Livingston, Texas 77351
(936) 967 8082 or fax (936) 967 8437

Item 17. Prisoner Supply Train: 03-01-12 – More Connectors & PARTS

What are these for? Even if Chaplain Collier or a Volunteer Chaplain knew, they were still installed and reconfigured *without* any supervision. Only the prisoners know, and, yes, they would tell you, if you asked them. The prisoners were very open about their modifications.


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director

Inter-Office Communication


To: Mailroom Date: March 01, 2012

From: Chaplain Collier Subject: Package Notification

The Chaplaincy will be receiving a package from Parts Express in the next 5-7 business days. Items include:

- 1 EACH REGULAR HDMI GENDER CHANGER
- 1 EACH RIPTIE
- 5 EACH XLRM CONNECTOR
- 6 EACH MIC WIND SCREENS

*What are these for?
Only prisoners know!*

Authorized: 
Chaplain Collier

Polunsky Unit
Chaplain Collier / Chaplain Berry
3872 F.M. 350 South
Livingston, Texas 77351
(936) 967 8082 or fax (936) 967 8437

To date, we still do NOT know what the prisoners did, and, worse, do not know what the prisoners were CAPABLE of doing inside their unsupervised Prionsers' Computer Control Center ... for years.

Item 18. Prisoner Supply Train: 03-27-12 – Another External Hard Drive

What? – ANOTHER External Hard Drive! I had the impression Chaplain Collier did not know that much about computers anyway, all the more dangerous. Didn't need the Warden's Signature for this either, strangely enough. USB Hub – so one can *connect* several pieces their computers at one time, like cameras, video recorders, DVD recorders, and external Hard Drives.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Head Livingston
Executive Director

To: Mailroom Date: March 27, 2012

From: Chaplain Collier Subject: Package Notification

The Chaplaincy will be receiving a package from:

✓ B & H Inc.: USB Hub, Ear buds, and a Storage Drive. Hand Delivered

Authorized: [Signature] Chaplain Collier

Polunsky Unit
Chaplain Collier / Chaplain Vitela
3872 F.M. 350 South
Livingston, Texas 77351
(936) 967 8082 or fax (936) 967 6011

Polunsky Unit
Chaplain Collier / Chaplain Vitela
3872 F.M. 350 South
Livingston, Texas 77351
(936) 967 8082 or fax (936) 967 6011

We Cannot Over Stress This!

What Did the Prisoners NEED EXTRA Hard Drive Space for?

EVERYTHING about this Mailroom Notification Screams Violation!

is from B & H Wait! - in June They Get Another They Work HARD


NOTE: Chaplain Collier already knew, too, who was going to be the Staff Chaplain, and added Jose Vitela to his official stationary. Unfortunately, as Maness made his way through the Dismissal Mediation, and Simmons and Upshaw conspired, the recently told Vitela would have to be told, well, no, he did not get the position after all.

Given the peculiar way my Mediation was set up, and then as I arrived, then deferred, and all the other not-so-coincidental "happenings" – this little error confirms more of Upshaw's and Chaplain Collier's participation in things not usually their purview. One thing is for certain, detailed at length in these Tabs and the Treason Paper, something more was going on than simply Chaplain Collier's ability to enchant Wardens and Directors, and OIG's Sherlock Holmes needs to find out what that was and still is.

Really? Did you see the inventories above and Tab 6 on what the TDCJ ITD Techs found? Yeah, really, they *already* had 10 computers! And now they need another external Hard Drive – they were **BUSY**.

Item 19. Prisoner Supply Train: 03-27-12 – Another VGA Cable

Same day, different supply depot – VGA Cable. Only the prisoners know what that is for. Lots of “cables” all over the place, and 10 or 15 running under the regularly trampled rug from the Prisoners’ Computer Control Center in 3-Gym to the Prisoners’ Audio Cave. Bet the “Cave” is still there, too!


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director


To: Mailroom Date: March 27, 2012

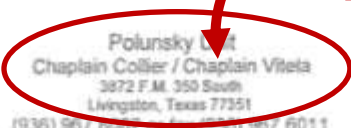
From: Chaplain Collier Subject: Package Notification

The Chaplaincy will be receiving a package from:

✓ Parts Express: VGA Cable.

*what for?
Only prisoners know!*

Authorized: 
Chaplain Collier



Polunsky Unit
Chaplain Collier / Chaplain Vitela
3872 F.M. 350 South
Livingston, Texas 77351
(936) 907-0002 ext. 200 (936) 907-0011

NOTE: Chaplain Vitela ADDED before he is staff chaplain? Who's thinking this through?

TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 20. Prisoner Supply Train: 05-18-12 – 250 Feet of Cable & MORE!

I arrived at Polunsky on Friday the 18th – spent two hours getting to know the primary persons, taking the rest of the day off. The Mailroom Notification Form revised now, to make *sure* a warden signs it – Warden Muniz signing most, these days. Look at this boat load of electronic equipment and huge spool of 250' of mic cable. Why? Because the prisoners no longer get pre-made cables from their money bags supplied by Staff Chaplain Collier and Vol. Chaplain Ed Reeves – they custom make their own. The Supply Train is STEAMS into high gear just as I arrive with the wardens' full authorization.

 **TEXAS DEPARTMENT OF CRIMINAL JUSTICE**

Mailroom Package Notification Form

To: Mailroom Date: May 18, 2012

Thru: (Warden) *P. Muniz*

From: Chaplaincy / Chaplain Collier Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier
 Vendor Name: American Musical Supply
 Item(s) ordered: 1 Audio Snake/ 20 Male Mic Connector
20 Female Mic Connector/ 250' Mic Cable/ 10 1/4" TS Male Connector/ 10 TRS Male Connector
2 Floor Monitors/ 1 DBX Speaker Management/ 2 QSC Loud Speaker/ 2 Speaker Stands

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A
 Specific Date of Order: UPON APPROVAL (May 18, 2012)
 Appx. Date of Receipt: 30 DAYS UPON APPROVAL

Authorized by: *David J. Collier*
 Chaplain

Polunsky Unit
 Chaplain Collier/ Chaplain Vitela
 3872 F.M. 350 South
 Livingston, Texas 77351
 936 967 8082 or fax 936 967 6011


Guess What?
May 18, 2012
Maness' FIRST
Day at Polunsky
How Ironic!
There Were
NO Problems
Until I Exposed

NOTE: because of my troubles soon to come in a month, after the honeymoon ends and I actually *SEE* what is going on – Oh GOD HAVE MERCY AND SEE THIS – this boat load of electronic equipment is signed off by Warden Muniz, the very one who would *not* help me get supervision. This is NOT going to maintenance, no sir, nor to any Chaplain, but to the Prisoners' Computer Control Center, so they can clearly fabricate their own CABLES.

The Supply Train *INCREASED* just one month before I STARTED to expose – Maness sending a 5-page IOC to Warden Muniz on July 11, 2012 (Tab 4, Item 2), and WENT to Huntsville and ATTEMPTED to see Bryan Collier and Rick Thaler!

Item 21. Prisoner Supply Train: 05-31-12 – Three 25-Foot Extension Cords!

Again, there were no problems at the Polunsky Chaplaincy Department, so everyone seemed to think, until I began to expose and question to high heaven. I *knew* policy, and had been fighting for my job for the last several months, and – now – as I settled in, *every conceivable Chaplaincy Policy* is being violated every single day. Chaplain Collier and the Volunteer Chaplains are happy birds, singing praises to God, as prisoners *run* everything – to be honest – it took a couple of weeks before I saw what was happening, that, yes, prisoners were NOT SUPERVISED in the dark in their Prisoners' Computer Control Center.


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director

Inter-Office Communication


To: Warden Simmons, Butcher, Muniz Date: May 31, 2012

From: Chaplain Collier Subject: Extension cord & surge protector

With your approval, CVCA Jose Vitela will be bringing on unit 3 25' extension cords and 3 6-plug surge protectors for the new speaker system in 7gym.

Thank you,

Chaplain Collier

Approval: 

*- Polunsky Vol. Chaplain
- Gib Atwis 2012
- December 2012 → Staff Chaplain at Polunsky*

Polunsky Unit
Chaplain Collier
3872 FM 350 South
Livingston, Texas 77351
(936) 967- 8084 or fax (936) 967- 6011

NOTE: So sad, Chaplain Vitela is TAKEN off the letterhead. Chaplain Collier has a new chaplain, one with 20 years of experience. Why?
There is MORE in the Treason Paper

Polunsky Unit
Chaplain Collier
3872 FM 350 South
Livingston, Texas 77351
(936) 967- 8084 or fax (936) 967- 6011

Item 22. Prisoner Supply Train: 06-19-12 – Another HARD DRIVE!

The last one three months ago on March 27 is to be “replaced” with larger one. I was there. The prisoners wanted one for *their* network, two terabytes, I think, 2,000 gigabytes. Not a problem. Why – for “recordings” of everything, to be edited in the dark! Warden Muniz and Warden Simmons are aware of my discomfort, for I have expressed it. They shrug their shoulders, which I take to mean, which I *must* take to mean, “No problem.” Chaplain Collier and the volunteers see this as God’s blessing of them, giving them “Godly” wardens!

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Mailroom Package Notification Form

To: Mailroom Date: June 19, 2012

Thru: (Warden) D. Muniz

From: Chaplaincy Chaplain Collier Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier

Vendor Name: TIGER DIRECT INC.

Item(s) ordered: PC MEDIA DRIVE

(TO REPLACE HARD DRIVE THAT STORES SERVICE RECORDINGS)

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A

Specific Date of Order: 06/19/2012

Appx. Date of Receipt: 06/19/2012 to 07/02/2012

Authorized by: [Signature]
 Chaplain

Polinsky Unit
 Chaplain Collier/Chaplain Maness
 3872 F.M. 350 South
 Livingston, Texas 77351
 936 967 8082 or fax 936 967 6011

Handwritten notes:
 Tuesday State Holiday
 Maness Off
 I not consulted
 New Hard Drive!
 why? - For Retardins
 Conf # 4026340
 1-800-888-4437
 TRACKING #
 26th KIMES

NO, they did NOT REPLACE anything.

Tiger Direct – just 3 months later. Another Hard Drive Prisoners Work HARD

Maness arrives May 18, by June, he is on Letterhead, and is walking and talking with staff. No one, I mean NO ONE likes the Prisoners Unsupervised, but Captains and above, shrug their shoulders.

God Does NOT Bless Security Violations – and I Wanted to Shove This Down Dep. Dir. Bryan Collier’s & Reg. 1 Dir. Upshaw’s Throats! – But They Cannot See Me!
I Was Disciplined for WHAT? My Three Together were NOTHING Compared to THIS!
 Many Violations Worse Than ALL Three of My Disciplinaries EVERY Single Day!

Item 23. Prisoner Supply Train: 06-19-12 – Cork Boards and 50-pak of DVDs

Same, different Supply Depot, the Supply Train delivers two cork boards for Faith-Based Pod, the other cork boards were covering the inside windows of the Prisoners' Computer Control Center, you know, so the high resolution security cameras could not see in, though the Polunsky security cameras could read the scratches on the cork board. No worries, though, the prisoners are not doing anything wrong, you have Chaplain Collier's and the Volunteer Chaplains' words on it. And – INCOMING – another spool of 50 blank DVDs, for – ah – to record "stuff" on, lots and lots of "stuff."

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Mailroom Package Notification Form

To: Mailroom Date: June 19, 2012

Thru: (Warden) D. Muriz

From: Chaplaincy Chaplain Collier Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier
Vendor Name: QUILL
Item(s) ordered: 2 CORK BOARDS FOR FAITH BASED POD
1-25 PKG BINDER SPINES FOR FAITH BASED POD / 1-50 PKG BLANK DVD'S / 2- CANNON INK CARTRIDGES FOR OFFICE USE / 4 HP INK CARTRIDGES FOR OFFICE USE

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE:
Order Number/Tracking etc.: N/A
Specific Date of Order: 06/26/2012
Appx. Date of Receipt: 06/28/2012 to 07/24/2012

Authorized by: David J. Collier, Chaplain

DvDs for Prisoners
No Chaplain Used Yet!!!

TUESDAY
STATE
HOLIDAY

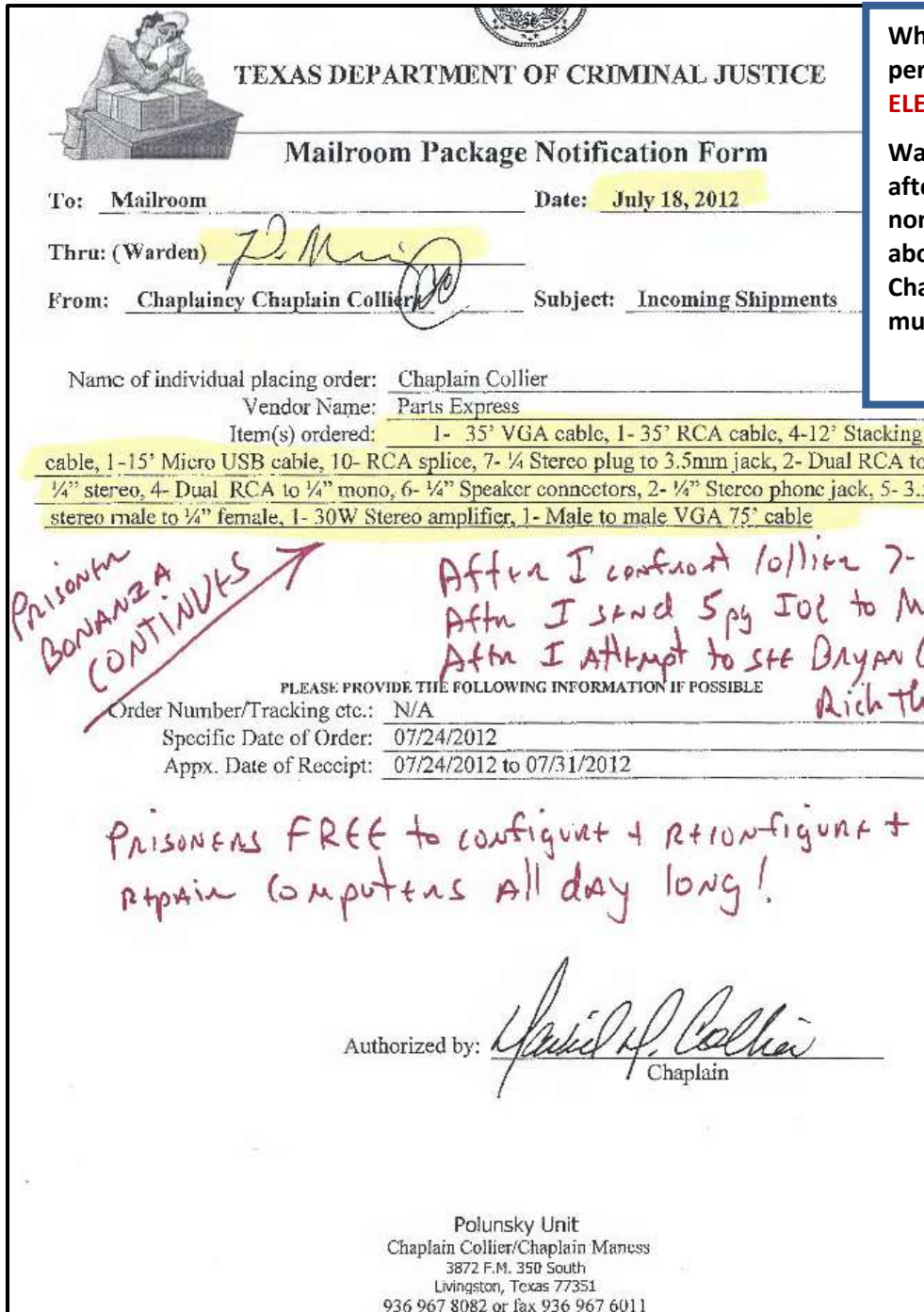
Oh yeah – Tuesday,
June 19, is
Juneteenth and a
State Holiday
But Many Worked
that Day Anyway

Being that ALL of the IOCs and State Documents are
in Black and White,
QUESTION
**What Are the Prisoners PRINTING
with all that COLOR INK in Their
Prisoners' Computer Control Center?
For YEARS?**
Oh – I Sorry – I am NOT Supposed to ask THAT! – But
I must continue to *pretend to be supervising them.*

To be more thorough, from the projected output of a printer model's ink cartridges, one could calculate roughly how many HUNDREDS of Color Pages the prisoners were printing. Today, no one knows, or has even asked.

Item 24. Prisoner Supply Train: 07-18-12 – Electronic PARTS Galore!

I had confronted Chaplain Collier about prisoners in the dark in their Prisoners' Computer Control Center, and a good portion, and about this – NUTS! The prisoners had no business having a FREE reign with this much electronics and NO ONE KNOWING what they were doing! This Comes Seven Days after I wrote a the 4-page IOC to Muniz and, I cannot remember the date, but about this time I had gone to Huntsville and Attempted to see Byran Collier and Rick Thaler – just *knowing* that Upshaw and Simmons *knew* about this. There was NO STOPPING the supply train, even though I repeatedly complained that we did NOT KNOW what they were doing and did not know what they were CAPABLE of doing. Chaplain Collier, Warden Simmons, and Warden Muniz – shrugged shoulders. Dangerous!



TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Mailroom Package Notification Form

To: Mailroom Date: July 18, 2012

Thru: (Warden) [Signature]

From: Chaplaincy Chaplain Collier Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier
 Vendor Name: Parts Express
 Item(s) ordered: 1- 35' VGA cable, 1- 35' RCA cable, 4-12' Stacking cable, 1-15' Micro USB cable, 10- RCA splice, 7- 1/4" Stereo plug to 3.5mm jack, 2- Dual RCA to 1/4" stereo, 4- Dual RCA to 1/4" mono, 6- 1/4" Speaker connectors, 2- 1/4" Stereo phone jack, 5- 3.5mm stereo male to 1/4" female, 1- 30W Stereo amplifier, 1- Male to male VGA 75' cable

Prisoners BANANZA CONTINUES →

*After I confront Collier 7-1-12
 After I send Spg IOC to Muniz
 After I attempt to see Bryan Collier + Rick Thaler*

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A
 Specific Date of Order: 07/24/2012
 Appx. Date of Receipt: 07/24/2012 to 07/31/2012

Prisoners FREE to configure + re-configure + repair computers all day long!

Authorized by: [Signature]
 Chaplain

Polunsky Unit
 Chaplain Collier/Chaplain Maness
 3872 F.M. 350 South
 Livingston, Texas 77351
 936 967 8082 or fax 936 967 6011

What is this? Any reasonable person can see – this is an ELECTRONIC MAINTENANCE LIST.



Warden Muniz signed this a week after my IOC complaining about non-supervised prisoners and about a computer virus on Chaplain Collier's computer and so much more (Tab 4, Items 1-2)!

Ridiculous!

- WHAT ARE THESE FOR?**
- ✓ 1 – 35' VGA Cable
 - ✓ 1 – 35' RCA Cable
 - ✓ 4 – 12' Staking Cable
 - ✓ 1 – 15' Micro USB Cable
 - ✓ 10 – RCA Splice
 - ✓ 7 – 1/4" Stereo Plug
 - ✓ 2 – Dual RCA to 1/4"
 - ✓ 4 – Dual RCA to 1/4"
 - ✓ 6 – 1/4" Speaker Connectors
 - ✓ 2 – 1/4" Stereo PHONE Jacks
 - ✓ 5 – 3.5mm Stereo to 1/4"
 - ✓ 1 – 30W Stereo Amplifier
 - ✓ 1 – 75' VGA Cable
- Another 193 Feet CABLE**
- NO ONE KNOWS!**
- I COMPLAIN – Shrugs!**
 Well, Shrug **THIS!**

Item 25. Prisoner Supply Train: 08-01-12 – Laptop Cooling Pad

Just for fun – the prisoners' Laptop are getting hot during Church services.



TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Mailroom Package Notification Form

To: Mailroom , Date: August 1, 2012

Thru: (Warden) *P. Maness* *MANESS*

From: Chaplaincy Chaplain Collier Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier
Vendor Name: BREAKING FREE MINISTRIES
Item(s) ordered: ONE TAURGS LAPTOP COOLING PAD
TO COOL THE LAPTOP FOR CHURCH SERVICES DUE TO OVERHEATING

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A
Specific Date of Order: 09/11/2012
Appx. Date of Receipt: 09/11/2012 TO 12/30/2012

*Funny Prisoners
laptop sitting
too HOT! ☺*

Authorized by: *Michael J. Collier*
Chaplain



Polunsky Unit
Chaplain Collier/Chaplain Maness
3872 F.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 6011

TAB 13. Inventories – Prisoner Supply Train

State Employees Are Supposed to be Treated Equally

Item 26. Prisoner Supply Train: 08-04-12 – More COLOR Ink

More color ink – for what? For church stuff, and no one has even tried to calculate usage. These have been consumed by unsupervised prisoners, and no one even has a guess on how many color pages have been printed in the Prisoners' Computer Control Center.



TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Mailroom Package Notification Form

To: Mailroom Date: August 4, 2012

Thru: (Warden) P. Maness *NJM 2*

From: Chaplaincy Chaplain Collier Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier
Vendor Name: QUILL
Item(s) ordered: 4 INK CARTIGES (BLACK, CYAN, MAGENTA, YELLOW)

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A
Specific Date of Order: 08/06/2012
Appx. Date of Receipt: 08/07/2012 TO 12/30/2012

All the COLOR INK the Prisoners Need -



Authorized by: Paul J. Collier
Chaplain

Potunsky Unit
Chaplain Collier/Chaplain Maness
3872 F.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 6011

TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally

Item 27. Prisoner Supply Train: 08-14-12 – New Computer Power Supply

Senior Warden Richard Alford is on board, having come back after a three-year absence, and the chapel prisoners and volunteers are ecstatic and relieved, and the new power supply is on the way. I think it was an internal power supply, where prisoners have to dismantle and work on the computers to replace the power supply. Or was it an external battery-back up? I just don't remember, but Warden Muniz signed off on it, not questions and no problem, as the supply train continues.



TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Mailroom Package Notification Form

To: Mailroom Date: August 14, 2012

Thru: (Warden) D. Muniz *MUNIZ*

From: Chaplaincy Chaplain Collier Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier
Vendor Name: TIGER DIRECT
Item(s) ordered: This power supply is for one of the Chaplaincy computers
(a non TDCJ computer) for which Chaplaincy is responsible for repairs.

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A
Specific Date of Order: 08/13/2012
Appx. Date of Receipt: 08/13/2012 TO 12/30/2012

*New Battery Backup
GOT TO KTT P
PRISONERS COMPUTERS
RUNNING!*

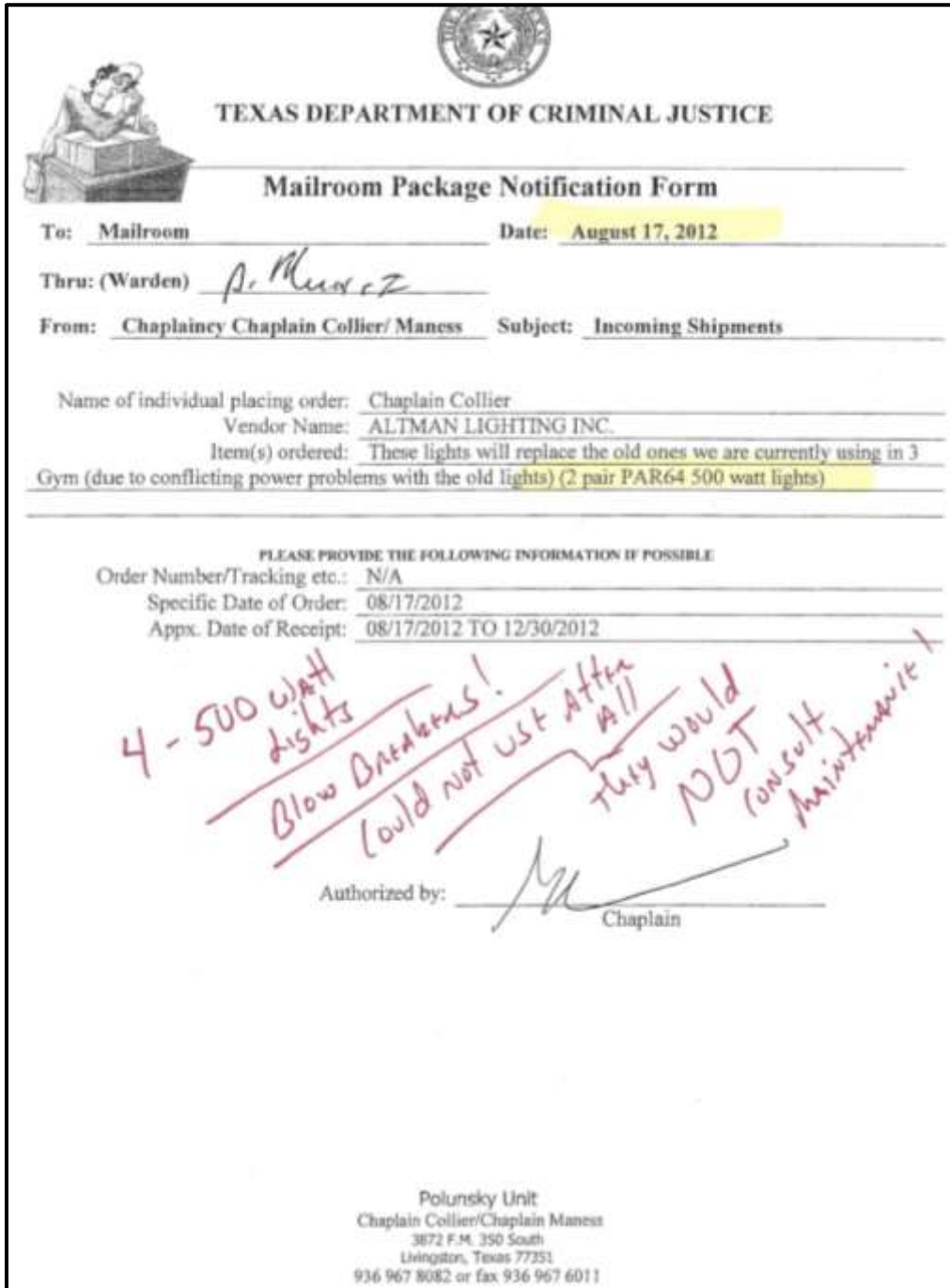
*when did they
get old on?
no one knows*

Authorized by: David J. Collier
Chaplain

Polunsky Unit
Chaplain Collier/Chaplain Maness
3872 F.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 6011

Item 28. Prisoner Supply Train: 08-17-12 – Four 500 Watt Lights?

I asked if the prisoners had figured the load on the electrical breakers, and, of course, they said yes, even though from time to time – even before these lights arrived – the breakers would trip. When these lights arrived, the breakers tripped. So they were useless, just typical of no *real* plans. Warden Alford *signed* for permission for Vol. Ed Reeves to purchase more wire for maintenance to rewire the 3-Gym, but after my third or fourth general complaint of unsupervised prisoners, and the Major’s Utility Squad prisoners making changes in the electrical outlets OUTSIDE of the prison’s Maintenance Work Order schedule, Warden Alford cancelled the permission to rewire the 3-Gym – Vol. Ed Reeves was very mad.



TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Mailroom Package Notification Form

To: Mailroom Date: August 17, 2012

Thru: (Warden) A. Maness

From: Chaplaincy Chaplain Collier/ Maness Subject: Incoming Shipments

Name of individual placing order: Chaplain Collier
Vendor Name: ALTMAN LIGHTING INC.
Item(s) ordered: These lights will replace the old ones we are currently using in 3 Gym (due to conflicting power problems with the old lights) (2 pair PAR64 500 watt lights)

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A
Specific Date of Order: 08/17/2012
Appx. Date of Receipt: 08/17/2012 TO 12/30/2012


4 - 500 watt lights
Blow Breakers!
could not use after all
they would NOT consult maintenance

Authorized by: [Signature] Chaplain

Polunsky Unit
Chaplain Collier/Chaplain Maness
3872 F.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 6011

Item 29. Prisoner Supply Train: 09-04-12 – Computers Parts for Prisoners

Yep, Warden Muniz approves volunteer to bring in INTERNAL computer parts for prisoners to repair computer – under pretense of supervision, but no actual eye-to-eye supervision, if even the volunteer had any idea how to replace the parts. And this was normal. Yet, Warden Alford, who I saw during this time, just shrugged his shoulders when I mention how crazy it was that prisoners were in the dark unsupervised.


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Brad Livingston
Executive Director

Inter-Office Communication

To: Warden Alford, Butcher, or Muniz Date: September 4, 2012

From: Chaplain Collier Subject: Parts for computer

With your approval, Volunteer Mark Machette will be bringing on unit a video card, Bios battery and power button to repair a computer.

*PRISONERS to Repair Computers!
Still no supervision*

Approved: David H. Collier
Chaplain Collier

Approved: P. Muniz
Warden

Polunsky Unit
Chaplain Collier/ Chaplain Maness
3872 F.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 6011

Item 30. Prisoner Supply Train: 09-23-12 – Air Compressor for Prisoners

Where and when did the old air compressor come from? Did they dispose of the old one? Those are small questions compared to Tab 10 and the still and re-confirmed lack of supervision regarding paint in the chapel. The paints were locked, but there has never been any supervision on *use* of the paint, and since the chapel prisoners were shook down (searched) upon entrance or exit, nor their work stations, there is no knowledge of how much paint was stolen. Or, if any of the paint was used during the dying of the prisoner escape attempt from the chapel on January 29, 2010.

The form is from the Texas Department of Criminal Justice. It is a 'Mailroom Package Notification Form'. The header includes the state seal and the department name. The form contains the following fields and handwritten notes:

- To:** Mailroom
- Date:** September 23, 2012
- Thru: (Warden):** J. Merri
- From:** Chaplaincy Chaplain Collier
- Subject:** Incoming Shipments
- Name of individual placing order:** Chaplain Collier
- Vendor Name:** HARBOR FREIGHT
- Item(s) ordered:** Pancake Air Compressor, Coupler set, Air hose, Quick coupler
- Note:** Replace existing old air compressor, and to be used by art team.
- Handwritten note:** when did "old" come? no one knows! Art Team NOT supervised SEE TAB 10
- PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE:**
 - Order Number/Tracking etc.: N/A
 - Specific Date of Order: 09/24/2012
 - Appx. Date of Receipt: 09/24/2012 to 01/28/2013
- Authorized by:** David H. Collier, Chaplain

A small thing, still, a four month "approximate" date of receipt is a little much, if not just a little unreasonable, but no violation of policy when the warden approves it. The violation is the lack of supervision of "use" of the paint itself. Seen every day from the eyes-in-the-sky high resolution cameras.

Art is fantastically therapeutic. I want the art program to succeed. I am not aware of any TDCJ Chaplaincy Dept. art programs using liquid paints. If there was, they should have the same controls as the Craftshop where, at least, all the prisoners exiting are searched every single time. The Chapel prisoners never were – never. As with all things, let it never be said that a single chapel program contributed a drop to aid any escape, and the Serious Incident Report did *not* report how those prisoners dyed their clothes.



TAB 13. Inventories – Prisoner Supply Train
State Employees Are Supposed to be Treated Equally



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Tab 14.

TAB 14. Chaplain David Collier

TAB 14. Chaplain David Collier	451
Item 1. Chaplain David Collier Dates	453
Hired to Polunsky 12-15-2006 to 11-30-2012, and his last three GOOD annual reviews in a row; Warden Alford on 11-29-12, just one month <i>after</i> my 21-page exposure was faxed and one day after ITD finished it 4-week reconfiguration of the chapel computers. See the Epilogue for the dissection of Dir. Mike Bell's email. Cover up.	
Item 2. 07-09-12 – Chaplain Collier Note to me to STOP Correcting Things	455
Item 3. 11-29-12 – Chaplain Collier Good Evaluation – Critically Important Falsification of Record!	456
signed by Alford, who more than <i>any</i> other TDCJ staffer <i>knew</i> right well of the multitude of violations.	
Item 4. 01-25-10 – Chaplain Collier Good Evaluation	458
Mirrored 2012, only 2011 is skipped. See Tab 3, number11 on BIG LEAD to Diamond Mine, as Collier told me that the wardens “refused to sign” his annual because Ulmer did not give a good enough evaluation.	
Item 5. 01-22-09 – Chaplain Collier Good Evaluation	460
Goodness, did you see that? ALL Exceeds Standards, which strangely enough was the time Chaplain Rick Anderson was fired in Sept. 2009 for mailing a Death Row Prisoner Richard Tabler who also got a cell phone and called Sen. Whitmire. Because of Anderson's book, and other items in Tab 3 number 1, and taped interview on CD 1, item 1, much more for OIG to do on chapel violations extent then.	
Item 6. 02-01-10 – Polunsky Chaplaincy Dept. Operational Review	462
Reg. Chaplain S. Ulmer notes the following, “15-20 prisoners within library area and the volunteer was inside the Chaplain's office with the door closed reading a catalogue. This means that there was not immediate sight and sound supervision of the prisoners.”	
Item 7. 08 to 11-13 – Open Record Requests for Chaplain of the Year Awards	463
7a – Appeal to Texas Attorney General	
7b – 08-27-13 – 1st Chaplain of the Award OR Request	
7c – 09-30-13 – 2nd Chaplain of the Award OR Request	
7d – 11-07-13 – 3rd Chaplain of the Award OR Request	

Richard Alford Promotions

Polunsky 11-2002 – 08-2008 – Asst. Warden – Polunsky – 5 yrs, 9 Ms
09-2008 – Warden I – BA – 4 Ms ... 01-2009 – CN – 1 Yr, 8 Ms ... 09-2010 – Senior Warden II – Stiles – 2 Yrs
Polunsky 09-2012 – 03-2013 – Senior Warden II – Polunsky – 6 Ms
04-2013 – Reg. 1 Director – Longest Cover Up in TDCJ History



TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally



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Item 1. Chaplain David Collier Dates

While it might not seem immediately important, it is actually critical to understand that severe problems were being tolerated before Staff Chaplain Rick Anderson arrived, and he explains all in his book quite well.

Michael

From: Caroline.Herring@tdcj.state.tx.us
Sent: Monday, July 22, 2013 1:58 PM
To: maness3@att.net
Subject: Re: Records Request

Tab 14
Item 1

Mr. Manness

The services dates at TL for requested are as follows:

Collier, David	12-15-2006 to 11-30-2012
Anderson, Richard	03-27-2008 to 10-07-2009
Vitella, Joe	No Match in System

We have sent the remainder of your request for service dates to the Information Technology Division regarding TL Chaplains back to the year 2000. Due to programming and research we will require additional time to respond to this portion of your request. We anticipate results by 08-05-2013.

Caroline Herring
Employee Services
936/437-4075 (p)
936/437-4140 (f)

Richard Alford Promotions

05-1993 – 01-2000 progressing to Major at Eastham

Polunsky 11-2002 – 08-2008 – Asst. Warden – Polunsky – 5 yrs, 9 Ms
 09-2008 – Warden I – BA – 4 Ms ... 01-2009 – CN – 1 Yr, 8 Ms
 09-2010 – Senior Warden II – Stiles – 2 Yrs

Polunsky 09-2012 – 03-2013 – Senior Warden II – Polunsky – 6 Ms
 04-2013 – Reg. 1 Director – Longest Cover Up in TDCJ History

Prisoners' Computer Control Center Directors

TDCJ#	Sentence	Crime	Effective Titles
0705004 – Ramy Hozaifeh	Life	Capital Murder	Senior Director
0740176 – Gilbert Cavasos	Life	just Murder	Deputy Director
0759465 – Jesse Hernandez	Life	Capital Murder	Office Manager

Rick Anderson’s book, *God’s Feet Are in My Sandbox*, explains how he was fooled by Death Row prisoner Richard Tabler into taking a letter off the unit and mailing them for Tabler.¹⁶⁹ Every chaplain should read it. He goes into great length on the stresses he faced, only he is too shy, using pseudonyms and hiding the names all parties, even Tabler’s name. His story indicates the great value of Clinical Pastoral Education (CPE).¹⁷⁰ Anderson remains a witness to Polunsky. Listening to his interview on Disk 1, Track 1, you can hear his pain as Chaplain Collier was allowed all kinds of violations in 2008-2009, *while* (then) Warden Timothy Simmons and Asst. Warden Richard Alford were there, including – read Alford’s IOC – many kinds of computer violations. Unsupervised prisoners including Prisoner Ramy Hozaifeh were *busy* on

¹⁶⁹ Rick Anderson, *God’s Feet Are in My Sandbox – Faith Chronicle of a Texas Death Row Chaplain* (Mustang, OK: Tate Publishing, 2011; 227p.), especially unnumbered chapter 18, titled “Barred from Death Row” (pp. 201-213).

¹⁷⁰ See www.ACPE.edu for more the Association of Clinical Pastoral Education, the premier CPE provider, mainly provided through stringently certified chaplaincy departments in hospitals.

TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally

their computers *before* Anderson got there in 2008, and, even in 2008, it was *strange* to Anderson how Prisoner Hozaifeh could *learn* it all *while in prison* and be such a *genius* then in 2008. Yes, Alford *knew* about the *unsupervised* Prisoners' Computer Control Center then – no question about that.



TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally


Item 2. 07-09-12 – Chaplain Collier Note to me to STOP CORRECTING Things

Chaplain David Collier Note – Stop Compliance!

After confronting Chaplain David Collier and agreeing to leave a few things for later, I *still* had to supervise prisoners in the DARK Computer Control Center and continued to *order prisoners finish the inventory draft*. Left on the desk for me, I almost shredded it – *for his sake* – as no senior in-prison employee would *order* another to STOP supervising prisoners IN WRITING. Normally, we “look out for one another” with just such a *shredding*, but *no one was looking out for me* at this point. Darn glad I kept it.

Almost more than anything else, this note reveals the utter naiveté of Chaplain Collier on so many levels and likewise reveals HIS confidence in what he was *supervising* for the last 6 years! It says volumes by itself of HIS perception of his relationships with the wardens and security and even his *passion* to *preserve* the policy-violating behavior of prisoners. And it reveals our relationship toward the end, too. And Regional Chaplain Susan Matthis will recall my call to her, to get her involved, and Chaplain Collier telling her all was “okay” in so many words.


It is prime evidence of my own *working hard* to bring things into compliance too – *uphill*.



TEXAS DEPARTMENT OF CRIMINAL JUSTICE
INSTITUTIONAL DIVISION

July 9, 2012

CRITICAL KEY



Mike,

I thought we “agreed” to think things over for the weekend and we would get together the first of the week and see what we come up with.

I come in Saturday and my clerks are ready for a job change. This **CANNOT** happen! I put everything on hold until I return on Tuesday as we agreed.

This is not the way to do things if you are after success. Don't get on the Clerks I decided to put things on hold for a cooling off period.

David

Repeat from Tab 2

Significance of this note
CANNOT be overstated.

He said, “not the way to do things if you are after success” – priceless! He truly *believed* he was successful, as did most of his Volunteer Chaplains, not all, but most. As mentioned in the Sourcebook, this note says volumes about Chaplain Collier’s naiveté, his confidence that he BELIEVED he was OKAY with all the violations, even that there were no true violations, and that he had the Wardens’ sure and certain support, as he had support for the last 5-plus years!

Sad – it is a very *sad* note, and worse, for how the Wardens and Directors are covering up, continuing his illusion that all was okay, and the same illusion for several otherwise good volunteers.

TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally

**Item 3. 11-29-12 Chaplain Collier Good Evaluation –
Critically Important Falsification of Record!**

Texas Department of Criminal Justice EMPLOYEE PERFORMANCE EVALUATION		
PART I - ADMINISTRATIVE DATA		
01 DATE: 11/29/2012	02 PERIOD OF REPORT: FROM 11/29/2011 TO 11/29/2012	03 REASON: <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> ANNUAL
EMPLOYEE	04 NAME (Last, First, MI): Collier, David	05 JOB TITLE: CHAPLAIN II-
	06 SSN:	07 UNIT/DEPARTMENT: Polunsky Unit
RATING SUPERVISOR	08 NAME (First Last Supervisor): Billy Pierce	09 JOB TITLE: Manager I
	10 SIGNATURE: 	11 DATE: 11/29/12
SENIOR RATER	12 NAME (Second Last Supervisor): Richard Alford	13 JOB TITLE: Warden
	14 SIGNATURE: 	15 DATE: 11/29/12
REVIEWER (If Applicable)	16 NAME (Central Facility Administrator/Departmental Liaison/Manager): Marvin Dunbar	17 JOB TITLE: Manager III
	18 SIGNATURE: 	19 DATE: 12/4/12
PART II - PERFORMANCE ASSESSMENTS		
A. Essential Functions:		
1. Schedules, conducts, and oversees religious education programs, worship services, and sacramental ministry in accordance with the practices and customs of the chaplain's faith and according to offender faith group representation; conducts regular visits to offenders, administrative segregation housing areas, and individuals who are critically ill; and counsels offenders on religious problems, personal issues, crisis intervention, grief, and institutional adjustment.		
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCELLENCE		
2. Maintains liaison with unit administration, departments, staff, and chaplaincy headquarters; and provides institutional staff information on various faiths, groups, denominations, and needs of offenders.		
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCELLENCE		
3. Recruits, trains, and supervises chaplaincy program volunteers; and provides agency information regarding religious educational programs, worship services, sacramental ministries, visitation, counseling programs, and other agency programs.		
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input checked="" type="checkbox"/> EXCEEDS STANDARDS <input type="checkbox"/> EXCELLENCE		
4. Participates in outreach activities; and communicates the agency religious program objective to community religious and civic groups and members of the local clergy.		
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCELLENCE		
5. Assists in planning and developing chaplaincy programs; prepares program correspondence, statistics, and reports; and maintains required chaplaincy records, files, and other documentation.		
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCELLENCE		
6.		
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS <input type="checkbox"/> EXCELLENCE		
7.		
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS <input type="checkbox"/> EXCELLENCE		
B. Standards of Conduct: Employee has adhered to expected standards of conduct, including the rules of conduct described in the Listing of Employee General Rules of Conduct and Disciplinary Violations identified in PD-22. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If no, identify specific deficiency and corrective action that has been taken or the rule violation and disciplinary action imposed. Attach additional page if necessary.) COMMENTS:		
C. TDCJ Safety Policy: Employee has adhered to TDCJ Safety Policy <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If no, identify specific safety policy deficiency and corrective action that has been taken. Attach additional page if necessary.) COMMENTS: (Rating Supervisor)		
DEC 08 2012 RECEIVED DEC 17 2012 BY: 		
Distribution: Original – Human Resources Headquarters; Copy – Unit/Department; Copy – Employee PERS 11 (09/09) Page 1 of 2		

TAB 14. Chaplain David Collier
 State Employees Are Supposed to be Treated Equally

Employee Name: Collier, David **SSN:** _____

D. Fraud Risk Assessment (applies only to Salary Group B19 or C4 and above):
 Proactively addresses the potential of fraud in the discharge of assigned duties. (If no, identify deficiency and corrective action that has been taken.)
 YES NO

E. Supervisory Functions (if applicable):

1. Schedules employee's work and off duty time.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARD SOMEWHAT EXCEEDS STANDARD EXCEEDS STANDARD

2. Provides training and instruction to subordinate employees.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARD SOMEWHAT EXCEEDS STANDARD EXCEEDS STANDARD

3. Evaluates and counsels subordinate employees.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARD SOMEWHAT EXCEEDS STANDARD EXCEEDS STANDARD

4. EEO Support: Adheres to TDCJ EEO Policy. (If no, identify deficiency and corrective action that has been taken.)
 YES NO

PART III - PERFORMANCE DESCRIPTION

Needs much improvement - Does not meet standard requirements. All aspects of performance are poor. Corrective action is needed.
Needs some improvement - Inconsistently meets standard requirements, performance still needs improvement.
Meets standards - Meets standard requirements. Performance has been as expected of employees in same or related positions.
Somewhat exceeds standards - Always meets standard requirements. Performance exceeds that normally expected of employees in same or related positions.
Exceeds standards - Consistently meets and exceeds standard requirements. Performance is outstanding on a regular basis.

Writes justification required for ratings of "Needs Much Improvement", "Needs Some Improvement" and "Exceeds Standards":
 Chaplain Collier works hard with staff and volunteers. He is a recipient to TDCJ, RPD Chaplaincy. He actively assists in the probation process and does an excellent job.

Employee may attach comments or provide comments within 3 workdays of performance evaluation review:

EMPLOYEE SIGNATURE (For Performance Evaluation): David P. Collier **DATE:** 12-17-12

The employee's signature acknowledges receipt of this Employee Performance Evaluation form and does not indicate concurrence or non-concurrence with the performance assessments.

Note to Employee: With few exceptions, you are entitled upon request: (1) to be informed about the information the Agency collects about you; and (2) under Texas Government Code §§552.021 and 552.023, Texas Government Code, to receive and review the collected information. Under Texas Government Code §559.004, you are also entitled to request, in accordance with the Agency's procedures, incorrect information the Agency has collected about you be corrected.

CONFIDENTIAL INFORMATION AGREEMENT

I understand that information concerning any person, system, or asset of the Texas Department of Criminal Justice which is obtained while performing my duties is to be held in strictest confidence and may not be disclosed except as required by job duties or law. I understand that computer system passwords I receive or devise are confidential. I will NOT disclose any password or post them where they may be viewed by others; this includes a co-worker, manager, supervisor, friend, partner, administrative assistant or others. The only exception to this rule is in the event an Information Technology Specialist requires the password to resolve an access problem. Once the problem has been corrected I will immediately change my password. Use of a password not issued specifically to me or to a group of which I am a member is expressly prohibited. I am responsible for any computer transaction performed as a result of access authorized by use of my password. I agree to abide by all written conditions and restrictions imposed by the Information Security Manual. I agree further NOT to attempt to circumvent the computer security system by using or attempting to use, any transaction, hardware, software, files or resources I am not authorized to use. I understand that any copyrighted material, including but not limited to commercial software, which may be made available, is protected by copyright laws and is not to be copied for any reason without permission from the copyright owner. I understand that the violation of copyright laws, including those applicable to computer software, may result in fines and/or other legal action. I also understand that unauthorized access or use of the computer system of the Texas Department of Criminal Justice constitutes a "Breach of Computer Security" as defined under Chapter 33 of the TEXAS PENAL CODE, and may be a criminal offense under Texas Penal Code, §33.02.

EMPLOYEE SIGNATURE: David P. Collier **DATE:** 12-17-12

DEC 06 2012

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 PERS 11 (0909) Page 2 of 2

Item 4. 01-25-10 – Chaplain Collier Good Evaluation

Texas Department of Criminal Justice EMPLOYEE PERFORMANCE EVALUATION			Tab 14 Item 4
PART I - ADMINISTRATIVE DATA			
01. DATE: 11/08/2010	02. PERIOD OF REPORT: FROM 12/15/09 TO: 12/15/10	03. REASON: <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> ANNUAL	
EMPLOYEE	04. NAME: (Last, First, MI) Collier, David D.	05. JOB TITLE: CHAPLAIN II	
	06. SSN:	07. UNIT/DEPARTMENT: TL/Chaplaincy	
RATING SUPERVISOR	08. NAME: (First Line Supervisor) Steve Ulmer	09. JOB TITLE: Chaplain III	
	09. SIGNATURE: <i>[Signature]</i>	10. DATE: 1-20-2011	
SENIOR RATER	11. NAME: (Second Line Supervisor) Timothy Lester	12. JOB TITLE: Assistant Warden	
	12. SIGNATURE: <i>[Signature]</i>	13. DATE: 1.25.2011	
REVIEWER (If Applicable)	14. NAME: (Warden/Facility Administrator/Department Head/Manager) Phillip Pierce	15. JOB TITLE: Manager I	
	16. SIGNATURE: <i>[Signature]</i>	17. DATE: 2/1/11	
PART II - PERFORMANCE ASSESSMENTS			
A. Essential Functions:			
1. Schedules, conducts, and oversees religious education programs, worship services, and sacramental ministry in accordance with the practices and customs of the chaplain's faith and according to offender faith group representation; conducts regular visits to offenders, administrative segregation housing areas, and individuals who are critically ill; and counsels offenders on religious problems, personal issues, crisis intervention, grief, and institutional adjustment.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCEEDS STANDARDS			
2. Maintains liaison with unit administration, departments, staff, and chaplaincy headquarters; and provides institutional staff information on various faiths, groups, denominations, and needs of offenders.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCEEDS STANDARDS			
3. Recruits, trains, and supervises chaplaincy program volunteers; and provides agency information regarding religious educational programs, worship services, sacramental ministries, visitation, counseling programs, and other agency programs.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input checked="" type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS			
4. Participates in outreach activities; and communicates the agency's religious program objective to community religious and civic groups and members of the local clergy.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCEEDS STANDARDS			
5. Assists in planning and developing chaplaincy programs; prepares program correspondence, statistics, and reports; and maintains required chaplaincy records, files, and other documentation.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input checked="" type="checkbox"/> EXCEEDS STANDARDS			
6.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS			
7.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS			
B. Standards of Conduct: Employee has adhered to expected standards of conduct, including the rules of conduct described in the Listing of Employee General Rules of Conduct and Disciplinary Violations identified in PD-22. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If no, identify specific deficiency and corrective action that has been taken or the rule violation and disciplinary action imposed. Attach additional page if necessary.) COMMENTS:			
C. TDCJ Safety Policy: Employee has adhered to TDCJ Safety Policy <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If no, identify specific safety policy deficiency and corrective action that has been taken. Attach additional page if necessary.) COMMENTS: (Rating Supervisor)			
FEB 09 2011		TEXAS DEPARTMENT OF CRIMINAL JUSTICE	TEXAS DEPARTMENT OF CRIMINAL JUSTICE
		FEB 01 2011	JAN 05 2011
Distribution: Original – Human Resources Headquarters; Copy – Unit/Department; Copy – <i>[unclear]</i>		RPD CHAPLAINCY ADMINISTRATION	RPD CHAPLAINCY ADMINISTRATION
PERS 11 (03/09)		Page 1 of 2	

TAB 14. Chaplain David Collier
 State Employees Are Supposed to be Treated Equally

Employee Name: Collier, David D. SSN: _____

D. Fraud Risk Assessment (applies only to Salary Group B11 or C4 and above):
 Proactively address the potential of fraud in the discharge of assigned duties. (If no, identify deficiency and corrective action that has been taken.)
 YES NO

E. Supervisory Functions (if applicable):

1. Schedules employee's work and off duty time.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARDS MINORLY EXCEEDS STANDARDS EXCEEDS STANDARDS

2. Provides training and instruction to subordinate employees.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARDS MINORLY EXCEEDS STANDARDS EXCEEDS STANDARDS

3. Evaluates and counsels subordinate employees.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARDS MINORLY EXCEEDS STANDARDS EXCEEDS STANDARDS

4. EEO Support: Adheres to TDCJ EEO Policy. (If no, identify deficiency and corrective action that has been taken.)
 YES NO

PART III - PERFORMANCE DESCRIPTION

Needs much improvement - Does not meet standard requirements. All aspects of performance are poor. Corrective action is needed.
 Needs some improvement - Inconsistently meets standard requirements, performance still needs improvement.
 Meets standards - Meets standard requirements. Performance has been as expected of employees in same or related positions.
 Somewhat exceeds standards - Always meets standard requirements. Performance exceeds that normally expected of employees in same or related positions.
 Exceeds standards - Consistently meets and exceeds standard requirements. Performance is outstanding on a regular basis.

Written justification required for ratings of "Needs Much Improvement", "Needs Some Improvement" and "Exceeds Standards":
As an innovator of such programs as Quest For Manhood Chaplain Collier has created and maintained a diverse program schedule designed to meet the pastoral and developmental needs of a population as complex as Polinsky.
 Employee may attach comments or provide comments within 3 workdays of performance evaluation review:

EMPLOYEE SIGNATURE (For Performance Evaluation): David D. Collier DATE: 2-9-11

The employee's signature acknowledges receipt of this Employee Performance Evaluation form and does not indicate concurrence or non-concurrence with the performance assessments.

Note to Employee: With few exceptions, you are entitled upon request: (1) to be informed about the information the Agency collects about you; and (2) under Texas Government Code §§552.021 and 552.023, Texas Government Code, to receive and review the collected information. Under Texas Government Code §559.004, you are also entitled to request, in accordance with the Agency's procedures, incorrect information the Agency has collected about you be corrected.

CONFIDENTIAL INFORMATION AGREEMENT

I understand that information concerning any person, system, or asset of the Texas Department of Criminal Justice which is obtained while performing my duties is to be held in strictest confidence and may not be disclosed except as required by job duties or law. I understand that computer system passwords I receive or devise are confidential. I will NOT disclose any password or post them where they may be viewed by others; this includes a co-worker, manager, supervisor, friend, partner, administrative assistant or others. The only exception to this rule is in the event an Information Technology Specialist requires the password to resolve an access problem. Once the problem has been corrected I will immediately change my password. Use of a password not issued specifically to me or to a group of which I am a member is expressly prohibited. I am responsible for any computer transaction performed as a result of access authorized by use of my password. I agree to abide by all written conditions and restrictions imposed by the Information Security Manual. I agree further NOT to attempt to circumvent the computer security system by using or attempting to use, any transaction, hardware, software, files or resources I am not authorized to use. I understand that any copyrighted material, including but not limited to commercial software, which may be made available, is protected by copyright laws and is not to be copied for any reason without permission from the copyright owner. I understand that the violation of copyright laws, including those applicable to computer software, may result in fines and/or other legal action. I also understand that unauthorized access or use of the computer system of the Texas Department of Criminal Justice constitutes a "Breach of Computer Security" as defined under Chapter 33 of the TEXAS PENAL CODE, and may be a criminal offense under Texas Penal Code, §33.02.

EMPLOYEE SIGNATURE: David D. Collier DATE: 2-9-11

FEB 09 2011

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 PERS 11 (03/09) Page 7 of 7

Item 5. 01-22-09 – Chaplain Collier Good Evaluation

Texas Department of Criminal Justice EMPLOYEE PERFORMANCE EVALUATION			FEB 09 2011
PART I - ADMINISTRATIVE DATA			
II. DATE: 12/03/09	III. PERIOD OF REPORT: FROM: 12/15/08 TO: 12/15/09	IV. REASON: <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> ANNUAL	
EMPLOYEE	VA. NAME (Last, First, MI): Collier, David D.	VA. JOB TITLE: CHAPLAIN II	
	VB. SSN:	VI. UNIT/DEPARTMENT: TL/Chaplaincy	
RATING SUPERVISOR	VB. NAME (First Line Supervisor): Steve Utner	DV. JOB TITLE: Chaplain III	
	VC. SIGNATURE: <i>[Signature]</i>	VI. DATE: 1-8-2010	
SENIOR RATER	VII. NAME (Second Line Supervisor): Timothy Lester	VI. JOB TITLE: Assistant Warden	
	VIII. SIGNATURE: <i>[Signature]</i>	VI. DATE: 1.22.10	
REVIEWER (If Applicable)	IX. NAME (Methods Facility Assignment/Programs/Headquarters): Biff Pierce	VI. JOB TITLE: Director of Chaplaincy Operations	
	X. SIGNATURE: <i>[Signature]</i>	VI. DATE: 1/29/10	
PART II - PERFORMANCE ASSESSMENTS			
A. Essential Functions:			
1. Schedules, conducts, and oversees religious education programs, worship services, and sacramental ministry in accordance with the practices and customs of the chaplain's faith and according to offender faith group representation; conducts regular visits to offenders, administrative segregation housing areas, and individuals who are critically ill; and counsels offenders on religious problems, personal issues, crisis intervention, grief, and institutional adjustment.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARD <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARD <input checked="" type="checkbox"/> EXCEEDS STANDARD			
2. Maintains liaison with unit administration, departments, staff, and chaplaincy headquarters; and provides institutional staff information on various faiths, groups, denominations, and needs of offenders.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARD <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARD <input checked="" type="checkbox"/> EXCEEDS STANDARD			
3. Recruits, trains, and supervises chaplaincy program volunteers; and provides agency information regarding religious educational programs, worship services, sacramental ministries, visitation, counseling programs, and other agency programs.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARD <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARD <input checked="" type="checkbox"/> EXCEEDS STANDARD			
4. Participates in outreach activities; and communicates the agency's religious program objective to community religious and civic groups and members of the local clergy.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARD <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARD <input checked="" type="checkbox"/> EXCEEDS STANDARD			
5. Assists in planning and developing chaplaincy programs; prepares program correspondence, statistics, and reports; and maintains required chaplaincy records, files, and other documentation.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARD <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARD <input checked="" type="checkbox"/> EXCEEDS STANDARD			
6.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARD <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARD <input type="checkbox"/> EXCEEDS STANDARD			
7.			
<input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARD <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARD <input type="checkbox"/> EXCEEDS STANDARD			
B. Standards of Conduct: Employee has adhered to expected standards of conduct, including the rules of conduct described in the Listing of Employee General Rules of Conduct and Disciplinary Violations identified in PD-22. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If no, identify specific deficiency and corrective action that has been taken or the rule violation and disciplinary action imposed. Attach additional page if necessary.)			
COMMENTS:			
C. TDCJ Safety Policy: Employee has adhered to TDCJ Safety Policy <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If no, identify specific safety policy deficiency and corrective action that has been taken. Attach additional page if necessary.)			
COMMENTS:			
JAN 28 2010		Texas Dept of Criminal Justice	
RRPD Chaplaincy Administration		DEC - 7 2009	
Distribution: Original - Human Resources Headquarters; Copy - Unit/Department; Copy - Employee PERS 11 (03/09) Page 1 of 2		734 RRPD Chaplaincy Administration	

TAB 14. Chaplain David Collier
 State Employees Are Supposed to be Treated Equally

Employee Name: Collier, David D.

D. Fraud Risk Assessment (applies only to Salary Group B11 or C4 and above):
 Proactively addresses the potential of fraud in the discharge of assigned duties. (If no, identify deficiency and corrective action that has been taken.)
 YES NO

E. Supervisory Functions (if applicable):

1. Schedules employee's work and off duty time.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARD EXCEEDS STANDARD

2. Provides training and instruction to subordinate employees.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARD EXCEEDS STANDARD

3. Evaluates and counsels subordinate employees.
 NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARD EXCEEDS STANDARD

4. EEO Support: Adheres to TDCJ EEO Policy. (If no, identify deficiency and corrective action that has been taken.)
 YES NO

PART III - PERFORMANCE DESCRIPTION

Needs much improvement - Does not meet standard requirements. All aspects of performance are poor. Corrective action is needed.
 Needs some improvement - Inconsistently meets standard requirements, performance still needs improvement.
 Meets standards - Meets standard requirements. Performance has been as expected of employees in same or related positions.
 Somewhat exceeds standards - Always meets standard requirements. Performance exceeds that normally expected of employees in same or related positions.
 Exceeds standards - Consistently meets and exceeds standard requirements. Performance is outstanding on a regular basis.

Writes justification required for ratings of "Needs Much Improvement", "Needs Some Improvement" and "Exceeds Standards":
Chaplain Collier has navigated his way through a year of turmoil with grace and resolve. His kind and willing attitude has ministered to inmates, staff, administrators and families. I wish we had more like him.

Employee may attach comments or provide comments within 3 workdays of performance evaluation review:

EMPLOYEE SIGNATURE (For Performance Evaluation): David D. Collier DATE: 2-3-2010

The employee's signature acknowledges receipt of this Employee Performance Evaluation form and does not indicate concurrence or non-concurrence with the performance assessment.

Note to Employee: With few exceptions, you are entitled upon request: (1) to be informed about the information the Agency collects about you; and (2) under Texas Government Code §§552.821 and 552.823, Texas Government Code, to receive and review the collected information. Under Texas Government Code §559.804, you are also entitled to request, in accordance with the Agency's procedures, incorrect information the Agency has collected about you be corrected.

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EMPLOYEE SIGNATURE: David D. Collier DATE: 2-3-2010

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 PERS 11 (03/09) Page 2 of 2

Item 6. 02-01-10 – Polunsky Chaplaincy Dept. Operational Review

TXD-02.92
Form A

RECEIVED
FEB 03 2010

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
INTER-OFFICE COMMUNICATION

TO: Dennis Miller
Monitoring and Standards Team

DATE: February 1, 2010

THRU: Bill Pierce
Director of Chaplaincy Operations

FROM: Stephen Ulmer
Chaplain III, Region I

SUBJECT: Division-Level
Operational Review

Unit: Polunsky
Review Conducted: January 25, 2010
(Month/Day/Year)

Functional Area Reviewed: Chaplaincy Department

Manual Chapter and Section Reference: Chapter VIII, Section I

Total 'Applicable' Checklist Questions: 16 (0 High + 16 Other)

• INTRODUCTION:
Persons present for the In-Briefing were Regional Chaplain III, Stephen Ulmer, Chaplain David Collier, Operational Review Officer Sgt. Stringer. Present for the Out-Briefing were Warden Timothy Lester, Regional Chaplain III, Stephen Ulmer, Chaplain Collier and Sgt. Stringer. The Operational Review/Audit of the Polunsky Unit by Regional Chaplain III, Stephen Ulmer was conducted on Monday January 25, 2010. The procedure included: 1) Interview with Chaplain; 2) Examination of files, documents and posted schedules; 3) Interview with Departmental Staff, Officers and Offenders; 4) Observation of physical environment and housing areas.

• FINDING(S) REQUIRING CORRECTIVE ACTION:

1. **Finding: 1:04** Chaplain's Program Notebook did not have program approval forms properly filled out.
Corrective Action: Submit properly filled out program activity forms through the appropriate protocol and purge the manual of papers that do not belong in it.

• SUMMARY:
As an observation, when I entered the Chapel area there were 15-20 inmates within the library area and the volunteer was inside the Chaplain's office with the door closed reading a catalogue. This means that there was not immediate sight and sound supervision of the inmates. Other than this, the Chapel program on Polunsky is well established, diverse and benefits from two fully committed Chaplains. The recent limiting of inmates having clerical participation in the Chaplains' office is also an improvement.

cc: File

Tab 14
Item 6

TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally

Item 7. 08 to 11-13 – Open Record Requests for Chaplain of the Year Awards

- 7a – 11-08-13 – Appeal to Texas Attorney General
- 7b – 08-27-13 – 1st Chaplain of the Award OR Request
- 7c – 09-30-13 – 2nd Chaplain of the Award OR Request
- 7d – 11-07-13 – 3rd Chaplain of the Award OR Request

November 8, 2013

7a

Honorable Greg Abbott
Attorney General of Texas - Open Records
P.O. Box 12548
Austin, Texas 78711-2548

re: **Prisoner Disciplinary Summaries**
Chaplain of the Year Awards

Dear Mr. Abbott, et al:

Fine folks, please see the attached two items.

ONE.

Please see the attached three emails spread over the last two months, the last sent again today (1-3: 09-13-13, 09-30-13, and 11-08-13). I have requested any summaries – monthly, quarterly, annually – and any analyses of TDCJ Prisoner Disciplinary and have not gotten a single response yet, preferable the computer files, pdf, etc.

TWO.

Please see the attached three emails spread over the last four months, the last sent again today (1-3: 08-27-13, 09-30-13, and 11-07-13). I have requested a copy of Chaplain David Collier's Chaplain of the Year Award and any and all such awards from TDCJ Chaplaincy and have not gotten a single response yet, preferable the computer files, pdf, etc.

Please help.

Sincerely,

Michael G. Maness
804 N. Beech, Woodville, TX 75979
409-383-4671 – Maness3@att.net

TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally

From: Michael
To: exec.services@tdcj.state.tx.us
Cc: Michael Maness
Subject: OR - David Collier
Date: Tuesday, August 27, 2013 2:36:15 PM

August 27, 2013

Dear OR Coordinator,
I would also like a following, please:

1. The MS Word, PDF, or other computer doc – or hard copy of Chaplain David Collier's certificate or letter for his Region 1 Chaplain of the Year Award, the last given I believe, in about 2007 or 2009. Or at least the correct date it was given. Hint: if Manager I Bill Pierce does not have it, then Chaplain Collier will have it, it was the screen saver on his Polunsky TDCJ Computer for years at Polunsky.
2. The MS Word, Excel, or other, **Names and Dates** of all the Regional or State "Chaplain of the Year Awards" as far back as they have them.

Thank you very much.

Sincerely,

Michael G. Maness
804 N. Beech
Woodville, TX 75979
409-383-4671
Maness3@att.net
www.PreciousHeart.net

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7b

TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally

From: [Michael](#)
To: Mike.Flagor@tdcj.state.tx.us
Cc: exec.services@tdcj.state.tx.us; Alicia.Frezza-Nash@tdcj.state.tx.us; [Michael Maness](#)
Subject: OR - Outstanding 8-27 and 9-4
Date: Monday, September 30, 2013 10:26:13 AM
Attachments: [image005.png](#)
[OR - 08-27-13 - David Collier.pdf](#)
[OR - 08-27-13 - Re-Requests Vitela - Rutledge.pdf](#)

September 30, 2013

Mr. Flagor,

7c

In response to your notice below (re: requests of 08/27/2013 and 09/04/2013), I have not received your response, yet, to the 9-4-13 request, that you mentioned you would hopefully get out Thursday the 19th.

Regarding the 8-27-13 request, not sure which one you are referring to, be that the 1) duel on Chaplain Vitela's app and the postings for the Asst. Dir. of Chaplaincy position and Rutledge info, or 2) Chaplain Collier's Chaplain of Year Award and all prior such awards, or 3) the multiple requests of a) Executive Services list of OR requests [past two years], b) past time sheets, c) the date and Regional Chaplain conference notebook.

I HAVE received #3, so thanks for that.

But for 1) and 2), I have not received those yet. They are attached.

Thanks.

Michael G. Maness
409-383-4671
Maness3@att.net

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TAB 14. Chaplain David Collier
State Employees Are Supposed to be Treated Equally

From: Michael
To: Alida.Frezia-Nash@tdci.state.tx.us; exec.services@tdci.state.tx.us
Cc: Michael Maness (maness3@att.net)
Subject: David Collier's Chaplain of Year Award
Date: Thursday, November 07, 2013 3:29:23 PM
Attachments: OR - 08-27-13 - David Collier CHAPLAIN OF YEAR .pdf
OR - Outstanding PLUS Chaplain Collier AWARD.pdf
image002.png

7d

November 7, 2013

Ms. Frezia-Nash,

Might I also trouble you and the OR coordinator to follow up on the attached. The first "08-27-13 ..." was the initial request in August, and the second was a couple of follow ups in September. As you can see, it is becoming a bit of a challenge there.

I hate to appeal this, too, to the AG's office, for it is incredibly simple, with, if the worst has happened and the chaplaincy has actually LOST all records, one could even ask Chaplain Collier himself to photo copy his and pdf that and send it to me, or at least fax such to Chaplaincy Manager Bill Pierce and him give you the wording of such.

But I truly wanted all of the records that exist, for they did that for about seven years of my twenty with TDCJ.

And if such sub-standard duty has caused the loss of all those records, then I should receive a statement of the loss, and at least the statement on Chaplain Collier's Year of Receipt, for as mentioned, it was on his desk and on his screen saver.

Ms. Frezia-Nash, this may not mean a lot to a lot of people, but it is an important part of Chaplaincy History.

Thank you for following up on this too. It has been months now, and no response.

Michael G. Maness

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Finally Got Answer – they did not put that on Chaplain Collier official record.
We had a mandatory Chaplaincy Meeting in about 2008 (?) when it was presented



Tab 15.

TAB 15. Polunsky Chaplaincy Extra Violations

TAB 15. Polunsky Chaplaincy Extra Violations	467
Item 1. Statutory Durable Power of Attorney	469
Goodness, I put a quick stop to this. Chaplain Collier listened to me here. But - <i>how many?</i>	
Item 2. Media Release with Chaplain Collier’s SCANNED Signature	470
Use of Staff Signature, a scanned-in use of Chaplain Collier’s <i>signature</i> , something I ended as quickly as I good. But there is no way of verifying that the prisoners truly <i>deleted</i> all copies of that.	
Item 3a. Mailroom Notification of Chaplain Package Deliveries	471
the mailroom had to initiate because <i>so much</i> stuff was coming, including items ordered by prisoners (no disciplinary there either) they wanted to protect themselves. Violations of policy by Chaplain Collier that he was IMMUNE from disciplinary – just MORE paperwork for Mailroom so <i>they</i> would not get disciplined for his by-passing of policy.	
Item 3b. Mailroom Notification of Prisoner Package Deliveries VIA Chaplain	472
which the mailroom had to initiate because <i>so much</i> stuff was coming, including items ordered by prisoners (no disciplinary there either) they wanted to protect themselves.	
Item 4a. Religious Property Papers.....	473
Because of attention to other areas, I rather liked <i>not</i> having to deal with prisoner property, as the prisoner SSIs just “handled it all,” but after the regional chaplaincy meeting, I led SSIs and Chaplain Collier to <i>start</i> to follow new prisoner religious property policy. Yeah, <i>violating</i> policy for years!	
Item 4b. Official Property Papers NOT Used	474
Item 5. Music Supply Order & 250 Feet Cable	476
<i>what happened to that 250 feet of cable? Oh, let's just cover up that, too – everybody's doing it</i>	
Item 6. Battery Consumption	477
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TAB 15. Polunsky Chaplaincy Extra Violations
State Employees Are Supposed to be Treated Equally



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Item 1. Statutory Durable Power of Attorney

Statutory Durable Power Of Attorney

Tab 15
Item 1

Notice: The powers granted by this document are broad and sweeping. They are explained in the durable power of attorney act, chapter XII, Texas Probate Code. If you have any questions about these powers, obtain competent legal advice. This document does not authorize anyone to make medical and other Health-Care decisions for you. You may revoke this power of Attorney if you later wish to do so.

I, Sean Oliver, [redacted] 09, appoint Mattie Brown located at [redacted] in Stephenson County in the State of Illinois, as my agent to act for me in any lawful way with respect to the following initialed subjects:

(A) real property transaction;
 (B) tangible personal property transactions;
 (C) stock and bond transactions;
 (D) commodity and option transactions;
 (E) banking and other financial institution transactions;
 (F) business operating transactions;
 (G) insurance and annuity transactions;
 (H) estate, trust and other beneficiary transaction
 (I) claims and litigation;
 (J) personal and family maintenance;
 (K) benefits from social security, Medicare, Medicaid, or other governmental or civil or military service;
 (L) retirement plan transactions
 (M) tax matters;
 (N) ALL OF THE POWERS LISTED IN A-M

Special Instructions

Unless you direct otherwise above, this power of attorney is effective immediately and will continue until it is revoked. Choose one of the following alternatives by crossing out the alternative not chosen:

(A) This power of attorney is not affected by my subsequent disability or incapacity.
(B) This power of attorney becomes effective upon my disability or incapacity.

You should choose alternative (A) if this power of attorney is to become effective on the date executed.

If neither (A) or (B) is crossed out, it will be assumed that you chose alternative (A). I agree that any third party who receives a copy of this document may act under a revocation of the durable power of attorney is not effective as to a third party until the third party receives actual notice of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

If any agent named by me dies, becomes legally disabled or refuses to act, I name the following (each to act alone and successively, in order named as successor(s) to that agent: _____ signed this _____ day of _____, _____,

State of Texas
County of Polk

Signed under oath before me on _____ by _____,
Respondent is personally known to me and/or identified by Texas Driver's license number _____

Notary Public, State of Texas
I, the notary public whose signature appears above certify that I am not an attorney in this case.

Yes, this form was left on the PUBLIC OneNote inmate network WITH inmate's Social Security available to ALL.

Chaplaincy had NO business preparing these or letting inmates prepare these. The LIABILITY to TDCJ here is so large it boggles the mind to think this was allowed ... just another example of how far off track the Polunsky Chaplaincy had driven.

In OneNote Network under Volunteer Chaplain Carlos Ratcliff, but accessible to all inmates who used wireless computer network.

Second Page

Item 2. Media Release with Chaplain Collier's SCANNED Signature

File Date June 27, 2012 Section J: Programmatic Recreational Activities Tab 15
Item 2

WAIVER OF RESPONSIBILITY AGREEMENT

I, _____, TDCJ# _____, in consideration of and as a prerequisite to my participation in athletic events and activities organized by Texas Department of Criminal Justice for offenders, and more particularly in consideration of my participation in the program/sports of Kingdom Brawlers physical competitions, do hereby release and save harmless the Texas Department of Criminal Justice, its agents and employees, the State of Texas, its agents and employees and political subdivision thereof, from any responsibility of liability for any injuries, illness or other disability that may arise, directly or indirectly, from my participation in Kingdom Brawlers physical competitions, while I am confined within the Texas Department of Criminal Justice as an offender.

It is expressly understood and agreed that my participation in the sport of:

ANY PHYSICAL EVENT IN THE KINGDOM BRAWLERS CHALLENGE

is conditioned upon execution of this release and that I do so freely and voluntarily and with full knowledge and understanding of the matter herein above stated.

MEDIA RELEASE FORM

The undersigned offender(s) of the Texas Department of Criminal Justice (TDCJ) hereby certify that they freely and voluntary consents to be photographed/videoed and/or interviewed by Polunsky Chaplaincy and/or Kingdom Brawlers Program coordinators representing TDCJ and/or Chaplaincy on (DATE) Duration of Class and related Programming for preparation of any related use of photographs and video for promotional use. It is understood that this material will be produced for Chaplaincy Promotional materials and it may be used and distributed on whatever basis deemed necessary by TDCJ and/or Chaplaincy without any further consent from the undersigned inmate(s). Further said inmate(s) hereby release the Texas Department of Criminal Justice -Institutional Division, its employees and agents from all claim and causes of action arising from production of said material.

Offender Signature _____

Date _____

David Collier

Approved by Chaplain Collier _____


Really? – the inmates had access and free use of Chaplain Collier’s scanned SIGNATURE!


Tis that, too, that gave me indications that Chaplain Collier was more naïve and not merely rebellious, something the Wardens KNEW for years and did NOTHING to help him.

Remember, Senior Warden Alford SIGNED Collier’s Annual Evaluation in Nov. 2013 *after my exposures*, Collier’s THIRD outstanding evaluation in a row! Collier’s evaluations say MORE about the wardens than they do about Chaplain Collier – enchanting.

Item 3a. Mailroom Notification of Chaplain Package Deliveries

Tab 15
Item 3a


TEXAS DEPARTMENT OF CRIMINAL JUSTICE



Mailroom Package Notification Form

To: Mailroom **Date:** July 2, 2012 October 19, 2013

Thru: (Warden) _____

From: Chaplaincy Chaplain Collier **Subject:** Incoming Shipments

Name of individual placing order: Chaplain Collier
Vendor Name: CATHOLIC COMMUNITY PRISON MINISTRY
Item(s) ordered: 60 Composition Notebook to be used for Kingdom Brawler class.

PLEASE PROVIDE THE FOLLOWING INFORMATION IF POSSIBLE

Order Number/Tracking etc.: N/A
Specific Date of Order: 07/12/2012
Appx. Date of Receipt: 07/12/2012 to 07/26/2012


Authorized by: _____
Chaplain

Note – so much stuff came into Polunsky Chaplaincy and because of problems of unauthorized stuff coming in, Mailroom had to initiate its own special tracking.

UNFAIR standards again – I get written up for “Substandard Duty” an email from home about a volunteer, while Chaplain Collier is told to create and use an extra forms AFTER unauthorized stuff comes in during his watch. See Tab 16, Item 5, section II, for the TDCJ Disciplinarys, where over last 5 years 78 other TDCJ chaplains were charged with violating 18c, “Possession of any Contraband Other than Those Items Listed in Rule No. 18a” (Level 2). Chaplain Collier is FREE here, yet this was among his most MINOR violations among a HOST over his last 6 years in TDCJ!!!

Polunsky Unit
Chaplain Collier/Chaplain Maness
3872 F.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 6011

Item 3b. Mailroom Notification of Prisoner Package Deliveries VIA Chaplain


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Tab 15
Item 3b

Brad Livingston
Executive Director

Inter-Office Communication

To: Mail Room Date: July 14, 2012

From: Chaplain Collier Subject: Offender Property Notification

INCOMING OFFENDER PROPERTY

The following offender is approved to receive the following listed items through the mail from an authorized vendor.

Offender: WHITE KENNETH TDCJ # 1214800
Last Name First Name

Housing: 7-G-31 Religion of Record: MUSLIM

Items approved to receive:

PRAYER CAP (KUFI)
PRAYER RUG
PRAYER BEADS


Property FOR Inmates had WHOLE separate process, also not in line with Chaplaincy Policy itself, but CREATED by the Polunsky Mailroom to help the Mailroom ITSELF stay out of trouble for letting Chaplain Collier get things unauthorized. Collier is immune to disciplinary, but NOT the mailroom.

Approved: _____
Chaplain Collier

Polunsky Unit
Chaplain Collier/ Chaplain Maness
3872 F.M. 350 South
Livingston, Texas 77351
936 967 8082 or fax 936 967 6011

Item 4a. Religious Property Papers

File Date June 28, 2012
Notice Inmate got a Christian ID Tag
Nothing about that in Chaplaincy Policy



Tab 15
Item 4

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

POLUNSKY RELIGIOUS PROPERTY PAPERS

TRAYLOR, DONNELL #1554005
Offender's Last /First Name/TDCJ#

Issued Date

Religious Items

1. <u>CHRISTIAN ID TAG (ISAIAH 54:17)</u>	If offender has a medicine bag the Contents must be listed in the Space below: _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
2. <u>White & Silver</u>	
3. _____	
4. _____	
5. _____	
6. _____	
7. _____	
8. _____	
9. _____	
10. _____	
11. _____	
12. _____	

NOTE: Some Religious Items such as a Medicine Bags should not be touched by Staff Personnel
NOTE: Books do not require property papers (Bible, Qur'an)

Chaplain's Signature _____ Date _____

Property Officer's Signature _____ Date _____

Prior to 2012 Regional Chaplain Meeting, years before, Polunsky Chapel made up its own Religious Property Policy and distribution. Amazing. I liked it better, in many ways, as the inmate SSIs did ALL the work. After the 2012 Regional Chaplain Meeting, and given how Warden Alford was acting, I forced our department to BEGIN to follow the TDCJ Chaplaincy Inmate Property policy for the first time in years.

This was used for years, perhaps forever, and sent to the property officer. Not a big deal, and something never found any audit, and it is shame the process cannot be simpler. Outside the Mailroom policy procedures instituted *uniquely* for the Polunsky Chaplaincy, the Religious Property policy was not followed even a little. It was better than the manual, in many ways, still, this set of violations – did you hear that, **SET of violations** – was minor compared to **sets of violations**, not to mention chemical and key policies that I addressed for the *first* time in years in August and September 2012. Given what I got disciplined for, an email from home in *response* to a volunteer's question – if equality was a real principle applied – can

TAB 15. Polunsky Chaplaincy Extra Violations
State Employees Are Supposed to be Treated Equally

anyone imagine the trouble one could get into for *set of violations* and wholesale *ignoring of an entire policy* – 5-10x a week?

Item 4b. Official Property Papers NOT Used

TEXAS DEPARTMENT OF CRIMINAL JUSTICE Chaplaincy Department CHAPLAINCY MANUAL	Policy Number: 05.01 – Att. B Page: 1 of 1 Date: 11/2008											
Religious <i>Devotional Item</i> Approval/Denial Form												
Offender Name: _____	TDCJ Number: _____											
Religious Preference: _____	Date: _____											
Unit/Facility: _____	Housing Assignment: _____											
Travel Card Checked:	<input type="checkbox"/> YES <input type="checkbox"/> NO											
TDCJ Computer Database (SSNO) Checked:	<input type="checkbox"/> YES <input type="checkbox"/> NO											
Provide an accurate description or picture of the item: _____ _____ _____												
Source: _____												
Approved Source:	<input type="checkbox"/> YES <input type="checkbox"/> NO											
Religious devotional item:	<input type="checkbox"/> YES <input type="checkbox"/> NO											
The requesting offender has this devotional item on his/her personal property inventory:												
<input type="checkbox"/> YES <input type="checkbox"/> NO												
Chaplain: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	_____ <small>CHAPLAIN'S signature</small>											
Warden: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	_____ <small>WARDEN'S signature</small>											
Reason for denial:	Initial reason											
<input type="checkbox"/> NOT appropriate for faith preference on record	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Chaplain</th> <th style="width: 50%;">Warden</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>		Chaplain	Warden								
Chaplain	Warden											
<input type="checkbox"/> OFFENDER already possesses this religious item												
<input type="checkbox"/> ITEM requested is dangerous, too large, or too valuable												
<input type="checkbox"/> OTHER (explanation)												
Original to Unit Chaplaincy File; copy to Offender's Unit file Retention: CE + 3 years												

Proper Form – Not Used
 until September 2013
 by Maness' Initiation

One of Two, this one for Devotional Items, and the other for Religious Medallions, neither of which were used at Polunsky for *years*, perhaps never. After August 2012 Regional Chaplaincy meeting, and in prospect of Chaplaincy Audit, Maness initiated use of new form that *combined* Devotional and Religious Medallions into single form. Sadly, it still cost TDCJ about \$50 or more per 25-cent rosary or cross, after

TAB 15. Polunsky Chaplaincy Extra Violations

State Employees Are Supposed to be Treated Equally

all the administration fluff for these, when prisoners can buy shoe laces at the commissary that are for more "dangerous" and not tracked at all. We could give these out and let the regular security policy and officer charge a prisoner with a disciplinary for possessing more than one, saving everyone a load of useless time.

Item 5. Music Supply Order & 250 Feet Cable

Tab 15
Item 5

AMERICAN MUSICAL SUPPLY
800-458-4076

FILE DATE May 17, 2012

Active Speaker System (COMPLETE)

Part#	QTY	Product Description	Page	Price	Extended Price
CBIMCB28100	1	AUDIO SNAKE	53	\$399.99	\$399.99
CBI CA3M	20	MALE MIC CONNECTOR	52	\$2.95	\$59.00
CBI CA3F	20	FEMALE MIC CONNECTOR	52	\$2.95	\$59.00
CBI MLSPL250	1	250' MIC CABLE	52	\$134.95	\$134.95
NEU224	10	1/4" TS MALE CONNECTOR	52	\$1.95	\$19.50
NEU228	10	1/4" TS MALE CONNECTOR	52	\$2.95	\$29.50
BEHVS1220F	2	BEHRINGER FLOOR MONITOR	13	\$108.99	\$217.98
DBXDRPX	1	DBX SPEAKER MANAGEMENT	46	\$399.95	\$399.95
QSCK12	2	QSC LOUD SPEAKER	5	\$849.99	\$1,699.98
SS7761B	2	SPEAKER STANDS	126	\$39.95	\$79.90

FREE SHIPPING

Total \$3,099.75
Divided by 2 \$1,549.87

BTW, this list was marked "COMPLETE" by the inmates

Yes, a spool of **Mic Cable 250 feet long**. When asked where it was, I was told by inmates, "We used it." Just HOW loose were incoming cables tracked? It was clear – "loose" was not the term, for, sadly, the term was "NOT tracked at ALL" – the inmates controlled ALL inventory after delivery and

STILL ARE TODAY - mostly
October 28, 2013
an entire YEAR after my first exposures!

When I asked Chaplain Collier, he *shrugged* his shoulders.

I called American Music Supply to see if I could get a copy of ALL of the Polunsky Chapel orders, but, alas, since I did not *make* the order, I could not get the information. But I almost did, as they had no reason to doubt anything was amiss. TODAY, other than AMS's own records, we have NO RECORD OF ALL THAT CAME INTO POLUNSY CHAPLAINCY - verified by OR requests!!!

An OIG Investigator could get the AMS info, and also get the info on other suppliers of DELIVERIES from other "music" vendors, if TDCJ was interested in a *thorough*

I Called American Music Supply ... You Should toooo ...
Somebody Should – but, no, no one calls a SINGLE soul or business!
You'd think the three stooges ran the investigation ... but, aahh, there was NO INVESTIGATION.

TAB 15. Polunsky Chaplaincy Extra Violations
 State Employees Are Supposed to be Treated Equally

Tab 15
Item 6

Item 6. Battery Consumption

File Date Nov. 14, 2011, 1:26 PM Tab 15
Item 6

ELECTRONICS WE USE	A- SIDE	B-SIDE	LIFE OF BATTERIES	QUANTITY USED WKLY
CORDLESS HAND HELD MICS	6	3	ONE WEEK	
AA	12	2	ONE WEEK	AA/14
TOTAL	14			
9 VOLT	0	4	ONE WEEK	9 VOLT/4
TOTAL	4			
CORDLESS LAPEL MICS	2	2	ONE WEEK	
AA	4	4	ONE WEEK	AA/ 08
TOTAL	8			
REMOTES	6	4		
AA	8	4	EVERY 3 MONTHS	AA/ 04
TOTAL	12			
AAA	4	4	EVERY 3 MONTHS	AAA/ 03
TOTAL	8			
TAPE RECORDERS	6	2		
AA	12	4	MONTHLY	AA/15
TOTAL	16			
CORDLESS MOUSE	5	0		
AA	10	0	ONE WEEK	AA/10
TOTAL	10			
GUITAR	2	1		
9 VOLT	2	1	EVERY 2 WEEKS	9 VOLT/ 02
TOTAL	3			
CD PLAYERS	2	1		
D BATTERIES	12	6	EVERY 3 MONTHS	D BATTERIES/ 01
TOTAL	18			
FLASHLIGHTS	6	2		
D BATTERIES	18	6	EVERY 6 MONTHS	D BATTERIES / 01
TOTAL	24			
WEEKLY TOTALS	AA	AAA	9 VOLTS	D BATTERIES
	51	3	6	2

SUPPLY STATES: WE WOULD BE G... THAT THE POLUNSKY CHAPLAIN HA... HAS EVER BEEN ON UNIT. WE TRIE... WERE USELESS WITH LITTLE OR N... AS MANY PROGRAMS AS POLUNSK... TO PROVE WE WERE NOT GIVING T... BUT TO NO AVAIL. WE HAVE THREE... SERVICES WHERE WE USE BATTER... OUR WEEKLY NEEDS FAR SURPAS...

This was created to give to wardens and staff to justify the CONTINUAL problem between Chaplain Collier and Unit Supply, even as late at July 2012 - toilet paper and box tape too. I had RETURNED cases of horded supplies!

Notice Chaplain Collier's Nov. 2012 Annual Evaluation again, and handwritten note on how he "worked well" with staff, only no one was actually talking about other Polunsky departments here, only with the Wardens who covered for Collier and only God knows

TAB 15. Polunsky Chaplaincy Extra Violations
State Employees Are Supposed to be Treated Equally

Item 7. Polunsky Chapel Count Sheets

COUNT SHEET				Tab 15 Item 7
Dept:	3 Gym Chapel		Date:	_____
Count Officer:	_____			
	Inmate Names	TDCJ#	Housing	
1.	_____	_____	_____	
2.	_____	_____	_____	
3.	_____	_____	_____	
4.	_____	_____	_____	
5.	_____	_____	_____	
6.	_____	_____	_____	
7.	_____	_____	_____	
8.	_____	_____	_____	Totals
9.	_____	_____	3A	_____
10.	_____	_____	3B	_____
11.	_____	_____	3C	_____
12.	_____	_____	4D	_____
13.	_____	_____	4E	_____
14.	_____	_____	4F	_____
15.	_____	_____	7G	_____
16.	_____	_____	7H	_____
17.	_____	_____	7I	_____
18.	_____	_____	8J	_____
19.	_____	_____	8K	_____
20.	_____	_____	8L	_____
21.	_____	_____	18R	_____
22.	_____	_____	18S	_____
23.	_____	_____	18T	_____
24.	_____	_____	18U	_____
25.	_____	_____	19W	_____
26.	_____	_____	19X	_____
27.	_____	_____	19Y	_____
28.	_____	_____	19Z	_____
29.	_____	_____	_____	_____
TOTAL:	_____	_____	_____	_____

Yes, while most Chaplaincy Departments help supply officers with forms, the Polunsky Chapel inmates regularly "assisted" the officers in Count. Whether "helping" the officer count lay-in slips or actually penciling in numbers, it was out of whack.


I saw this, but also must say an officer was always there, unless it was a small group.

And, remember, a VOLUNTEER Chaplain could have 30-40 inmates in chapel by his/herself, locked in, and then that Volunteer usually deferred to roving officer to come and "collected" count and relocked door with volunteer in chapel. The LIABILITY to TDCJ here is just OUT OF THIS WORLD!

That, too, was under the multi-million-dollar Eyes-in-the-Sky.

471.04 (2/05)

Item 8. Volunteer via Prisoners Ordering Chemicals


TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Head Livingston
Executive Director

Inter-Office Communication

To: B Turn Out Officer Date: February 23, 2011

From: Chaplain CVCA Ogletree Subject: Cleaning Supplies

The following cleaning items are needed in 7gym use:

- 20 cones of Bippy
- Brown Buffing pad
- 1 gallon of stripper
- 2 gallon of wax

Thank you for your cooperation

CVCA Ogletree

Polunsky B-Side was the Higher Security side with Medium Custody prisoners. Maness tried to get Chemical Control Policy followed, but was fight, as for *years* there was no chapel tracking, though chemicals were routinely stored for weeks, contrary to policy. Though a seemingly minor issue to a non-prison person, chemicals can be used to cause fires and create bombs, and though these *were* for the chapel, those prisoners using them were *not* in prison for singing in the choir, though several did sing in the prison choir. Not all that funny though.

Item 9. Florida Prisoners WHAT? – Forging Documents INSIDE Prison

Official: Documents Forged for Escape Created INSIDE Florida Prison

By Debra Goldschmidt, Nick Valencia and Chelsea J. Carter, CNN - updated 10:02 AM EST, 11-7-13
edited by Michael G. Maness

Tallahassee, Florida (CNN) -- How did two convicted murderers allegedly get their hands on forged documents that granted them early release from a Florida prison? From inside the Franklin Correctional Institution in North Carrabelle, south of Tallahassee in Florida's Panhandle, Nydeed Nashaddai apparently trained prisoners how to create the legal-looking documents with bogus signatures of prosecutors and judges, Gretl Plessinger, a spokeswoman for the state Department of Law Enforcement, told CNN on Wednesday.

Nashaddai used a similar technique in 2009 to walk away from the Pinellas County Jail before authorities figured out the scheme and recaptured him a day later, according to prison records.

The revelation came the same day that the head of the Florida Department of Law Enforcement told state lawmakers that Charles Walker and Joseph Jenkins had help inside and outside the prison to pull off their elaborate escape. "There is a group, a gang, inside. They worked with people outside," Commissioner Gerald Bailey, head of the Florida Department of Law Enforcement, told the Appropriations Subcommittee on Criminal and Civil Justice.

Fake papers for Florida cons called 'cottage industry'

Citing confidential prisoner sources, Bailey told the panel that the **documents were sent out by the prisoners to people on the outside, who in turn filed the bogus documents** [bold red mine].

Walker and Jenkins, both 34, had been serving life terms without parole for unrelated killings at Franklin Correctional Institution when they allegedly escaped. Jenkins walked out September 27, while Walker left October 8. Both used legal-looking documents with bogus reproductions of several key players' signatures, including those of the Orlando-area state attorney and Judge Belvin Perry, plus the seal of the Orange County clerk of court's office. Both men were recaptured in late October.

State officials have been investigating the scam for about a year and had warned state prosecutors about the schemes over the summer, authorities have said. **Authorities have not detailed how the prisoners allegedly pulled off the scheme** [bold red mine].

But the escape has prompted a review of law libraries in state prisons as well as prisoner use of computers and processing equipment "to make sure we are not giving them too much," Michael Crews, head of the Florida Department of Corrections, told the committee.

State prisons are also strengthening their review of prisoner releases, he said. Any future judicial order that changes the release date of an prisoner will be verified with the judge who signed it, Crews said.

See here for more CNN.com/2013/11/06/justice/florida-prisoners-mistakenly-freed.

Fake Papers for Florida Cons Called "Cottage Industry"

From Nick Valencia and Jason Morris, CNN - updated 2:34 PM EDT, 10-22-13

State officials have been investigating the scam for about a year and had warned prosecutors about the schemes over the summer, Bailey said. "We have a confidential source that has advised us that there was a cottage industry, if you will," he said. "An individual was able to construct these documents for \$8,000." See here for more CNN.com/2013/10/21/justice/florida-prisoners-mistakenly-freed/index.html.

TDCJ Polunsky Prisoners had complete control of color laser scanners and printers and high-end computers UNSUPERVISED for years! – and today, an entire year after first exposure, denial is order of the day! TDCJ Dep. Exec. Dir. Bryan Collier said my exposures "bordered on harassment."

Item 10. Paul Carlin Eastham Chapel and Tom Mechler's Help

From: PAUL CARLIN
To: MichaelC
Subject: Chapel
Date: Tuesday, September 25, 2012 3:40:31 PM

Mike:

Just a follow-up on my e-mail to Bryan about the Eastham Chapel issue. Yesterday he, Mr. Upshaw, Marvin and Tom Mechler (Vice Chairman of the TDCJ Board) showed up at Eastham. They had a meeting in the Warden's office and then they all went down to the remodeled North gym to see the building. Well, Chaplain Drum's offices are there now. My Ministry Center is up stairs. Mechler had a long visit (30 minutes or more) with Vance about the beauty of the facility. Bottom line: the name Chapel will be on the building. Mechler is a Godly man and a good friend of mine. Warden Bell told Vance, "I just needed to get clarification on it." The truth is he never requested clarification. We did. Thank you for encouraging me to get this settled before the dedication.

Well, Eastham is locked-down for the next two weeks for a shake-down. The second one this year. I will have my surgery Thursday. Hope things are well with you and the unit. Be blessed.

Paul Carlin

Not truly relevant to Polunsky, but more typical of the struggles that other TDCJ Chaplains and their volunteers faced. Like at the Gib Lewis Prison, here a Volunteer Dr. Paul Carlin, with 30 years of volunteering, had helped raise many \$10,000s to renovate and air condition a chapel, and the Warden Bell was *not* going to let it be called a CHAPEL! No prison in TDCJ or the nation was enjoying the carefree ASSET donations that Polunsky was enjoying.



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State Employees Are Supposed to be Treated Equally



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▲ they really tightened the screws on me for this, while others, including wardens on ▲ my same prison were doing <i>far</i> worse - no equality or justice here <i>at all</i> now look at the Polunsky Fiasco ... and <i>dozens</i> are guilty of <i>far, far</i> worse!	
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TAB 16. Maness Disciplinary 1 & 2
State Employees Are Supposed to be Treated Equally



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Item 1. 12-01-11 A Primary Cause - 50-pg Faith-Based Housing Letter

See Tab 20 for entire 12-01-11 50-page Faith-Based Housing Letter to Brad Livingston.¹⁷¹ Anyway, I heard nothing from Livingston. It became the undercurrent of the two disciplinaries, and the continuation of cover up of the important concerns outlined. See Tab 20.

Item 2. 11-15-11 – David Valentine’s Church Splitting, on paper, while Real Reason was Retaliation for 50-pg Faith-Based Housing Letter

Item 2

I got a Sub-Standard Duty Disciplinary for the following emails, a month after I sent it to Chaplaincy Manager Bill Pierce. The real reason, though, was for the 50-page Faith-Based Housing Letter, retaliation for exposing the unethical behavior. After a conference call informed that all chaplains would support Valentine’s program, I emailed him from home to get more information.

Item 2a. 11-15-11 – 7:08 am – Maness First Email to Valentine – What’s up?

Item 2a

On Tue, Nov 15, 2011 at 7:08 AM, Michael G. Maness <maness3@att.net> wrote:
David,
Can you send me some information on your cell church thing?
What is that about?
Mike Maness, Chaplain
Gib Lewis Prison

Item 2b. 11-15-11 – 8:30 am – Valentine Calls Maness

Item 2b

At about 0830, Valentine called me at my office at the Gib Lewis Prison, and we chatted briefly. I was guarded, because we had been “ordered” to cooperate. I asked a few questions and he explained it pretty clearly: he was networking with churches to get them to sponsor an ex-prisoner to start a church while the host church helped the ex-prisoner find a job and a place to stay. After all, I simply and solely said – on the clock – that I said that it appeared to have some Separation of Church-State conflicts. That was all.

¹⁷¹ See Tab 20 or www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf. It was a bear, detailing a hoard of problems with the “order” for all prisons to start the Faith-Based Housing, including the “cost,” a load of double-speak, and a protracted cover-up entailed in its implementation. The worst is that is crazy to allow “safety” to be connected to “faith” in anyway: anytime a prisoner choses to go the faith-based housing for safety, such compromises his faith, and TDCJ is the lead sponsor for that compromise. All prisoners are entitled to equal treatment ... see the letter for the rest. This letter really needs to be front and center, as it is a big part of this Sourcebook, for next to my [2001 Chaplain Professional Equity Proposal](#), it is a big part of the picture.

See [www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 1 Proposal 2000.pdf](http://www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_1_Proposal_2000.pdf).

Item 2c. 11-16-11 – 2:10 pm – Valentine Emails Maness the Next Day

When I got home the next evening, I had received the following at **home**.

From: David Valentine [<mailto:covenantpastor@gmail.com>] - Sent: Wednesday, November 16, 2011 2:10 PM - To: Michael G. Maness - Subject: Re: Cell Church??

Mike,

Thank you for your time this morning. I know how busy that you are in being the only chaplain of a very large unit.

I was caught off guard regarding your concern or concerns relating to the "separation of church state" and what we are doing. To help prevent us from crossing any lines or even getting near them, what advice do you have for us? If you could share with me what concerns you see or have, that would greatly assist us as well. Thank you again for your service.

God Bless,

David Valentine

He was "caught off guard" because he had never had a truly open dialogue with the Chaplains. He knew that I had networked with Chaplains. My honest opinion, Baptist to Baptist, was a little hurried, as it was late, but the substance of talks I had had with several other Baptists over the previous months.

Item 2d

Item 2d. 11-16-11 – 11:01 pm – Maness Responds to Valentine's Request

From: Michael Maness [<mailto:maness3@att.net>] - Sent: Wednesday, November 16, 2011 11:01 PM
To: 'David Valentine' - Cc: to eight others Subject: RE: Cell Church??

David,

I appreciate our chat ... and your desire for my sincere opinion ...

Frankly, there is everything wrong with your desire to train inmates to start Cell Churches in the free world upon their release. First, TDCJ cannot afford to do it with all religions like Buddhism, Islam, Wiccans, etc., even if they had the resources (which the Arabs do have – think about that); second, it is supremely naïve to think even our best Christian inmates will fair well when put into the high crime neighborhoods RIGHT out of prison; thirdly, is it pastorally vain to think an inmate after ten years in prison is ready to do the holy task of church starting when, a) he has often never been in a free-world church much, b) to start off as a leader in the free-world before he even has a footing, and c) to subject a newly released inmate to all of the many subtle pressures of such an awesome responsibility BEFORE he has yet to even have any significant time with a job.

In the history of church starting, I know of no church that would consciously send someone they did not know or who had a proven record. It is a stretch to rely on chaplains or senior volunteers to recommend

TAB 16. Maness Disciplinary 1 & 2
State Employees Are Supposed to be Treated Equally

their best to be “shipped” when, if the premise of your program had merit, they could do the same thing on their own unit. But the ramifications are far more serious than the premier church-state conflict regarding the ability of TDCJ to ALLOW all religions the same programming option.

The average level of inmates entering Windham is 5th grade and almost all, say 98% ... have YET to be successful in the free world. Just getting involved and regular in a church is challenge enough ... and our first concern ... but there are numerous pastoral concerns ... serious ones ... including how you have, my creative and energetic friend, approached this ...

Mostly, most of us know many inmates that are fine Christians, in prison, that we STILL are not sure about, though we have a good idea. There is NO inmate that I would recommend to a church to SUPPORT and FIND a job and TRUST to start a cell church. Not after twenty years ...

Pastorally ... I am surprised anyone would buy into it ... but there are many in the free-world and you are very convincing. It is too bad that you have continually avoided the senior chaplains so very often to just START programs from the top down.

It is terrible, just terrible you will not give an inmate a chance to BUILD up a good reputation IN THE CHURCH of his choice (much more your choice) when he gets out. Many have been trying to do that, and that is challenge enough. To sell folks on cell church starting to GET an inmate help is a very sad way to do things ...

That is part of the reason for desiring to know your “businessmen” who contacted you ...

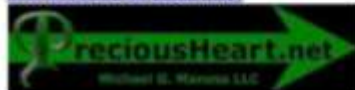
That you have NOT given serious thought to the church-state conflicts ... or were taken back about my concerns is another indication of the distance between us ... we state chaplains have to deal with that every day ... as every staffer does ...

I hope this helps ... perhaps there was a more politically right way of saying it all ...

But I think the inmate’s faith and sincerity of faith and his chances of success are far too important to beat around the bush on this.

Sincerely,
Mike

Michael G. Maness
www.PreciousHeart.net



Notice, I did not put my work-prison-office salutation here, but my business one, as this was personal and from home. It would surface later that, no matter what, I was being held in violation for – what? – a Baptist-to-Baptist communication and that from my home. I gave Valentine my honest opinion, and strongly – 30 years experience in the ministry informing – that he did not want my opinion as much as arguments to “do his own thing” no matter the concerns. That is not too presumptuous, either, but could very well appear to be to one inexperienced in the ministry.

Item 2e. 11-17-11 – 12:22 am – Dr. Vance Drum Responds

From: Vance Drum [mailto:vdrum@nctv.com]
Sent: Thursday, November 17, 2011 12:22 AM
To: 'Michael Maness'; 'David Valentine'
Cc: 'Emmett Solomon'; 'Bill Pierce'; 'Frank Graham'; 'Duncan'; 'Virginia Haynes'
Subject: RE: Cell Church??

I am not so pessimistic about this.

“My power is made perfect in weakness.” [2 Cor. 1:9b]

If the motivation and consecration is there (and it is for not a few), training, mentoring and partnering will compete the job.

God is doing all sorts of new things in the world. The fact that an ex-offender has not spent much time in a free-world church could be a blessing.

Vance Drum
Chaplain
Eastham Unit

Drum expressed his opinion, as a non-Baptist, and it caught me off guard – surprised me, really – for we had resonated on so many things in our last 20 years together. I read between the lines here, that there must be something else I was unaware of, something else about Valentine. This was such a spiritual response, and, of course, bespoke a few truths in itself, but did not say much of anything at all.

If this dialogue meant anything, it is hard to tell. I sent an additional clarification to Drum, Solomon, Graham, Haynes, and Valentine in a somewhat confidential intramural manner, mostly in a Baptist-to-Baptist dialogue. We had that right. And even though it all got back to Bill Pierce, what was the problem. Dialogues like this take place every day around the “water cooler,” and such has legal precedent in a kind of immunity.

There were stronger words, for, after pondering, Valentine’s program as he shared it grew warts and more, the more one thought about it.

TAB 16. Maness Disciplinary 1 & 2
State Employees Are Supposed to be Treated Equally

Item 2f. 11-17-11 – 9:46 pm – Maness Adds Clarification to Drum, et al

From: Michael G. Maness [<mailto:maness3@att.net>]
Sent: Thursday, November 17, 2011 9:46 PM
To: 'Vance Drum'; 'David Valentine'
Cc: Emmett Solomon (esolomon@sbcglobal.net); Frank Graham (frank@frankgraham.org); 'Duncan Parish'; Virginia Haynes (virginiachaynes@sbcglobal.net); Keith Bellamy (thepreachersays@sbcglobal.net); Steve Butz (stevenbutz@yahoo.com); "Bill Pierce"; Michael Maness (maness3@att.net)
Subject: Cell Church – Part Two

Thanks Vance ... this must be among the few things I disagree with you about ... and have not heard from David yet ...

So here is part two – something I know some of you have thought about, like the 600 lb gorilla in the room that no one want to look at, because apparently he has the ear of several influential people and HAS done some good ... but if we cannot put all on the table, what are we??

I don't think an ex-offender ought to be obligated to a church (or to David V.) as a church starter "for" his rent and job. Of course, there will be words AROUND that, like "reentry" and "he will not be" – but morally he IS ... in his heart ...

Very bad ... give him a chance to be a free-world Christian first ... WE HAVE YET TO PROVE WE DO THIS WELL ... no data there, other than the occasional call ...

Have another question for David ... how many churches have you "started" ... one I think ... from a split of an historic church ...

You know, that is second or third down the line from a moral failure or simply killing a church ... most of the best pastors I know would leave before causing a split ...

On aspires to LEAD convicts to be church starters, as a Baptist, with a non-Baptist curriculum, who split his own church ...

Kind of like a recent divorcee becoming a marriage counselor ... ??? ...

But there is no way I would send my BEST inmates to him, when I could as well teach the printed program in order to keep my best ... and I certainly would not send the worst ... even I thought a lot of the program ...

I cannot see anything good about it ... and I see huge insurmountable church-state conflicts ... SHOULD we allow this for all faiths???

I don't think it is good or wise for ANY faith ... get them IN the church (or whatever) and a ON a job is CHRISTIAN (and whatever) and ONCE the church believes in him, let the church encourage and commission him ... I cannot see any church EVER inviting a stranger ex-convict to REPRESENT them based on David's commission that was given to an inmate recommended from someone else ...

Most of all ... the pastoral care issue is out the window here ... God can do miracles, then LET God ... I actually have known a couple of inmates that COULD have started a free-world church, and a few who have become good pastors WITHOUT such. But this is not right for inmates ... there are more problems than solutions here, in my opinion, that are detrimental to ex-offenders ...

One – "selling" a church on cell-church expansion to help an inmate ... WHY IN THE WORLD not just help the inmate GET a job and GET into the church? That is the greater challenge ... and something we ALL are trying to do ...

?????

Sincerely,

Mike

[Michael G. Maness](mailto:Michael.G.Maness)

**Item 2g. 11-18-11 – 5:30 pm – Solomon Responds –
“Personal Attack ... Unnecessary”**

To: Michael G. Maness
Subject: Re: David Valentine

Mike: I think that your attack on David was uncalled for. There are some aspects of his plans which will need tweaking, but you were far too strong. Your personal attack was completely unnecessary. There was little love apparent in it. You must have some unvented feelings which bubbled out.

Emmett

----- Original Message -----
From: [Michael G. Maness](#)
To: [Emmett Solomon](#)
Sent: Friday, November 18, 2011 6:31 PM
Subject: David Valentine

Emmett ...
I know David cares about inmates ... don't you think, too, his cell-church idea is bonkers?
Mike

That surprised me a bit, but not a lot, for reasons that will not help here. Importantly, Solomon was a fellow Baptist, and senior to both Valentine and myself, with a load of experience and highly respected, by me too. Yet, we Chaplains had been losing our ability to “open dialogue” for years, and no one was truly consulting the “field” for much of anything for the last decade.

Valentine had some peculiar influence, and there are serious ethical concerns, obvious and clear. It is sad that the “ethics” of it all were not given the light of day, and the “politics” seemed to overcome the concerns of *many* Chaplains.

Because of the disciplinary that came, I followed up on this in January 2013. Valentine had claimed to be working with several churches, but had only worked with the Baptist association in Houston. And in Livingston, he had not been active at all in the local ministerial alliance – so much for *truly* working with other churches, to say little more about the heavier concerns.

Item 3a

Item 3a. 12-14-11 – Called to See Marvin Dunbar – Emails on Valentine

Just a week and half after sending the 50-page Faith-Based Housing Letter, I am called in to talk to Dunbar and Bill Pierce, though Pierce did not say anything. Dunbar asked questions about my “support” of the Faith-Based Housing that had been ordered, obviously aware of the letter, but hiding it at this time, and he talked and chided me a bit for my email dialogue on Valentine.

Dunbar said, “I don’t know what I am going to do.” That was prophetic.

Of my own accord, because of Dunbar’s concerns, I called Valentine and apologized for any contrary tone. Valentine graciously received that. I emailed both Dunbar and Pierce that I had apologized, but – checking the receipts of the mainframe emails – Dunbar never read his.

Item 3b

Item 3b. 12-29-11 - Maness 1st Disciplinary by Dunbar on Valentine

Shortly after Christmas, on 12-29-11, I was called to Huntsville and formerly charged with Sub-Standard Duty for not supporting Valentine. Alone with Manager III Marvin Dunbar in his office, he had the 50-page Faith-Based Housing letter before him. He made fun of the contents and did not see a single point of value, belittling the “cost” issues. It was crazy. At the close of this, I fired off a 5-page letter to Bryan

Collier, explaining the unethical conduct of Dunbar and his utter disregard for the work in that 50-page treatise.

Though in authority, he truly had no understanding of the ethical issues, which were the concerns of several professionals. He was wanting to censure me, as plain and clearly as anything was ever communicated, through intimidation and humiliation of one's hard work.

Item 4. 01-03-12 – 5-pg Letter to Bryan Collier on Dunbar's Humiliation of Maness' 50-page Faith-Based Housing Letter

After this first disciplinary, and before I found out about it being thrown out for internal errors of policy by the TDCJ disciplinary experts. Dunbar's unethical actions needed addressing. Her is that letter.

January 3, 2012

Bryan Collier, Deputy Executive Director
Texas Department of Criminal Justice
P.O. Box 99
Huntsville, TX 77342-0099

Dear Bryan,

Bryan, I am as dedicated to TDCJ's mission and the well-being of the prisoners as you, and I hope your office is accessible to honest and heartfelt thinking. In fact, I am more dedicated than most, and I pray you will take this as courageous, even a risk of honor. It is about my honor too.

This letter has to do with two meetings I recently had with Dunbar regarding that 50-page letter on faith-based housing especially and your "order" for them to take place.

Dunbar has clearly indicated to me that either there was "no order" from you, or that he, Dunbar, was trying to cover-up something. Several times he asked "who gave the order?" At both meetings, the first with Dunbar and Pierce, I said it had been clearly conveyed to us by Pierce, Steve Ulmer, and Richard Lopez to us chaplains and wardens – crystal clear – that you, Bryan Collier, had given the order for all. Several phone calls and mainframe emails. Lopez was clear at a meeting with our Gib Lewis senior staff (as I said in the 50-pager), and my warden reflected such from Regional Director Upshaw.

I hope you will *not* share this with Dunbar and Pierce, though you will likely share the attached minutes for Region III chaplaincy meeting (9-15-11), page two, that is a full page of what has been pushed in several ways – rush, rush, rush, and *no matter the resources or not!*

Sir, if so, those orders are a terrible course of affairs for *faith-programming* ordered from the state and *how it is rush-ordered* in spite of current resources. Of course, you have the 50-pager that outlines the more serious elements. When faith is not driven and ordered from the top down, that is a terrible method; it is against the U.S. and Texas Constitution that a state does it.

The *only* justification for state chaplains is the facilitation of prisoner need.

I have other things to share with you in private. There will likely be no more if I do not get called to Huntsville to see you.

If you do not call me for that private meeting, there is nothing I can do there. I suspect you will hear from Americans United in a while, once their legal department has had a chance to vet the letter. I think you would be open to seeing a private citizen, and it is primarily in that role that I come, though also as a thankful employee.

These are serious issues regarding prisoners' well being and their successful reentry, as well as the future of our prison chaplaincy profession.

However, I still believe we are better than lawsuits for such stuff, and I have told AU that I was not seeking a lawsuit. I took a huge risk in sending you and Brad that 50-page letter, and I hope you perceived my heart in it. I kind of hoped to see you first, but was not surprised that Dunbar saw me on it. Whatever you told him, it is natural to get the lead administrator's perspective, even a duty. Yet, the two meetings I had were condescending, to say the least, and painful, because there was no true thought on issues. I think it would have been easier to train a quadriplegic to ride a unicycle than train either Dunbar or Pierce on the issues we discussed; they were intransigent to the major philosophical, theological, and constitutional

concerns outlined. I might as well have been an idiot ... or they were. If I am proven the idiot, it is time for me retire and move on, or at least tuck tail for the remainder; and if not an idiot, then it is time for you to do something else – and I have some suggestions for you in private.

The chaplaincy *profession* will not survive Dunbar and Pierce; the profession is doomed in their hands. I have something to share with you in private, sir!

THE ISSUE AT HAND: Bryan, did you “order” all prisons to fast-track faith-based dorms or not? The games I played at the following two meetings are atrocious and light years from good sense and prove my points in that 50-pager previously! The meetings were unethical.

On Wednesday December 14th (Meeting 1: M1), I was called to Huntsville for a meeting with Dunbar and Pierce in which they grilled me on a couple of emails I sent, one to David Valentine, and a follow-up email to a couple of others a *month* earlier. It took a month? It is *natural* for me to consult other professionals, have done it all my life. That is what real masters and doctors degrees are trained to do, to search the record and consult with those smarter than oneself. I sent a copy of both emails to Pierce, thinking he should know the things! It is the last time I share anything with him.

For your reading pleasure, I am including them here. Dunbar and Pierce alleged I was out of order because I included my status as chaplain in one, but I did not use the title in the critical emails. So I am being called on the carpet for a personal email to fellow Baptist minister from my own seminary on issues of ministry! This is unbelievably unprofessional.

Can I not email a few friends and Bill Pierce on serious ethical issues? I defended TDCJ’s reputation, the well-being of ex-offenders, and the integrity of the church – and I am being attacked for that by both Dunbar and Pierce.

Now I would **NOT BOTHER YOU** with those emails and that meeting, **EXCEPT** as the first meeting went to faith-based housing, surprisingly. It was almost like the first meeting would not have taken place had I *not* written that letter.

Dunbar mostly, Pierce a little, and I talked for an hour. It was rather inconceivable that anyone would question the agency’s selection of Valentine, the subject of the emails. Yet, we also talked about faith-based dorms (though it was not apparent Dunbar had seen the 50-page letter yet, it was clear he knew I had misgivings). Dunbar asked why the Lewis Unit had *not gotten one yet*. Dunbar asked that. I did not want share all, so I simply said we had not gotten around to it, but we had just initiated it – we will obey orders!

Dunbar was picking a fight on why we *had not yet gotten one* and in the same breath *denounced that there had been an order*. “Who gave it?” Dunbar asked.

Bryan, I was shocked! *What the heck is going?* flew through my mind, and then I quickly realized, sitting between Dunbar on my left and Pierce on my right, that Dunbar was COVERING UP that he (or someone) had TOLD ALL TDCJ that you, Bryan Collier, wanted all prisons to have faith-based dorms by June 2012 and that chaplains were to report progress.

Dunbar clearly intimated that there was no order from you! Shocking! Dunbar was clear about “no order” and then in the same breath he was expecting faith-housing to be done anyway. That first meeting was strange and crooked, and I chose not to address the strangeness.

Answering Dunbar’s questions mainly, Pierce was rather quiet, my defended my philosophical, psychological and theological concerns, but Dunbar was not open them. But he kept going back to the faith-based housing “order.”

It became clear to me: he (or someone he was protecting) was caught giving such an “order” came from your office as though the “order” DID NOT COME FROM YOUR OFFICE.

Now then, if you DID ORDER, then Dunbar was lying and conniving to get me do something like I am doing here. To rile me up to defend myself, and defend my honor, for some unethical and manipulating reason. If you *did order*, then Dunbar was an unethical pirate manipulating a TDCJ employee with evil designs and should be dealt with accordingly. Pierce was at this first meeting. If you, Bryan, did order such, then this meeting on my emails was contrived, and the meeting’s discussion on the faith-based housing was a wicked design.

In other words, at that Dec. 14 meeting, it was clear that Dunbar *knew* I had questioned your order, that I attributed the order to you, and that he was questioning me *as though he saw the 50-pager* perhaps

(?) before you sent it to him! He did not mention it, but it was clear to me that he knew my stance at that meeting.

Why else would he bring it up at meeting over a couple of emails about Valentine? It is perhaps another sloppy assault on chaplaincy. If you gave him the letter before Dec. 14, then Dunbar ramped up Pierce to bring me in on stupid emails, duplicitously, to really fish me out on the 50-page letter. Really tricky guy, there, *if you gave him the letter before Dec. 14*. Or perhaps he saw it somewhere. Whatever, Dunbar was concerned most of all about my clearly attributing to you, Bryan Collier, for the order for all prisons to get faith-based housing – *fast, fast*.

Bryan, we chaplains have been pressured, threatened and told that chaplaincy HQ will ask for the names and phone numbers of those with whom we talked, as if chaplaincy HQ will call our sales prospects and make *sure we are hard selling faith*.

I am grilled on my emails about Valentine's bad program, but also on my views on faith-based housing. That Dec. 14 meeting with Dunbar and Pierce was among the weirdest conversations I have had in 19 years with TDCJ. They did NOT like my position on faith-based dorms and on Valentine, but did not know how to address the concerns; in a way, I was simply to be quiet and not point out the warts. But the faith-based housing "order" upset them.

On Thursday December 29th (M2), I was ordered to see Dunbar for a formal disciplinary hearing in which hour we discussed the 50-page letter about 60% of the time. Dunbar gave me a level 4 two-month probation for saying to others, among other things, that Valentine's splitting of FBC Huntsville was "a wart that needs a resolution in more than my eyes," a *personal* email to Emmett Solomon which I cc'd to one friend and Bill Pierce.

Bryan, I was given two months probation for using the term "wart" in a personal email that I COPIED to Pierce. Since the 50-page letter to you was discussed about 60% of the disciplinary hearing, it will be included in my grievance-appeal to the disciplinary.

If that probation stands, we will have to discipline every person in the entire agency for having said much worse things during their career – if they were honest, even you yourself, I am certain. I have heard foul language from chaplaincy HQ staff!

That disciplinary hearing by Dunbar underscored more than any other meeting in my history with the agency the points articulated to you and Brad in that 50-pager.

Really, really? What good administrator that does not *welcome* thoughts and feelings from those under him. Chaplains are censored from sharing their professional views with the director of chaplains! Our *honest* ones anyway. Barred from using the word "wart"! Unbelievable. Under the guise of "sub-standard duty performance" because, though not written clearly, we are *now* supposed to *only, solely, exclusively* speak positive of everything a volunteer does or that chaplaincy sanctions. *Comments from chaplains just do not count!* And don't use "wart"!

This is the death for professional chaplaincy, and I have other things to share in private.

Dunbar is covering-up something! The meetings were, in aftermath, disgusting. He tossed around my 50-pages like it was an idiot's collage. Confirming its contents.

You know as well as I that after Dunbar and Pierce read that 50-page letter, my relationship with them will be forever after strained in TDCJ. That was, truly, a risk I willingly took to save the reputation of both TDCJ's mission and especially chaplaincy that I have worked so hard for, in and outside of TDCJ.

I have worked harder for chaplaincy *outside* the agency than any other single person, though I had not planned it. Did you read that letter from Rep. Jim McReynolds?

Bryan, I also have something against you personally. If I had NOT pushed for more chaplains in 2007, you would not have gotten the 25. I was pushing for 50 and raises for 50 others to chaplain III. And you took five for Parole. I want those back inside TDCJ. I did not fight for those for parole. It is a HUGE church-state conflict to provide chaplains for people with access to free-world ministers – no justification whatsoever, and a failure to understand the mission of chaplaincy in general. Moreover, in line with TDCJ's mission, the need of prisoners *inside* of TDCJ comes first. The prisoners need **all the chaplains they can get**, and I am asking you to place those back into TDCJ, in part to replace a portion of the fifty that Carl Jefferies deleted in about 2001 when we were cut (have a story there you need to know too).

Either you want the truth and straight shooting. Or you do not.

I am sure you have already noticed oddities in Dunbar's dialogues. The two meetings outlined above confirmed my 50-pager. He is out of his league. Every time he has met with us chaplains he repeats, "when I was an officer," and so indicated his main point of reference. Not any studied thought, or real point of reference. He has only his experience when he "was an officer," and to those us who have known thousands of officers he confirms with his own anecdotes that he was not even a good officer. Every time. And he is unaware of that. He has no understanding of chaplaincy, volunteers, or even how we relate to the agency as a profession, and no desire to learn. Moreover, Dunbar, as with Donna Gilbert before him, CANNOT know; they have not the education, experience, or long-lived network.

Furthermore, since I will be retiring in a few years, if not sooner, I might as well let you know that I find it terribly ill in TDCJ when someone of Dunbar's caliber was chosen among a selection of which I could not even get an interview. My resume was better than his ten years ago. I hate to see what I have worked for, for so long to be wasted. Moot, from your chair, I feel certain. Yet, I am, frankly, a bit jealous that he will get a far better retirement for the DUMBING down of chaplaincy and I could not even get an interview. That is not right.

In many ways, Dunbar is very much like the manager of a grocery store that was placed in charge of the USS Ronald Regan aircraft carrier. He is in charge, but knows *nothing* about sailing or Navy operations or the actual *profession* of sailing ... aka chaplaincy. Every dialogue with a sailor confirms his strange place. When we talked in the disciplinary hearing about the 50-page letter, he nearly got upset at the "cost" and "dominance" points, things he repeatedly said he "could not understand." Really. The cost, he said, was included in the "overhead" and so do "not cost." Really. He could COULD NOT understand how the diverting of overhead for faith-ordered initiatives could cost anything. And he *claims* to be a "numbers guy."

I almost fell overboard. He is several pay groups above his vocabulary.

If given a chance, your prison chaplaincy can be a shining star of the agency, instead of the ever-dumbed down folks that – today – cannot even sign off on 25-cent rosary on their own.

Bryan, either you did or you did not "order" all prisons to initiate faith-based dorms. Make no mistake and please let me be VERY CLEAR – for the last several months your wardens and chaplains have been ORDERED and pressured to fast-track the faith-based dorms.

My warden and I were NOT planning one until ordered, as he essentially waited for the order from Reg. Dir. Upshaw, and, furthermore, there is a cloud or aura or some kind of – how can say this? – an ominous *threat* that any warden who in the least opposes it risks his career.

That is weird and offensive to me, to the uttermost. Faith – faith is *too valuable* to force, and it is, again, gravely ill that any *state* order faith expansion in any degree. I stand beside that, though it threaten my career with the agency. The needs of prisoners should direct faith.

Make no mistake, too, my 50-page letter is not dependent upon your "order" – though the "order" as passed to us is exceedingly taxing as I made profuse argument and gave to several. The concepts and principles *against* the faith-based housing as articulated is a highly intellectual one and hotly debated nationally, something I was certain you were hitherto fore unaware.

And the intellectual side has written more against it than the advocates who rarely justify!

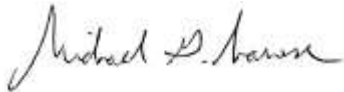
Currently, there is an apparent duplicity by Dunbar to me, or, worse, an effort to hide the fact that he himself (or someone) ORDERED all prisons to have faith-based housing **in your name without your permission**. And he wants to cover that up and make me a fall guy.

Whatever, those two meetings have so far CONFIRMED the seriousness of the 50-page letter. And now, it appears, Peirce is a party to some cover-up too. Worse, with the disciplinary, we are headed down a road within the most delicate profession in TDCJ to crush openness and even foster fear of sharing crucial issues, especially the likes of which reside in Valentine's terrible obligating of prisoners to churches before the ex-offender is even settled in the community (that is so wrong).

I have also included the OLD version of the Valentine section that I deleted from that more public piece of the 50-page letter, for your interest, that has NOT been sent to anyone yet. I deleted it because it distracted from the 50-pager in which I only put a single page (pp. 40-41).

TAB 16. Maness Disciplinary 1 & 2
State Employees Are Supposed to be Treated Equally

Sincerely yours,



Rev. Dr. Michael G. Maness, B.A., M.Div., D.Min.
Owner, Michael G. Maness LLC
Chaplain, Gib Lewis State Prison
Teacher, Angelina College
Correspondent, Tyler County Booster Newspaper
Coordinator, Tyler County Ministerial Alliance
Managing Editor, Testamentum Imperium, an International
Theological Journal
Executive Board Member, Christian Life Chair, New
Bethel Baptist Association

Past Master, Magnolia Lodge #495 (endowed)
Worthy Patron, Order of the Eastern #462
32nd Degree Mason, Scottish Rite
Secretary, Woodville Lions Club (ten years now)
Full Member, Evangelical Theological Society
Member, Karl Barth Theological Society
Lifetime Member, Diplomat, American Correctional
Chaplaincy Association

c.409.383.4671 ~ Maness3@att.net ~ www.PreciousHeart.net

I am certain it could be a page or two shorter and more succinct.

Sorry for any gaffs in the letter, but I wanted to get it off Tuesday without further ado ...

Item 5a. 01-05-12 - Maness Grieves 1st Disciplinary

I grieved Dunbar's disciplinary, immediately with the attached.

**Texas Department of Criminal Justice
EMPLOYEE GRIEVANCE FORM**

NOTE: Do not use state resources (i.e., first class or certified mail postage or overnight delivery service paid or supplied by the state, Agency mail service [hand-delivery courier or truck mail], state equipment, state premises, state supplies or state time [working hours]) to prepare or submit a grievance. State resources may only be used to prepare for a grievance meeting after you have been notified that a meeting has been scheduled.

FOR OFFICIAL USE ONLY	
Date Received by Unit/Department Grievance Contact:	Grievance Number Assigned by Intake Officer:
	Date Grievance Number Assigned:

GRIEVANT INFORMATION: Date: 1-5-12 Month/Day of Birth: 7-3
 Name: Michael Maness Payroll Job Title: Chaplain II (mms/dd)
 Unit/Department: Chaplaincy Work Shift: H Schedule Card: Exempt
 Home Mailing Address: 804 N. Birch Wichita TX 75979
 City State Zip
 Home Phone: 409-383-4671 cell Work Phone: 409-243-8181 x 8245
 (Area Code) (Area Code)

Name of Representative (You may elect to identify a representative when the grievance is initially submitted or when submitting a rejection to a Step One or Step Two response. If you fail to identify a representative when this form is submitted, a representative shall not be allowed to attend a grievance meeting. Once you have identified a representative, you shall not be allowed to identify a different representative.) None

Names of Witnesses who have first-hand knowledge of the events being grieved (if employee elects to present a witness or testimony from such a witness or witnesses): none other than Dunbar

The complete original document (pages 1, 2, 3 and 4) must be submitted at each step. The complaint, adverse affect and requested relief must be summarized, clearly stated and legibly written or typed in the appropriate spaces below or on an attached separate page(s). If you describe the complaint, adverse affect or requested relief on a separate attachment, write "see attachment" in each appropriate space below. Use reverse side if needed.

<p>Complaint: Be specific (e.g., include full name, date, place, rules, regulations). The complaint shall be in relation to an incident that has already occurred and shall be about only one (1) individual. Do not reference multiple employment-related matters or employment-related matters already addressed in a grievance you previously submitted.</p> <p><u>I was given a disciplinary on 12-23-12 by Dennis Dunbar for submit duty -</u> <u>allowing to use my title to represent agency + "want"</u></p>
<p>Adverse Affect: Explain how the action or issue adversely affected or interfered with an employment-related matter.</p> <p><u>I did not use title on spec for email and do not feel "want" deserves discipline</u> <u>furthermore the whole issue of Valentin's program is wrong - see attached</u></p>
<p>Requested Relief: State the specific corrective action or relief you are requesting. The corrective action or requested relief shall be within the authority of the Agency to grant and shall not include a request for another employee to be disciplined.</p> <p><u>Appeal to meeting w/ Dunbar's supervisor</u></p>

Officiant's Signature: [Signature] Date: 1-5-12 Instructions: Submit complete grievance form along with any support documentation to the unit/department grievance contact.

Note to Employee: With few exceptions, you are entitled upon request: (1) to be informed about the information the Agency collects about you; and (2) under Sections 552.021 and 552.023 of the Government Code, to receive and review the collected information. Under Section 559.004 of the Government Code, you are also entitled to request, in accordance with the Agency's procedures, that incorrect information the Agency has collected about you be corrected.

PERS 155 (10/07) Page 1 of 4

TAB 16. Maness Disciplinary 1 & 2
State Employees Are Supposed to be Treated Equally

Item 5b. 01-05-12 – continued – Maness Grieves 1st Disciplinary - Attachment

Extra Info – regarding Grievance
To disciplinary on 12-29-11

January 5, 2012

I appeal it all to Dunbar's supervisor. I believe it unfair and wrong. If I am to be disciplined for using the word "wart," then we will have to discipline the entire agency. It is absurd.

Secondly, it was alleged that I used my status as chaplain and therefore represented the agency. I was not representing the agency or my unit. It was simply my title on a personal email. It is poor management of professionals to prohibit collegial dialogue. We have NEVER been told we should NOT share our professional opinions with each other.

But look closely! Dunbar was wrong, period. The first email – see the attached emails, the first one being last – and notice that first email said NOTHING that was charged, the email in which I used my title. But the OTHER emails, to othin the succession of responses, did NOT HAVE MY TITLE. So the disciplinary is WRONG. They were forwards and separate emails. Also, since Steve Ulmer, Bill Pierce, and Marvin Dunbar did NOT see my logo at the bottom of the other emails, then they misrepresented me in the disciplinary, as that is clearly my personal email! Cannot be clearer. The real reason – I suspect they know I am right.

The larger issue is censorship on professional opinion that I was defending agency, defending the integrity of ministry, and defending the well-being of prisoners. We are *supposed* to share.

Moreover, regarding Valentine himself. He is wrong and his splitting of his church is a church crime, a wart that *still* needs resolution. By itself, the splitting is not that big of a deal to TDCJ. But with respect to Valentine's teaching church starting *in TDCJ*, then his failure to be a pastor in his leading his church to split – that is a huge crime. The attached three other items support this: (1) the 54-page letter to Livingston and Collier (also addressed at length in the disciplinary hearing), (2) the emails, and (3) the 5-page extra on Valentine's ill program.

Since the 54-page letter was discussed about 60% of the disciplinary hearing, it will be included in my grievance-appeal to the disciplinary. It is another resource behind the problems in the emails. I suppose that is why Dunbar included it in the hearing.

Really, really? I am given two months probation for using the word "wart"! Don't know what the "investigation" was about. I *sent* a copy to Pierce to include him. Prohibiting honest dialogue on serious topics is professional crime, unacademic, and dangerous to TDCJ's mission!

If that probation stands, we will have to discipline every person in the entire agency for having said much worse things during their career – if they were honest, even you yourself, I am certain. I have heard foul language from chaplaincy HQ staff!

What good administrator does not *welcome* thoughts and feelings from those under him. Chaplains are censored from sharing their professional views with the director of chaplains! Our *honest* ones anyway. Barred from using the word "wart"! Unbelievable. Under the guise of "sub-standard duty performance" because, though not written clearly, we are *now* supposed to *only, solely, exclusively* speak positive of everything a volunteer does or that chaplaincy sanctions. *Comments from chaplains just do not count!* And don't use "wart"!

Rev. Dr. Michael G. Maness, B.A., M.Div., D.Min.
Chaplain, Gib Lewis State Prison

Attached three items:

- 1) 54-page letter to Brad Livingston and Bryan Collier
- 2) Email in question
- 3) 5-page extra on wrongness of Valentine's program

As seen, I included the 54-pg Faith-Based Letter, as Dunbar had made it, too, a part of his disciplinary.

Item 6. 01-15-12? – 1st Disciplinary by Dunbar Initially Thrown Out

Item 6

Not sure of the date here, but truly ironic, when the paperwork for Dunbar's disciplinary went through, TDCJ's own disciplinary officials threw it out. So my Sub-Standard Duty disciplinary was thrown out for Marvin Dunbar's not following policy, for his Sub-Standard Duty. I thought that was enough.

But it all was to be retried by Becky Price, then Madeline Ortiz, then in my final grievance/appeal to Dep. Dir. Bryan Collier. I wrote the following in my defense, that fairly well explains my position, and several points were also substantiated up the ladder (with some minor spelling errors corrected). Dep. Dir. Collier cleared me of this disciplinary, as seen in Item 5c.

Item 7. 02-22-12 – 2nd Attachment to Grievance of Sub-Standard Disciplinary

After the first disciplinary was thrown out, and I was formerly charged, this time to be heard by Programs Division Deputy Becky Price. With it was a second disciplinary for Insubordination for the 5-page letter to Dep. Dir. Collier. Price had the 50-page Faith-Based Housing Letter with her, too, and mildly chided me for it. She was gracious, but so no merit in either my Valentine correspondence, rights to a Baptist-to-Baptist dialogue, or my concerns over Dunbar's competence.

Price found be guilty on both disciplinaries.

Perhaps moot at this point, but I think I sent this first Attachment to my formal Grievance – which is TDCJ lingo for “appeal” – but I cannot remember. Regardless, the first and second attachment were both sent with my Grievance to Programs Division Director Madeline Ortiz, to appeal my case all the way to the top. Here is a copy of the Sub-Standard Duty Grievance Attachment.

February 22, 2012

**Attachment Sub-Standard Duty to Grievance
level 4, no. 7, Substandard Duty – 2-14-2012**

At first, after my hearing with Ms. Price, a gracious lady, I said I would search my heart. I even intended not to grieve, as I hate that term for these processes. As I searched my heart, I came to the conclusion that this needs to be taken to the highest level.

Summary: the disciplinary is wrong on many levels, the two most prominent being: 1) the technical with false data, and 2) on the charge of “substandard duty,” and including what ramifications this has for every employee and their personal opinions on their own church affairs. To contrary, sharing my professional opinion with Pierce is a duty.

Fact 1: the “charging official” is supposed to describe the “employee’s specific conduct.” Bill Pierce, the charging officer, said, “On or about December 16, 2011 I became aware of an email sent out by Chaplain II Michael Maness.”

Response: that is not true, but false. I have called attention to this several times, even wrote a five-page letter to Mr. Collier with the dates in bold, in an attempt to informally resolve this, and called attention to this again in the second disciplinary hearing with Ms. Price, during which hearing she asked me step outside and she called Mr. Pierce to verify.

Who is going to address this misrepresentation of clear facts? Let me point this out again, in writing, in terms as basic as is possible.

See the five-page letter that explained in detail the two meetings, the first with Mr. Dunbar and Mr. Pierce on December 14, 2011, in which I was ordered to Dunbar's office to discuss the emails in question. See the attached emails (collated as they were given to me at the second hearing *not* in chronological order). The email sent to Valentine on November 15 (7:08 AM) was as “Chaplain, Gib Lewis,” and see his response (2:10 PM).

Bear in mind, Valentine called about 10:00 AM on November 15 and we had a decent chat. On the phone on TDCJ time I did NOT voice any disapproval to him! Valentine responded at 2:10 PM, which I got **at home**, and responded to him at 11:01 PM with my personal opinion as “Michael G. Maness” of Michael G. Maness LLC, my company logo attached, and I sent a copy to several whose opinion I respect, including Mr. Pierce.

On November 21, 1:12 PM, I received an email response from my friend and fellow Baptist minister Emmett Solomon. He thought my response “uncalled for.”

On November 21, 5:04 PM, I responded to Solomon, confessing my feelings about church splitting, with the sentences quoted in the disciplinary. PLEASE see this: the email containing the only “specific conduct” of the charge was in an email response to my own mentor, Emmett Solomon, as well as my good friend and confidante Virginia Haynes, and to Bill Pierce.

Notice the dates of Pierce's forwarding: All of the emails were forwarded by Bill Pierce on the same day, December 16, within a few minutes of each other (included as presented to me, not in chronological order so one can see clearly the progress). Who Pierce forward those to on Friday December 16 ... might be reveal more.

In Sum: My emails were sent on November 14-16, and 21. On December 14, as specified in the five-page letter to Mr. Collier, I was ordered to Huntsville to talk to Mr. Dunbar and Mr. Pierce *two days* before Mr. Pierce documented that the emails came to his attention. In part that meant Mr. Dunbar and Mr. Pierce discussed them well before Mr. Pierce's documented date of discovery "on or about December 16."

Fact 2: the "charging official" is supposed to describe the "employee's specific conduct." The one of two "**specific conduct**" mentioned how I signed one email:

"Mike Maness, Chaplain, Gib Lewis Prison."

Response: I did not. I signed that email as "Mike Maness, Chaplain, Gib Lewis Prison." That is, I spelled "chaplain" correctly. I know, picky, but part of the picture.

Fact 3: the "charging official" is supposed to describe the "employee's specific conduct." The one of two "**specific conduct**" mentioned how I signed one email:

"Mike Maness, Chaplain, Gib Lewis Prison."

Response: There was the attempt imply and so charge that ALL the emails were so signed. **That is false.** All the others were signed by me as representing my company, Michael G. Maness LLC, with logo. The logo is printed at the end of each.

Fact 4: the "charging official" is supposed to describe the "employee's specific conduct." The **second of two "specific conduct"** mentioned was my writing:

"But his splitting of the church is a wart that needs a resolution in more than my eyes... I have seen about seven churches split in my 30 years and EVERY time it was an egotistic unwise and needy pastor... it has always been in what I have seen a pastor hanging on at all cost and EVERY conversation with David confirms that..."

Response: I said that and stand behind that to this day. And I have every right to give my heartfelt opinion about my church affairs, and inform others and seek their advice. Quite to the contrary of "substandard duty" here, I believe it my "duty" to share these concerns with my chaplaincy supervisors, of heartfelt hazards to the agency mission and other things that I feel will not be in the agency's or the prisoners' best interest.

Furthermore, again, this religious belief about church splitting being a crime, even "a wart," was shared by me as a free citizen protected by the First Amendment and even protected by TDCJ policy. It is against TDCJ policy to punish someone for their sincerely held religious belief, just as it is against policy to falsely represent data on an investigative report. Moreover, it is policy, implicit in every leadership manual and in TDCJ's explicit and vast security training that we are to protect TDCJ's good name and defend its mission, whether that is reporting an escape or a suicide or reporting to our supervisors that a volunteer's "church splitting" is a revelation of a person's character or mental health.

Here, in Fact 4, the only SPECIFIC conduct of which I am being disciplined is none of TDCJ's or Pierce's business regarding any kind of discipline. Despite the misrepresentations, as bad as those are, and despite the castigations I gave to Valentine (not included in specific conduct), I still feel to this day that Valentine, a junior and errant Baptist minister, needed those from me as a senior Baptist minister, written as they were from my home on my own time.

Conclusion: It is clear to me that at the December 14 meeting, on orders to Huntsville to discuss the emails to Valentine, that Mr. Dunbar also wanted to talk about my position on the faith-based housing, as though the 50-page letter-treatise to Livingston and Collier was already in his possession. Then at the actual formal official disciplinary hearing on November 29, Mr. Dunbar and I discussed at length the 50-page letter-treatise and charge as stated. I described those two meetings in the five-page letter to Collier (attached).

It is also clear to me, that even though Mr. Pierce documented that he "became aware" on December 16, that both Mr. Pierce and Mr. Dunbar – both of them – had had substantial conversations BEFORE December 14. They both had copies on December 14! When I arrived, we discussed those emails as well as my position on the faith-based housing.

TAB 16. Maness Disciplinary 1 & 2
State Employees Are Supposed to be Treated Equally

At one point in the December 14 meeting between the three of us, which was about 90% between Mr. Dunbar and myself, I asked Mr. Dunbar, “What would you like me to do?”

Mr. Dunbar responded, “I do not know what I am going to do yet.”

At 5:04 PM on December 14, I sent an email apology for my “tone” to Mr. Valentine, with a copy to both Mr. Dunbar and Mr. Pierce. Valentine accepted. What more is needed? I respected Mr. Dunbar’s and Mr. Pierce’s position enough to apologize of my accord. Dunbar ramped this private and small affair out of proportion to tie it the 50-page letter-treatise, which fairly well confuses this even more.

The fact remains, they had copies of my emails on December 14 when we met, though Pierce documented he became aware of them on the 16th on an official investigation.

This part is scary and frightening. But it appears to me that prior to the December 14 meeting, and sometime after I sent the 50-page letter-treatise to Mr. Livingston and Mr. Collier, Mr. Collier gave it to Mr. Dunbar. Then a day or two prior to December 14, Mr. Dunbar conspires with Mr. Pierce to “find something” to call me in over. The only thing available is the month-old emails, and Mr. Dunbar orders Mr. Pierce to charge me.

Are the charging officer and the hearing officer both allowed to decide beforehand on what to charge the defendant? I do not know. But it is clear that Mr. Pierce documented his knowledge of my offense well *after* we three discussed it. That is not right.

And if Dunbar was the chief instigator of the charge, the *de facto* charging officer who later *ordered* Pierce to make the charge, then it is doubly wrong that Mr. Dunbar be both the charging officer and the hearing officer. Worse, did Dunbar consult with Pierce about the date of discovery too? To, sort of speak, make the December 14 meeting closer to the discovery, instead of a month earlier? Did Dunbar work with Pierce to falsify the date?

If the charge was so serious to discipline – as is being done twice over now – why in the world would Mr. Pierce hold onto to such a violation for an entire month? Regardless, there is no way Mr. Pierce *avoided* seeing those emails for a month. Especially from me, as the man who led the effort that saved the department from zero budgeting.

The ramifications of TDCJ disciplining me over a personal email *from my home* over my *sincerely held religious belief* about the *heinous crime* of church splitting – shared with other Baptists – are far and wide. At the least, this is meant to crush openness and foster a fear of sharing crucial issues, even with supervisors. At worst, it is an infringement of my home and an embarrassment to TDCJ’s good name. We must take this all the way.

Item 6a. 02-22-12 – Maness 2nd Disciplinary – Insubordination

For the letter to Bryan Collier on Dunbar's humiliation of my work in the 50-page Faith-Based Housing Letter, Dunbar wrote another disciplinary for Insubordination. After all, it was clear they supported Dunbar all the way, including his attempts at intimidation and belittling of hard work; together, it was official abuse of authority in order to support censorship.

As mentioned, Div. Dep. Dir. Becky Price tried me for both the Sub-Standard Duty Disciplinary and the Insubordination Disciplinary, and found me guilty of both.

I appealed both to Div. Dir. Madeline Ortiz with the attachment below on my take on my letter to Dep. Dir. Bryan Collier and my reasons.

**Item 6b. 02-22-12 – Attachment to Insubordination Grievance
level 3, no. 36, Substandard Duty – 2-14-2012**

February 22, 2012

Item 6b

At first, after my hearing with Ms. Price, a gracious lady, I said I would search my heart. I even intended not to grieve, as I hate that term for these processes. As I searched my heart, I came to the conclusion that this needs to be taken to further.

That five-page letter was either the stupidest thing I have ever done, or among the bravest – and at this point I feel pretty stupid.

Given all, I should have known better that it would likely be seen by Mr. Dunbar. That is my failure. I did not intend Mr. Dunbar to see it. For some reason that – I could probably speculate upon for ten more pages – but which reason is beyond me, I did feel that Mr. Collier would acquiesce to my request that the letter be kept confidential. In retrospect, Mr. Collier did not have to, and, perhaps, looking from the top down, it was best he did not.

Moreover, if I had received a letter like that written to my warden, or to Mr. Collier, saying what it said about me as a supervisor by my subordinate – I would want my pound of flesh too. And insubordination seems like the logical course.

I said some rough things and should have put them in a different light.

My lack of respect for Mr. Dunbar's knowledge on the issues regarding my 50-page letter-treatise is not disrespect to his authority – which I would beg to be scrutinized.

The TDCJ disciplinary and general meaning of "insubordination" entails a disrespect of *authority*.

Mr. Dunbar was wrong to humiliate my work in that 50-page letter. And there was no disrespect of Mr. Collier in that five-page letter. Other than a few whining points – if one wants to take the most point of few of the five-page letter to Collier – whining is not "insubordination" as with the complaint on the cost of 25-cent rosaries or over my securing 25 more chaplains, about \$1,000,000 more dollars to the division than had been allocated in 2007.

If this was a private company where the relationships up the ladder can resemble that of a lord and fief and depend upon the lord's pleasure, a five-page letter to Mr. Collier would be whatever Mr. Collier desires.

In a government agency, I actually retain some of free-citizen rights, and thankfully so. But this is less about rights in the full measure. This about how my hard work of devotion of hundreds of hours in the 50-page letter that tossed around as a piece of dribble. There are multiple issues that were brought to light that any reasonable person, including several powerful advocacy groups, have a concern about. Including the ethics of the whole affair.

Having stepped back and after these two disciplinaries, it is clear upon examination of my heart and the issues that I certainly could have been clearer and nicer. Not fully sure there without writing another 50 pages.

I told the truth, laced with a bit of heat, to Mr. Collier. It was not to Mr. Dunbar.

I exposed, blew the whistle, as it were – though millions of dollars are not being defrauded and no one is in imminent danger (except perhaps myself ☺). And a little hyperbole and metaphor. It was not right to be humiliated. Nor is it right that not a single thing in that fifty-page letter made sense to Mr. Dunbar.

To several items, and each negative item exposed regarding Mr. Dunbar, I have proof of the allegation, even anecdotal firsthand experience, including my word against his on our dialogue during that disciplinary he ran in which he humiliated the work of the 50-page letter-treatise.

One, on the quadriplegic metaphor, that applies to all of us in our specialties and lack of expertise. One might as well try to “train a quadriplegic” as to try an train me to head the accounting division of TDCJ, and likewise, than to train the head of accounting to sit at the desk of any TDCJ major. Should either one trade place, it is just a matter a time before all under them realize the person trading place is out of their league.

And it is sad that chaplaincy – nationwide – is often treated as such a position that anyone can just walk in and put on a hat. In respects, Mr. Dunbar was just trying to do what he was told, perhaps, and try to address something – the 50-page letter-treatise – without having a true appreciation of the national affairs. No real fault for him there. There was no indication that Mr. Dunbar had any knowledge of Americans United for Separation of Church and State. He said several times, “I do not understand.” And there was the appearance that he had not even read the 50-page letter-treatise that he was criticizing, except perhaps the first two pages. Well, I cannot help the fact that he does “not understand,” but many people do, and his lack of understanding at that meeting does not foster respect, but the opposite. To him, though, I was respectful, certainly of his authority.

Two, on the issue of his experience as an officer. This is more on point. With the thousands of officers I have dealt with, and frankly, the hundreds I deal with daily, it is rather common knowledge among all the unit security staff that one of the main duties that progresses a CO-1 to CO-5 is – dare I say – his ability to be “specific” in the cases he or she writes. It is the basic duty and skill, and more so for the Sgts., Lts., Capts., and Majors who grade the disciplinaries. Despite my observation (not mere opinion) of Mr. Dunbar’s shortcoming in his multiple references to his time a CO, let the previous record stand for itself, in how he had not just one or two, but several procedural lapses to cause his handling of the first disciplinary to be overturned. And notice here, in this charge, even though both the policy on insubordination itself places in square brackets – because it is the hardest part – for the charging officer to be “specific” and on the form itself it reminds charging officer to be “specific.” And he cannot do that, even a single time.

If my five-page letter had been kept confidential, there would not have been any charge. It was to Mr. Collier, and there was no true disrespect to Mr. Collier, certainly not a “total disrespect to Mr. Collier.” The bit about the 25 chaplains I lobbied for – goodness – those are simple facts, and I do not believe that Mr. Collier himself took any offense at that. He is a far better man than that, and perhaps never knew the full story of my involvement there.

What is “total disrespect” – goodness, someone needs to be specific there!

Had I had any true recollection that Mr. Collier would share that five-page letter, I would have worded it differently. I have no control there, and realized the risk, and it is my fault and problem now.

Let me add something that I should have added. In spite of all of this, I believe that Mr. Dunbar is a good man. I know – from my 19 years in the agency – I *know* he loves this agency. Though not clear, the five-page letter is in no way a disrespect to his authority, or to his character, or to his love for TDCJ, or even in the aftermath of all this, a true indictment on his ability as a Manager III. I do believe with all my heart that he was sincere and was trying to do his best, and what was expected of him.

Despite how I feel ... and what was certainly a disrespect of the work and contents of the 50-page letter-treatise – despite all, that 50-page letter-treatise is daunting and covers a lot of territory. To those *not* accustomed to its substance and the church-state literature (including Mr. Pierce here), and despite whatever expertise they may have from dealing with TDCJ’s legal department, the venue of the 50-page letter is still an entire world apart.

That 50-page letter-treatise is, sadly, the most substantial piece written in the country to date. Because by and large the religious right that pushes the faith-based housing is – nationally – loathes to detail much justification. It is not surprising that it be met with skepticism. But here we are. It is a serious affair, and I took offense.

In the long haul, wherever we go with this, the dialogue on the “order” was strange. And clandestine orders, however they came down, should not happen in a public government agency, especially regarding faith. There is no away around this, but perhaps there is a way to fix it. And the 50-page letter-treatise’s main points are not dependent upon the “order” whether actually given or through a rather clandestine *hush-hush-so-order-cannot-be-traced* or some other odd way of transmitted. That process is rather moot. And for public consumption, as all things are supposed to be, another ten pages could be added for things like the Buddhist

TAB 16. Maness Disciplinary 1 & 2
State Employees Are Supposed to be Treated Equally

faith-based dorm, and other things that came to light in the first meeting between Mr. Dunbar, Mr. Pierce, and myself, again, because so much is *not* published or reported to the public.

There is truly another 300 pages that could be added to that 50-page letter, and I pointed to several more authorities.

Lastly, I would appeal – I hope – to Ms. Madeline Ortiz, should be the next step here, to discuss this disciplinary with her. Seems like this is where it will fall, to make my appeal to her in person.

I would like to point out something to my benefit that few know, except her, and perhaps not even fully her either.

To my credit – in a way to call forth my dedication too – I recall that in 1999 with my signal leadership I secured the first raise for all Texas chaplains (TDCJ, TYC, MHMR), in 2007 through my signal leadership I secured 25 additional chaplains, and in this year in 2012 from January through March I led the way to retain the entire chaplaincy department. The latter involved 100s of hours of off-duty work, including detailed strategizing, as with identifying major player, like Jerry Madden and his roommate who was on the correctional committee’s finance sub-committee, finding a pastor in his district, and ramping it up there – all over the state. And after my first meeting with Mr. Pierce and Mr. Dunbar, Mr. Pierce and I chatted in his office, where he gave more of a mild reproof he said in a flippant tone, on the Save Chaplaincy efforts, “I could have told all the chaplains to have nothing to do with you.” I did NOT disrespect his authority there either, but just smiled until it was time to leave.

I do dare say, it was a fight to Save Chaplaincy. And though many are claiming some credit, all one has to do is visit www.PreciosHeart.net and click the “Saved Chaplaincy” link in the upper left to go to the page that shows my work. I do not take full credit, but had I not kicked several power brokers into high gear, the zero-budgeting might have stayed, or perhaps at least halved what chaplaincy got. Likely, not sure here, in the final draw, no extra money was given to TDCJ for chaplaincy, only the House and Senate likely forced a re-allocation to the Rehabilitation Division. That is no small accomplishment on my part.

All that to say this, especially to Ms. Ortiz, more than any employee in her division – vastly more than any – I have brought and secured several millions of dollars to her division. That is dedication and loyalty. And I think those millions of dollars allocated over the last decade deserve me a chat with the Ms. Ortiz on this disciplinary.

And a tad consideration for these highly intellectual and nationally disputed issues.

Item 6c. 03-March 2012 – Final Appeal on Two Disciplinaries to Deputy Executive Director Bryan Collier

My final appeal was heard by Deputy Executive Director Bryan Collier. I cannot remember the date, and it could have been April.

and I talked, my first two disciplinaries were the subject of my grievance and appeal to his, the last and highest office. He was adamant, that I support whatever programs the Division of Programs has approved, though he did seem to be open to understanding my position. Collier did not, however, believe Valentine was other than what Valentine has sold them. Sadly, none of the more serious ethical concerns seemed to be a concern to him, nor the collegiality of Chaplains in discerning further the ethical conflicts so obviously present, though, perhaps, a bit too rough for Collier, et al, who are more used to less stringent dialogue.

Item 6d

Item 6d. Ramification of 1st & 2nd Disciplinaries

After sending the fateful 50-page Faith-Based Housing Letter in December 2011, quickly I found myself with three disciplinaries and a recommendation for dismissal.¹⁷² In all, simple retaliation for exposing incompetence and unethical conduct and some unconstitutional “orders,” but it got worse as the years unfolded.

An entire month after this was sent, a sucker punch was

I received my second disciplinary for Insubordination for the following letter to Dep. Dir. Bryan Collier, that he passed to Marvin Dunbar – Item 6b below.

I sent that letter after my first disciplinary a few weeks earlier for Sub-Standard Duty, for an email I sent to Volunteer David Valentine in *response* to his question. My answer to Valentine was simple: I sincerely felt his program of teaching prisoners church-starting principles crossed clear church-state boundaries when ALL TDCJ chaplains were *forced to support* his program. But worse, he split First Baptist, Huntsville, as pastor, and making vastly unqualified to teach church-starting when he could not even unite his own church. Of my own accord, I sent a copy of that email to Chaplaincy Manager Bill Pierce, in good faith. I also sent it to four others I respected, including Vance Drum, a long-time friend, and Emmett Solomon, and to my dismay they shared those more private exchanges with Pierce too.

I still meant all I had sent.

A month *after* the Valentine emails, as this letter to Collier tells, I was called on account for the emails and given my first disciplinary for Sub-Standard Duty for failing to support Valentine, in fact, penalized for free speech from home on Baptist-to-Baptist affairs. Yet, Dunbar made it clear that – though I was *officially* being disciplined for criticizing Valentine – the *real* offense the 50-page Faith-Based Housing Letter to Livingston and others. He humiliated the contents of that in a fashion unbelievable; he could *not* understand “cost” of all things. The rest is below in the Collier letter.

Irony of ironies – Dunbar’s disciplinary to me for Sub-Standard Duty was thrown out by TDCJ Disciplinary Supervisors for too many errors, itself so sub-standardsly written. However, it was retried up to Div. Dir. Madeline Ortiz.

I was retaliated against for the exposures in that 50-page Faith-Based Housing Letter, and then for simply telling the truth about Valentine, rebelling idea keep his church-splitting a State Secret. It was not then and is not today TDCJ’s or Texas’ business keep secret Valentine’s church-splitting behavior *while being* officially “ordered” to support him statewide.

During my Sub-Standard Duty Disciplinary – Dunbar humiliated my *very hard* work sent in good faith in that 50-page Faith-Based Housing Letter.

¹⁷² See Tab 20 or www.PreciousHeart.net/Maness-Faith-Based-Housing.pdf. It was a bear, detailing a hoard of problems with the “order” for all prisons to start the Faith-Based Housing, including the “cost,” a load of double-speak, and a protracted cover-up entailed in its implementation. The worst is that is crazy to allow “safety” to be connected to “faith” in anyway: anytime a prisoner chos to go the faith-based housing for safety, such compromises his faith, and TDCJ is the lead sponsor for that compromise. All prisoners are entitled to equal treatment ... see the letter for the rest. This letter really needs to be front and center, as it is a big part of this Sourcebook, for next to my [2001 Chaplain Professional Equity Proposal](#), it is a big part of the picture.

See [www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 1 Proposal 2000.pdf](http://www.PreciousHeart.net/chaplaincy/01-Chaplain_Pt_1_Proposal_2000.pdf).

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The original Collier letter was five pages, given here exactly as sent, in good faith, but it was given an Insubordination Disciplinary for it, that – in the light of this Sourcebook – actually describes in softer terms than I could have imagined. After Polunsky and the years of cover up and multitude of security violations – this letter is too mild. Hardly insubordination now, it presaged more.



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Item 1. TDCJ Legal Opinion – Facebook Legal



TEXAS DEPARTMENT OF CRIMINAL JUSTICE
OFFICE OF THE INSPECTOR GENERAL

Bruce W. Toney
Inspector General

John C. West
General Counsel

August 2, 2013

Michael Maness
[Redacted]

Re: Open Records Request for OR-2013-00169 Concerning Employees Posting on Facebook.

Dear Mr. Maness:

The Office of the Inspector General (OIG) has received your open records request in the above named matter.

Please be advised that, after a thorough search of our records, we have not found any records that are responsive to your request. Please note that the OIG is a separate entity from the Texas Department of Criminal Justice (TDCJ) and as such, we handle all requests for information independent of TDCJ. OIG is a law enforcement unit and serves as the independent investigative entity for TDCJ. Employee posting on Facebook is not a crime or violation of policy and therefore is not within the authority of OIG to investigate.

We consider this OIG open records request closed.

Sincerely,

Cyndi Eastham
Records Release Section
Office of the Inspector General

*I was fined for this!
For posting photos of inmates
I had wardens' written permission to take
+ TDCJ lawyer contacted
Media Release as I
had done for 20 years!*

Item 2. Maness Letter 10-01-13 to Texas AG Appealing Email Chase
(3a to 3e below) for Dismissal Information

Tab 16
Item 2

October 1, 2013

Honorable Greg Abbott
Attorney General of Texas - Open Records
P.O. Box 12548
Austin, Texas 78711-2548

re: *Appeal to Dismissal Hearing*
attached: 6 pages of emails

Dear Mr. Abbott, et al:

Gosh, I am sorry to bother you all yet again. See attached the five emails, from my first OR request, their response, my appeal, their legal response, and my appeal-appeal to that, and THIS in response to their desire to write a brief to defend their *withholding* if information they said at first did not exist, now a list they do not want to share, and – WHAT? – this about MY OWN DISMISSAL recommendation!

Page 1 - OR - Dismissal Hearing - 1st Req. 8-28-13
Page 2 - OR - Dismissal Hearing - 1st Ans-email 9-03-13
Page 3 - OR - Dismissal Hearing - 1st Ans-Off-Ltr 9-03-13
Page 4 - OR - Dismissal Hearing - 2nd Ans-email 9-19-13
Page 5 & 6 - OR - Dismissal Hearing - 2nd Req. 09-19-13

This is the United States of America, and – moreover – this is TEXAS! We are better in Texas!

Please see the attached exchanges with TDCJ's counsel, Mike Flagor, who said he will be writing you a brief, expecting a 45-day delay in your response yet again.

As you all know, it is state law and TDCJ policy that allows me the right to *any* document related to me as a former employee. More than that, though, it is common sense and simple justice.

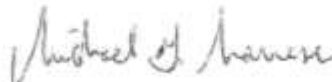
In the light that I have concrete evidence of unlawful policy-violating behavior by the previous wardens of the Polunsky Death Row, and that – now then – documented evidence of cover up of my exposure, my initial dismissal recommendation information is all the more important to me, and to my efforts to clear my name.

I want you all to know, that **PART** of the information expected revolves around the setting of the date, my arrival on that date, and the DELAY, and then the resetting of that date. As came out later, at the same time, the chaplain position that I assumed at Polunsky had been boarded, and Chaplain Jose Vitela was officially notified that HE GOT the position. Then, at the conclusion of my dismissal hearing, then Reg. Dir. Michael Upshaw offered and I accepted the Polunsk Chaplain position, and later, I had to tell Chaplain Vitela he did not in fact get the position. I expect some of the notes, emails, and stuff on that. And, obviously, the information on the INITIAL investigation that led to my recommendation of dismissal by then Gib Lewis Warden Hunter (who is now at Polunsky, strangely enough), and so forth.

In other words, I want EVERYTHING, now, including at the very least an itemized list of what TDCJ – via Mr. Flagor – is wanting to say is “privileged” – goodness, men and women, this has to do with my career, defense of my good name, and what I have proven has been clear cover-up in a sloppy way by then at least Michael Upshaw and Stephen Alford, and perhaps including Warden Gary Hunter.

Please, help me get EVERYTHING they have on my farcical dismissal proceedings and the odd investigation by Warden Bell (I think) that led to that, and so forth.

Sincerely,



Michael G. Maness

409-383-4671 – Maness3@att.net

TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally

Tab 17
Item 3a
Pg 1 of 8

Item 3a. Maness Emails TDCJ OR Coordinator

From: [Michael](#)
To: maness3@att.net
Cc: [Michael Maness](#)
Subject: OR - Dismissal Hearing
Date: Wednesday, August 28, 2013 6:02:27 AM

August 28, 2013

Dear OR Coordinator,

This should rap everything up, I hope. Could I obtain the following:

1. I would like copies of all notes, forms and determinations and final paperwork regarding my own dismissal hearing with Michael Upshaw in about March of 2012, that sent me to Polunsky, including any such precisely what Upshaw wrote about me regarding the investigation and hearing in my final record.
2. I would like a copy of all emails, memos, notes, etc., relating to Upshaw's initiation of the investigation into my facebook postings, NOT the disciplinary or photos themselves as I have those, but the documents (et al) that started the investigation in the first place, whether from Upshaw or someone else.

Thank you very much.

Michael G. Maness
804 N. Beech
Woodville, TX 75979
409-383-4671
Maness3@att.net

www.PreciousHeart.net

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Page 1 of 6

Item 3b. CID Responds with 3c and an Attached Letter

From: Kriesten.Jenkins@dcj.state.tx.us
To: Maness38att.net
Subject: Open Records - Dismissal Hearing
Date: Tuesday, September 03, 2013 1:19:26 PM
Attachments: [Letter-Dismissal Hearing.pdf](#)

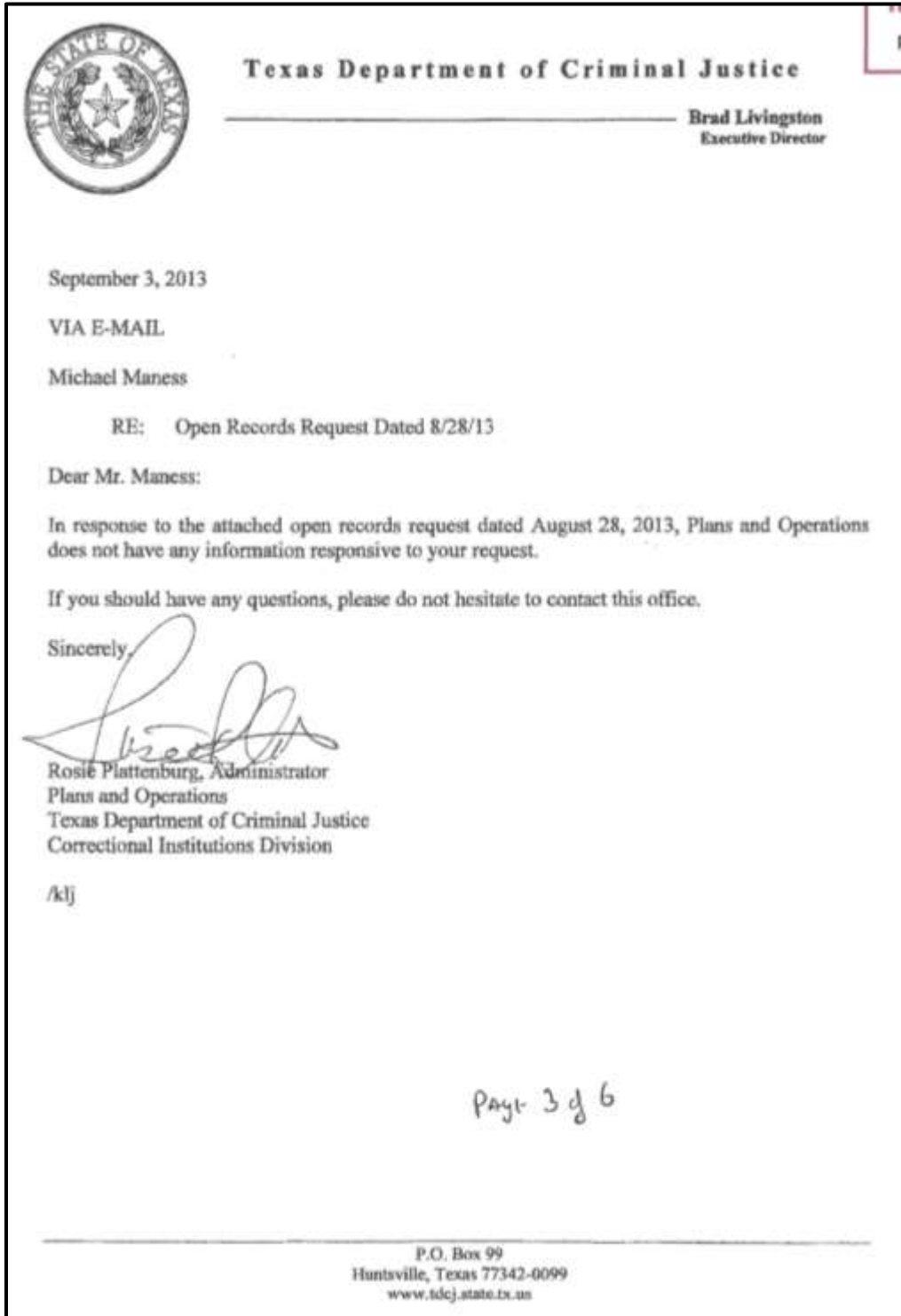
Good Afternoon!!

Mr. Maness:

Attached below is the response to your open records request.

Thank you,
Kriesten J.
Plans and Operations
Correctional Institutions Division
Texas Department of Criminal Justice
P: 936-437-6249
F: 936-437-8411

Item 3c. CID Plans and Operations Letter “does not have any information”



Item 3d. Legal Mike Flagor has “information ... responsive” but some is held “attorney/client privilege” and will send “brief” to Texas AG

From: Mike.Flagoor@tjc.state.tx.us
To: maness3@aet.net
Subject: Your PIR of 09/03/2013
Date: Thursday, September 19, 2013 9:59:58 AM
Importance: High

Mr. Maness,

We have information that is responsive to your request concerning disciplinary hearing. However, with that information are several documents that we must with hold because of attorney/client privilege. Would you allow us to with hold this information and release the remaining responsive information to you. The alternative is our filing a brief seeking clarification with the Attorney General's office which requires approximately 45 days to render a decision.

Please let me know your decision today.

Thank you.
Mike Flagor
Legal Assistant I - Open Records
Office of the General Counsel - Huntsville
phone: 936/437-2108
fax no.: 936/437-6994

The information contained in the e-mail and any attachments is intended for the exclusive use of the addressee(s) and may contain confidential, privileged, or proprietary information. Any other use of these materials is strictly prohibited. This e-mail shall not be forwarded outside the Texas Department of Criminal Justice, Office of the General Counsel, without the permission of the original sender. If you have received this material in error, please notify me immediately by telephone and destroy all electronic, paper, or other versions.

TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally

Item 3e. Maness Email Appealing Flagor and Additional Request

for Itemized LIST of Items Flagor had Mentioned

From: Michael
To: "Mike Flagor@tdci.state.tx.us"
Cc: Michael Maness (maness2@att.net); greg.asodora@tdci.state.tx.us; Alicia Faria-Ramirez@tdci.state.tx.us
Subject: RE: Your PIR of 09/03/2013 - Dismissal Info
Date: Thursday, September 19, 2013 11:13:31 AM
Attachments: [Open Records - Dismissal Hearing Info Email 01.pdf](#)
[Open Records - Dismissal Hearing Info LETTER.pdf](#)

September 19, 2013

Mr. Flagor,

Can you tell what documents, as in a list of titles, that need withheld?

I am getting pretty familiar with the AG's office and they are pretty timely about things, as almost in each instance that your office chosen to appeal my requests over the last years, I have sent a letter to the AG's office, and most of my requests have been supported. I am talking about files relative to the "order" for my investigation, which should not be confidential at all, but straightforward evidential discovery items that led to such WHILE I was an employee.

Since state law says that I am entitled to ALL things relevant to my own employment, I have trouble believing there is ANYTHING relative to my own investigation that is so secret it cannot be shared with me. I mean, after already getting and appealing the attached, and since this led to my OWN DISMISSAL recommendation, that I have been disputing, how is any of it privileged, being that the substance of my own "violation" was posting photos of inmates putting together Christmas cards that I had the warden's written permission to take and TDCJ lawyer created Media Releases? And lastly, whoever ordered the investigation and whoever ordered it, if in good faith, those "orders" should be available to me as a part of my own case file.

At least, why don't you send what can be sent, and let's look over the itemized "list" of things that contain what you consider privileged. At the least here, I am not adding to this request that I have get a list of those things that you claim need to be privileged.

Sincerely,

Michael G. Maness
www.PreciousHeart.net

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Item 3f. Appeal for Itemized List of things they CAN and CANNOT send

From: Mike.Flavor@tdcj.state.tx.us [mailto:Mike.Flavor@tdcj.state.tx.us]
Sent: Thursday, September 19, 2013 9:59 AM
To: maness3@att.net
Subject: Your PIR of 09/03/2013

page 5 of 6

Importance: High

Mr. Maness,

We have information that is responsive to your request concerning disciplinary hearing. However, with that information are several documents that we must with hold because of attorney/client privilege. Would you allow us to with hold this information and release the remaining responsive information to you. The alternative is our filing a brief seeking clarification with the Attorney General's office which requires approximately 45 days to render a decision.

Please let me know your decision today.

Thank you.
Mike Flavor
Legal Assistant I - Open Records
Office of the General Counsel - Huntsville
phone: 936/437-2108
fax no.: 936/437-8994

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Item 3g. Re-Appeal for Itemized List of things they CAN and CANNOT send

From: Michael [<mailto:Maness3@att.net>]
Sent: Monday, **October 07, 2013** 11:50 AM
To: ccc.services@tdci.state.tx.us; Alicia.Prezio-Nash@tdci.state.tx.us
Cc: Michael Maness
Subject: FW: OR - Outstanding 8-27 and 9-4

cc: Mike Flagor

October 7, 2013

Dear Open Records Coordinator,

I just wanted to you know I appealed the dismissal hearing request that Mr. Mike Flagor emailed me.

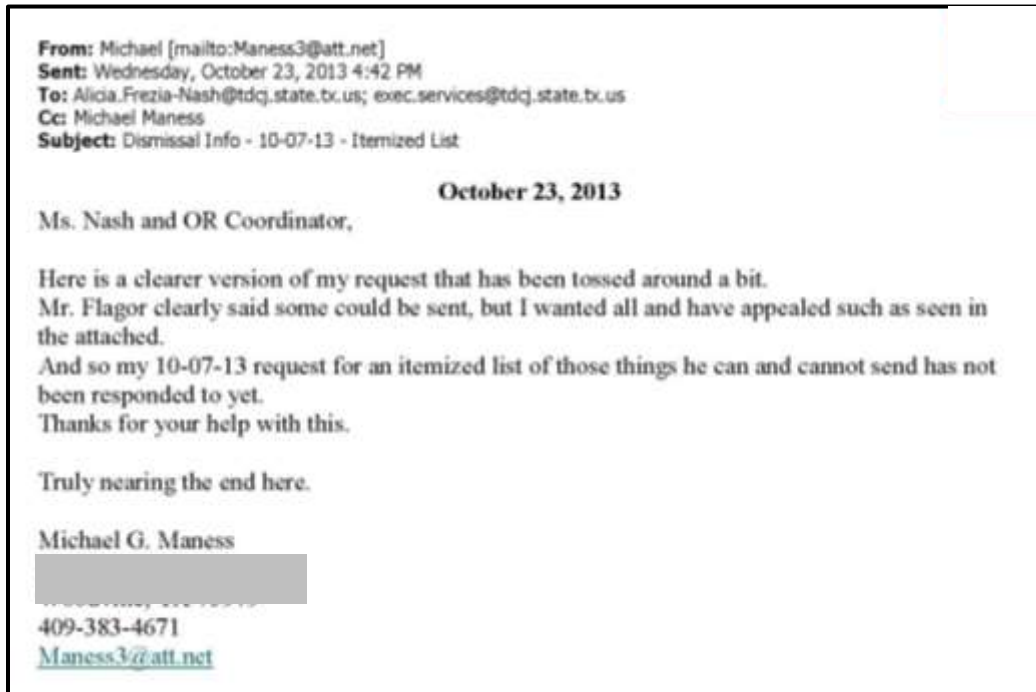
See the attached collection, please, that shows at first nothing available, my first appeal to that “nothing” on the investigation that started my dismissal process, Flagor’s response that some was considered restricted and his desire to write a “brief” on it, and lastly my response, essentially requesting WHY was ANYTHING on my OWN investigation hidden from me.

Further, as asked for in THAT LAST EMAIL on my own dismissal, another OR request – **now over ten days old yet again** – I requested a simple **itemized list of ALL things** which is certainly easy to do, to which I got no response, and so I appealed both Mr. Flagor’s “brief” and the now 11-day delay in response for the itemized list too to the Texas Attorney General, again. Please see that attached.

Also, on that same day, he said he had MAILED for the second time the information in the emails below. As of Saturday the 5th, I had NOT received the information in the mail. However, I did receive back my confirmation from above from Austin. Perhaps the mail takes longer from Huntsville than from Austin.

Michael G. Maness
409-383-4671
Maness3@att.net

Item 3h. Re-re-Appeal for Available Information



Item 3i

Item 3i. Texas AG Denies Information

Texas AG supported TDCJ's request to keep confidential the actual notes on the final dismissal information, which was a bit disheartening to me. Still, there has been no response for even an itemized list of what they do have.

Does this not strike of strangeness, that a government agency can withhold from a former employee on that very employee's dismissal recommendation?

And, further, TDCJ withholds even a simple itemization of what they had.

TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally

Item 3j. Blank Space for Information to Come

Would that we could have gotten everything ...

TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally

to see the photos before they leave the unit.” I dutifully sought Helm out, and he was unavailable, so I asked Senior Warden Ginsel to review them: Ginsel had no problems with the photos. No one has *ever* had a problem with the photos taken just like this, several times a year by several persons, and – listen up – long before there was such a thing as digital cameras. One more time – *never* has a warden or *anyone* asked to review **twice** any photo! Did you hear that? **Twice** – I was written a disciplinary because I did NOT come back over a onth later and RE-ask for permission to post those on Facebook – just bogus.

Item 4b. TDCJ Lawyer-Created Media Release – All Signed

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
MEDIA RELEASE FORM
Forma de Liberación de Medios de Comunicación

The undersigned offender of the Texas Department of Criminal Justice hereby signifies that he/she freely and voluntarily consents to be photographed and/or interviewed by Publicity, News, etc. for preparation of photos, video, etc. It is understood that this material will be produced for Publicity, News, etc. and it may be used and distributed on whatever basis deemed necessary by Publicity, News, etc. without any further consent from the undersigned offender. Further, said offender releases the TDCJ, its employees and agents from all claims and causes of action arising from production of said material.

El infrascrito preso del Departamento de Justicia Criminal de Tejas certifica que él/ella libremente y voluntariamente consiente ser fotografiado y/o entrevistado por Publicity, News, etc. para la preparación de photos, video, etc. y el material puede ser usado o distribuido en cualquier base creída necesaria por Publicity, News, etc. sin mas consentimiento del preso infrascrito. Adicional, el preso dicho alivia el Departamento de Justicia de Tejas, sus empleados y agentes de todas las demandas y causas de acción que se presenta del producción de material dicho.

Notice to Offender: If you agree to the interview or photograph, you are advised that any comments, statements or images may be given or sold commercially by the person or organization to which you grant the interview, and material may be used in any other medium without additional permission.

Aviso al preso: Si usted conviene a la entrevista o fotografía, estas avisado que cualquier comentario, declaración o fotografía (retrato) puede ser dado o vendido comercialmente por la persona o organización a quienes usted concede la entrevista y el material puede ser utilizado en cualquier otro medio sin permiso adicional.

Floyd Paulson Cob Lewis
Name (Nombre) Unit (Unidad)
889968
Number (Número)

Floyd Paulson
Signature (Firma)
[Signature]
Witness (Testigo)
[Signature]
Witness (Testigo)

Religious Policy (8.04 - Att. A (1/05))

Pretty clear these are, and these – most of all – have always been my utmost concern. Any warden I worked for will be lying if they said any different. I was always more concerned about the prisoners suing TDCJ, a volunteer, or me! – more than I was about whether a warden ever, ever, ever was concerned about what happened to *properly taken* photos months or years later. The thought that anyone would, is nearly insane, making this charge much more than “about photos” and about – what appeared later after Polunsky – about some kind of animus yet to be discerned, perhaps even connected to the persecution I received for the 50-page Faith-Based Housing Letter.

Item 4c. Photo of Prisoners with Christmas Cards



This was my crime! “I am going to fire you,” said Senior Warden Gary Hunter, for posting these on my Facebook page, because – quote Hunter – “I think you were using these to sell your books.” Regional Chaplain Steven Ulmer was there and shook his head too. Really – as crazy a thing as imaginable. If you can believe *that*, can I sell you the Eiffel Tower too? Using these photos would not help sell any of my books, and would detract from sales – if anyone even cared about them in the first place. The *only* ones who cared about the photos were the prison volunteers who shared in a dear ministry and the church members who help supply the cards, and any other contrivance is just bonkers.

Outrageous and perturbing and ... just outright malicious. After all that has transpired from all the letters I have written, the Polunsky fiasco, and the vast and epic cover up, it cannot be any clearer, Warden Hunter was *on order from Upshaw or* someone to “fire” me. Because no thinking person and no *real* TDCJ-mission-minded person would, not for this with the permissions properly secured. There is more to come.


Just as I had done in ALL photos taken for the last 20 years, Prisoner Floyd Rawlinson signed his permission and he is standing at the far left. I showed all the photos from my digital camera to Warden Ginsel as instructed.

We NEED to Ramp Up the Absurdity of This

to STOP Other Intimidation Tactics


TDCJ Employees Have Enough Stress

Item 5a. Investigation by Warden Bill Lewis – Contrives a Violation



Texas Department of Criminal Justice Inter-office Communication

To: Michael Upshaw, Region 1 Director

From: Warden B. Lewis, Senior Warden Goodman Unit 

Date: March 21, 2012

Subject: Investigation Chaplin M. Maness, Gib Lewis Unit

Please review the following information and attached documents relating to an investigation involving Chaplin Michael Maness of the Gib Lewis Unit. Information was brought forth indicating that Chaplin Maness posted numerous photographs of Agency Offenders on his personal Facebook page. On March 9, 2012 I received the copies of the 10 photo copies (attached) and initiated the investigation on March 12, 2012.

On March 12, 2012 I interviewed Chaplin Maness concerning the photographs and he stated that he did post the photographs on his Facebook page for offender ministry purposes. I asked him to explain the individuals in the photographs and detail the information surrounding the photos. He reviewed the 10 copies of photographs and provided the following information:

Picture 1 – He advised this photograph was taken at a church in the local community approximately 10 years ago. The photo contains Chaplin Maness, two offenders and a religious volunteer. Chaplin Maness advised he had no media release on file or approval IOC from the warden on file because of the elapsed time.

Pictures 2,3,4,5,6,7,10 – He advised that these pictures were taken in November as offenders and volunteers were assembling greeting cards to give to the offender population. He advised he had media releases and received approval from the Gib Lewis Administration to take these photographs. (Attached)

Photograph 8 – He advised this was a picture taken in 1995 after a marriage seminar conducted at the facility. The photographs shows, volunteers, Chaplin Maness and numerous offenders with their arms around females in the photograph. Chaplin Maness advised he had no media releases or approval IOC from the Administration due to elapsed time.

Photograph 9 - He advised this was a picture of one of his religious volunteers that assist him at the Gib Lewis facility. The picture is of an older gentleman sitting on a bicycle in front of the Gib Lewis Unit.

Chaplin Maness advised that he was not aware that posting these photographs on his personal Facebook page was a policy violation and stated that he thought he could post the photographs if he had the Wardens permission and media release forms.

OIG said the same thing (Tab 16, Item 1), but CLEARLY here Warden Bill Lewis was making it a violation. The maliciousness was that I needed to ask the warden for every use AFTER legitimately taking the photos, even ten years later. Nuts.

Item 5b. Investigation continued – Lewis Contrives a Violation

5d. - cont. Warden Bill Lewis' Investigation – Contrives a Violation – his “investigation” charged me with two violations, 1. Inappropriate Relationship with an Offender, from a single Facebook Photo (thrown out), and 2. Violation of a Chaplaincy Policy that was Deleted prior to charging in Chaplaincy Manual given to chaplains in 08-2012

Upon asking him if he requested approval to personally place these photographs on his Facebook page, he stated “no”.

Chaplin Maness only had media releases and an approval IOC from Unit Administration on photographs 2, 3, 4,5,6,7, 10. Upon reviewing the media forms it was determined Chaplin Maness completed the heading of the release forms stating the forms will be produced for “**publication, anywhere**” and it may be used and distributed on whatever basis deemed necessary by “**Maness**”. The IOC approval from the Warden was signed by Assistant Warden F. Helm and the photos were reviewed by Senior Warden C. Ginsel (attached). The IOC stated “**these pictures will help us give a hearty thank you to the churches who helped supply us with the thousands cards this year**”. Upon interviewing Warden Helm and Warden Ginsel, both stated that he never indicated to them that he was going to post these photographs on his personal Facebook page. Both wardens indicated it was there approval only for pictures to be taken and given to the churches who donated the Christmas cards to the Unit. Upon asking Chaplin Maness if he gave copies of the photographs to the churches he mentioned, he stated no, that he got busy and never got around to sending the photo's to any of the churches that donated the greeting cards.

A review of Policy 08.04 of the Chaplaincy manual details the requirements for tape recording and or photography (still and video) and / or interviewing offenders.

Paragraph 2 Discussion 1- Offenders will be photographed, recorded, interviewed, for publication purposes or other purposes only with the Unit Wardens Approval.

Furthermore, Chaplin Maness is aware and has signed the Confidential Information Agreement on his yearly performance evaluation indicating the violation of confidential information.

“ I understand that information concerning any person, system, or asset of the Texas Department of Criminal Justice which is obtained while performing my duties is to be held in the strictest confidence and may not be disclosed except as required by **job duties** or law.

Further investigation into the Facebook page belonging to Chaplin Maness found he had the wife (Charlotte Graham) of offender Graham, David TDCJ#837388 as a friend on his friends list on his personal Facebook page (attached). Offender Graham is housed at the Ramsey 1 Unit, convicted of Capital Murder, he is currently serving a life sentence. Facebook procedures require that you have to personally accept each individual friend or send a personal request to any friend that you want to add. Upon questioning Chaplin Maness about Mrs. Graham's presence as a friend on his face book page, he advised he didn't know how it got there. The profile on Mrs. Graham's web page depicts an image of her and offender Graham standing side by side in his prison whites. It appears the photograph was taken in a visitation area at a Texas facility. This relationship with this offender's wife is a clear violation of agency policy and a poor professional decision.

In closing, during the interview with Chaplin Maness I advised him that his actions indicate a clear violation of policy. The investigative activity indicates that he utilized photographs of offenders and Chaplaincy operations for his personal interest. He was instructed to remove all photographs of offenders form his Facebook Page and to search thru his entire list of 1,447 friends and ensure that there were no offender family members or Ex Offenders located on his page.

Please feel free to call me if I can be of further assistance or you have questions.



Notice two check marks:

1. Warden Helm **SIGNED** approval!
2. Warden Ginsel **REVIEWED** photos!

What MORE does one want?

This was not about Facebook or Photos – but more

Item 5c. Refutation of Warden Bill Lewis – Contriving Charges

As seen in the first portions of Tab 16, I am *still* fighting for the origin of the first paragraph, the original “order” and source that drove Warden Lewis to “investigate,” and since he alleged that I had an inappropriate relationship with an offender (Violation 42C), as offensive a thing as any staffer can have, WHY NO OIG investigation? WHY? Where did I have such? That anyone could “charge” such with an innocuous Facebook “friend” is ridiculous. What Lewis charged as “inappropriate” in a strange “friend” who was married to a prisoner – how in the world is that inappropriate, especially since there was zero dialogue with my Facebook “friend.” Contrived, through and through. One could imagine Lewis seeing someone saying “hello” to a prisoner’s wife at Walmart, and Lewis charging the same thing, and at Walmart at least where was the exchange on one word.

There is something contrary about any warden contriving such, and – the aftermath of all – it appears Lewis was pressured to contrive, perhaps by Upshaw, but that should be for OIG to determine.

It also says that Senior Warden Bill Lewis believes posting on Facebook was a crime. Look at the second red square. He quoted me right, thank God. Lewis’ statement is also the tenor of our meeting, no sir, I did NOT know it “was a policy violation.” Furthermore, NO – I never did ask about putting these on Facebook. I never asked about publishing them in the Tyler County Newspaper, which we have done many times over the years without any incident or any further concern. I never asked permission, not once, to send them by email (each and every time) – never. Never has anyone made the expectation that I should return to the prison and re-ask for every successive use – *never*. Who in their right mind would want photos with that kind of impossible burden.

I had Warden Helm’s **permission** to take the photos, and Warden Ginsel **reviewed** those photos before they left the Gib Lewis Prison, just as Warden Helm ordered and just as Warden Lewis reported in the third red square! And the TDCJ lawyer-created Media Releases **release** the photos to the photographer for time immemorial.

There is no indication, no portion of the policy (seen in 5e) that anyone – ANYONE – should or was expected to come back and seek out the warden and re-ask for permission for every single use. And then there is another problem, in that the policy quoted was actually deleted from the Chaplaincy Policy Manual prior to my discipline, it appears, unless we are to believe that Chaplaincy was *revising* that very policy just prior to the August conference. Or, because of my disciplinary, knowing that it was bogus, did they decide to delete the policy from the manual? Just weird all the way around.

Catch this – if such an important rule existed – it should be plain and crystal clear. It was an insane and malicious CONTRIVANCE to DEMAND I ask and re-ask and re-re-ask, again and again and again for every successive use of every photo forevermore afterward. But, low and behold, that was it – and Region 1 Director Michael Upshaw pounded that in, for, it appears, Upshaw *demand*ed an allegiance that was not even present in the policy. And the TDCJ lawyer-created Media Releases meant *nothing* to Upshaw.

However, that is what the Media Releases are for – to free the use.

Item 5d. Was Warden Bill Lewis “Ordered” by Upshaw to Contrive

What of Warden Bill Lewis? Anyone who can get away with charging an employee for two disciplinaries like this deserves attention. First, for contriving an Inappropriate Relationship – the worst for any TDCJ employee – Lewis needs to be investigated for this. The second almost begs the question: why demand that an employee come back every time and re-ask and re-ask and re-ask for permission to *reuse* a photo? And if one does not, it is a violation of policy. These contrivances need an OIG investigation to see if, as I suspect, they are rooted not in Lewis’s search for anything, but rather rooted in orders from someone like Upshaw to contrive something that Upshaw himself would later see.

Having already established Upshaw’s cover up at Polunsky, for years, it is not a far jump to see something nefarious there. It will require a truly talented OIG investigator. There is no telling what else has taken place. Or who else has suffered similar for reasons only OIG can ferret out.

Item 6. 2008 Chaplaincy Policy on Media Releases
– Deleted from Manual in 2012 – Fired for a Deleted Policy?

TEXAS DEPARTMENT OF CRIMINAL JUSTICE Chaplaincy Department CHAPLAINCY MANUAL	Policy Number: 08.04 Page: 1 of 1 Date: November 2008
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SUBJECT: Media Release

AUTHORITY: ED 02.40, AD 07.35, TDCJ Media Release Form

PURPOSE: To inform chaplains of the requirements for tape recording and/or photography (still and video) and/or interviewing of offenders.


POLICY: Consenting offenders may be interviewed, recorded and photographed while incarcerated within TDCJ.

DISCUSSION:

- I. Photographing of offenders in TDCJ can raise legitimate security concerns for staff of units with TDCJ.
- II. In addition, legal issues may arise if pictures which are not properly authorized are circulated.

GUIDING POLICY:

- I. Offenders will be photographed, recorded, interviewed for publication purposes or other purposes only with the Unit Warden's approval.
- II. Media guests, (including newspaper, radio and television reporters and photographers), will be allowed to visit the unit only with the approval of the Public Information Office Director and the Unit Warden. Media requests will be processed in accordance with ED 02.40.
- III. Representatives from a volunteer group (e.g., Bill Glass Ministries) will be allowed on the unit only with the Unit Warden's approval. Representatives of a volunteer group will be processed either as special visitors in accordance with AD 07.35 or as a visitor of TDCJ.
- IV. Prior to interviewing, recording, photographing, etc., an offender, the Unit Chaplain or designee, appropriate witnesses and the offender will complete the Texas Department of Criminal Justice Media Release Form (Attachment A). Copies of the Media Release Form are available on the TDCJ Intranet as Attachment A of ED 02.40, through the Chaplaincy Department or the Warden's office. The offender should sign two copies of the form – he may keep one copy and the other should be maintained in the offender's file.


Bill Pierce
Director of Chaplaincy Operations

One has to be malicious to contrive from this any expectation that one needs to come back and re-ask for permission for every single subsequent use of a photo. There is no question to this malicious disciplinary.

Just plain dirty pool. Calculated Malignancy that NEEDS Stopped!

Guess what? Worse, this very policy was deleted in the 2012 Chaplaincy Manual given to the TDCJ Chaplains in August of 2012! **I was FIRED for a policy that was deleted!** Fine work, that was. Don't tell me, either, that the CDs of the *new* manual were not put together until *after* I was fired on 4-17-12. Come now. They were *thinking* about that *after* my disciplinary, and – what? – decided to delete it. To triple the irony here, in its place in the *appendix* is Executive Directive (ED) 02.40, News Media Relations, which – so apropos here – in their own appendix it follows ED 02.01, TDCJ Ethics Policy. Ain't dat sweet? But who cares? So many *wardens* and one enchanted chaplain can do what they please, anyway, and the real story of this investigation will need OIG's Sherlock Holmes, but I am betting Upshaw simply pirated it.

TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally

Item 7. Maness Offense Investigation Report – Lewis Contrived

**Texas Department of Criminal Justice
EMPLOYEE OFFENSE AND PRE-HEARING INVESTIGATION REPORT**

Purpose: This form shall be used to record alleged violations of rules or regulations by employees. It shall also serve as a pre-hearing investigation report. If additional space is needed for any portion of this report, a continuation sheet may be attached.

I. To be completed by the Charging Official:

Employee Name: Maness Michael G SSN: [REDACTED]
Last First MI

Payroll Job Title: Chaplain II **Date(s) of Incident(s):** November 23, 2011
(mm/dd/yyyy)

Description of employee's specific conduct (do not reference Rule No. or describe the rule):
On November 23, 2011, Chaplain Michael Maness submitted an IOC requesting approval from Warden F. Helm to take photographs of agency offender from the Gib Lewis Unit. The IOC stated the photographs would be used as a "thank you" to local churches who donated holiday cards for the offender population. An investigation, at a later date, found these photographs were downloaded and posted on Chaplain Maness' personal Face Book page. Upon interviewing Warden Ginsel, Warden Helm and Major Bryant of the Gib Lewis Unit, all stated that they did not at any time give authorization to Chaplain Maness to post these on his Face Book page. During an interview with Chaplain Maness on March 21, 2012, he verbally stated that he did not ask or notify Unit Administration prior to posting the photograph on his personal Face Book page. Chaplaincy Policy 08.04 Guiding Policy, Roman Numeral 1, states "Offenders will be photographed, recorded, interviewed for publication purposes or other purposes only with the Wardens approval". Further investigation into Chaplain Maness' Face Book page found a Charlotte Graham listed as his friend. Upon review, I found that Charlotte Graham is the wife of offender Graham, David TDCJ #00837388 convicted of Capital Murder from Tarrant County. The offender is currently housed at the Ramsey 1 Unit. Mrs. Graham is identified as offender Graham's wife on his visitation records. Review of offender Graham's records indicate he has never been assigned to the Gib Lewis facility. During an interview with Chaplain Maness I asked him if he personally knew Charlotte Graham and showed him a copy of his Face Book page with her listed as a friend, he advised he did not know her and must have added her by mistake.

The employee's conduct may be a violation of Rule No.: Level 2, Code 20 and Level 2, Code 42c

Warden Bill Lewis *Bill Lewis* 4/5/2012
Charging Official Name/Title (print) Signature Date

II. Employee's Statement: The pre-hearing investigator shall obtain an employee's statement even when a Use of Force (UOF) Fact-Finding Inquiry, Risk Management Incident Review Board or Office of the Inspector General (OIG) investigation has been conducted.

I had no idea who she was for all I know she was - I have been doing them for 19 years - I have many "friends" I do not know who my facebook page as it is mainly an outlet for my books.

Employee's Signature: *Michael G. Maness* **Date:** 4-16-12

Note to Employee: With few exceptions, you are entitled upon request: (1) to be informed about the information the Agency collects about you; and (2) under Texas Government Code §§552.021 and 552.023, to receive and review the collected information. Under Texas Government Code §559.004 you are also entitled to request, in accordance with the Agency's procedures, that incorrect information the Agency has collected about you be corrected.

PERS 325 (01/09)

Page 1 of 2

TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally

Item 8a. Lewis Unit Warden Brewer Concurs (?)

III. Witnesses: See attached.

IV. Pre-Hearing Investigator's Review/Recommendation:

Employee Hearing: Yes No If Yes, Alleged Rule Violation No(s): 2A, 42C

Comments: SEE ATTACHED 10C

WAYNE BREWER W [Signature] 4/10/12
Investigator's Name/Title (print) Signature Date

V. Reprimanding Authority's Action:

Proceed to Employee Hearing Alleged Rule Violation No(s): 2/90/42C

No Employee Hearing and no action taken

No Employee Hearing and other action taken (e.g., dispute resolution, training). Attach explanation of action taken.

Ch. Heuter [Signature] 4-11-12
Reprimanding Authority's Name/Title (print) Signature Date

PERS 325 (01/09)

Page 2 of 2

Funny thing here, my interview with Warden Brewer was nearly amicable; he even said I should “not have anything to worry about.” He did not even give me the courtesy of telling me he “concurred.” This had the following attached.

TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally

Item 9a. Hunter “Fires” Maness – For What? –

For What? – for posting photos on my Facebook page of prisoner putting together Christmas Card packages that I had the written permission to take and TDCJ lawyer-created Media Releases – as bogus as anything ever was.

Texas Department of Criminal Justice REPRIMAND FORM				OIG#:	EEO#
Employee Name: <u>Maness</u>		<u>Michael</u>		MAUF/MUF#:	
Last: <u>Maness</u>		First: <u>Michael</u>		SSN: XXXXXXXXXX	
Payroll Job Title: <u>Chaplain II</u>		Unit/Dept: <u>GL/Chaplain</u>		Date Pre-Hearing Investigation Completed: <u>04/10/2012</u>	
Date(s) of Violation(s): <u>11/23/2011</u>		FINDINGS (check one [1]): GUILTY			
Level:	<u>2</u>	No.:	<u>20</u>	Rule Title:	Violation of Statutory Authority/Court Order/Rules/Regulations/Policies
					<input type="checkbox"/> Yes <input type="checkbox"/> No
Level:	<u>2</u>	No.:	<u>42C</u>	Rule Title:	Continuation/Establishment of Offender Relationship that Jeopardizes Security or Compromises the Employee (other than cohabitation or sexual misconduct)
					<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Synopsis of Incident(s): On November 23, 2011, Chaplain Michael Maness submitted an IOC requesting approval from Warden F. Helm to take photographs of agency offenders from the Gib Lewis Unit. The IOC stated the photographs would be used as a "thank you" to local churches who donated holiday cards for the offender population. An investigation, at a later date, found these photographs were downloaded and posted on Chaplain Maness' personal Face book page. Upon interviewing Warden Ginsel, Warden Helm and Major Bryant of the Gib Lewis Unit, all stated that they did not at any time give authorization to Chaplain Maness to post these on his Face book page.					
DISCIPLINARY ACTION: Is this a subsequent violation(s)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list applicable previous Rule No. violation(s) and disciplinary date(s): <u>L 4 #7 2/14/2012</u> <u>L 3 #36 2/14/2012</u>					
Check and complete one (1) or more of the following:					
<input type="checkbox"/> NO DISCIPLINE IMPOSED (Provide justification at bottom of page.)					
<input type="checkbox"/> REPRIMAND ONLY					
<input type="checkbox"/> DISCIPLINARY PROBATION: _____ Calendar Months Beginning: _____ Ending*: _____					
<small>*Note to Employees: If you are on a full calendar month of leave without pay during your period of disciplinary probation, including a full calendar month of suspension without pay, the probation period ending date shall be adjusted by adding one full calendar month to the original ending date. If you are in a career ladder position, any period of disciplinary probation and an adjusted disciplinary probation ending date shall postpone future career ladder salary adjustments.</small>					
<input type="checkbox"/> SUSPENSION WITHOUT PAY: _____ Workdays Beginning: _____ Return: _____					
<input type="checkbox"/> REDUCTION IN PAY TO: \$ _____ Beginning: _____ Ending: _____					
<input type="checkbox"/> DEMOTION TO (Title/Salary Group) _____ Beginning: _____ Ending: _____					
<input checked="" type="checkbox"/> DISMISSAL RECOMMENDED, WITH FOLLOWING ACTION DURING INTERIM:					
<input checked="" type="checkbox"/> Involuntary Use of Compensatory Time/Holiday Time					
<input type="checkbox"/> Voluntary Use of Overtime/Vacation Time (Attach a copy of PERS 24, Leave Request)					
<input type="checkbox"/> Suspension Without Pay					
<input type="checkbox"/> Change to Another Job Assignment					
<input type="checkbox"/> Administrative Leave (can only be granted by the Executive Director)					
DISCIPLINE IS: <input checked="" type="checkbox"/> Within <input type="checkbox"/> Above <input type="checkbox"/> Below the guidelines (Provide justification at bottom of page if above or below.)					
For violations of Rule No. 24 or 25, check one (1) of the following: This violation <input checked="" type="checkbox"/> did <input type="checkbox"/> did not involve an aggravated use of excessive force.					
JUSTIFICATION (If applicable): <u>324 L 4</u>					
G. A. Hunter, Senior Warden II		Signature: <u>[Signature]</u>		Date: <u>4-17-12</u>	
Reprimanding Authority Name/Title (printed)		Employee's Acknowledgment: I have been advised of the procedures of progressive disciplinary actions, and my right to file a grievance. I acknowledge receipt of a copy of this reprimand and know the original is to be placed in my Master Health Resources File. If recommended for dismissal, I verify the following are my current address and phone number:			
Mailing Address: _____		_____ <u>durilla tx 75929</u>			
Phone Number, Including Area Code: _____		<u>409-383-8467</u>			
Employee Signature: <u>[Signature]</u>		Date: <u>4-17-12</u>			
<small>Note to Employees: With few exceptions, you are entitled upon request: (1) to be informed about the information the Agency collects about you; and (2) under Texas Government Code §§92.021 and 92.023, to review and correct the collected information. Under Texas Government Code §59.004, you are also entitled to request, in accordance with the Agency's procedures, that incorrect information the Agency has collected about you be corrected.</small>					
<small>Original: Labor Relations Section, HRSD (with copy of support documentation) Copy: Employee Copy: Independent Employee Disciplinary File Copy: Payroll Department, ONLY when the action involves a payroll issue (suspension, reduction in pay or dismissal)</small>					
PERS 185 (01/09)					

There it is – with more loose ends than anyone can shake a stick at. I have to make a BIG stink, and then I am allowed to use my vacation time to go through mediation.

Item 9b. Hunter “Firing” Narrative – Bogus

When Region 1 Chaplain Stephen Ulmer and I walked into Hunter’s office at the Lewis Prison, Hunter thumbed through the evidence and said, “I have not really looked at this.” That was odd. After a couple of minutes of thumbing, Hunter said, “There is no evidence of ‘Inappropriate Relationship,’” and he struck that down.

“However,” he said in so many words, “I am going to fire you for posting the photos on Facebook. I think you posted them there to get money for your books.”

That was that.

And there was something else, too, a hostility to Region 1 Chaplain Ulmer, for Ulmer’s good and honest investigation of Volunteer Bell.

In the light of all, including my time at Polunsky, my efforts to resolve all, the host of Open Record requests, ongoing analyses of the documents, and this last year’s study – after all, it appears clearer and clearer that Upshaw favored Helm and sent or manipulated for Hunter to come to the Lewis Prison for reasons *other* than TDCJ’s best interests. How Warden Helm would feel so free to do what he did to Vol. Bell is one point of evidence, and another was how Helm simply *cancelled* the entire agreement so carefully worked up by Volunteer Virginia Haynes in her building of the Lewis Prison Faith-Based Program.

All – at the arrival of Hunter – yes, OIG needs to look at this.

And then – what? – Hunter goes to Polunsky, Alford promotes to Region 1 Director, and Upshaw promotes to Division Director.

To date, we have no answer to the mystery of Chaplain Collier’s favor.

One thing is certain – Upshaw appears to be at the center of something yet to be determined, and treason appears to be in the air.

Item 10a. Dismissal Mediation – and the Big Stink

A rude awakening after my Dismissal Recommendation by Senior Warden Gary Hunter, him calling it “firing” and other oddities already mentioned, his refusal to allow me to use my vacation time to run the course to an Official Mediation Hearing was nothing other than wicked. In retrospect, given how many violations Hunter participated in with his Asst. Warden Frank Helm, it became clearer that Hunter was on orders from someone else, even then Reg. 1 Dir. Michael Upshaw. No one is dismissed for these things.

I filed for my retirement in April 2012, to become effective April 30th. A sad time.

The BIG STINK. I made a Big Stink about it, too, telling several important persons and my State Representative James White. Fortunately, the last day before my retirement became effective – I’ll never forget it – I got a precious call from Jan Thorton, who told that I could, indeed, use my over 400 vacation hours to appeal and proceed to a Mediation Hearing.

As the Mediation Hearing with Reg. 1 Dir. Michael Upshaw came, and as is typical of such, I was given time-specific and stringent guidelines to follow. The letter I received gave evidence of a complicated process that involved several, and a paperwork trail of no small proportions. I followed them to the letter, as I did for 20 years.

The day and time came, and I made the trip to Huntsville to Upshaw’s office in the old Exec. Director’s mansion. I had Virginia Haynes as my advocate, and we waited.

Maness’ First Hearing Suspended. Strange as it might seem, I was told that a “mistake” had been made and that I would have to be rescheduled (I don’t remember precisely all that was said). What is paramount, given all that Upshaw has been up to, is that it appears the delay or “mistake” had more contrivance to it. These kinds of hearings were not set up by *mistake*, not TDCJ.

Jose Vitela. At the same time, unbeknownst to me, the Polunsky Prison was looking for another Chaplain, had posted the position, and Volunteer Chaplain Jose Vitela applied, interviewed, and – listen to this – he got the job. He was a part of the RIF years ago, and he had been volunteering at Polunsky for years. After my Dismissal Hearing with Upshaw, and I was “offered” the Polunsky Prison, and I took it and was in the office, I had the displeasure of informing him that I had gotten the position. A teardrop fell, it broke his heart. More on that later.

Maness’ Second Hearing. At my *second* appointment, I had had a meeting with Dep. Dir. Bryan Collier, and he dropped my first disciplinary, which fairly well shifted the administrative balance on the number of available “disciplinaries” demanding dismissal. Collier told Upshaw, which should have almost assured a negation of any Dismissal Recommendation. Reg. 1 Dir. Upshaw proceeded with the hearing, but he did not at all value the TDCJ lawyer-created Media Releases nor Item 11, the “Dr. Keith Bellamy Letter of Support.” Upshaw clearly and forcefully and adamantly supported the crazy rationale that, yes, I needed to ask for permission for each and every subsequent use of a photo, even 20 years later. There was nothing else that mattered to Upshaw, at that point, and afterward, he withdrew the Dismissal, and offered me with the LeBlanc Prison in Beaumont or the Polunsky Prison in Livingston; yes, a “choice.”

Lewis Prison. But why? I done *nothing* to prevent my return to the Lewis Prison, and I had spent 20 years at the Lewis Prison. In light of all, part of the reason was Upshaw’s support of Warden Helm’s violation of policy and because Upshaw did not like my own support of policy – real respect of Vol. Chaplain Melvin Bell. This is made absolutely and abundantly clear in Tab 18, supported by these 17 Tabs.

Though given a “choice” – no one in my position, unknowing of any problems at Polunsky, would have chosen anything else. An easy drive east 30 miles over a grueling 60 miles south – a no brainer. No real stress and a nice choice.

Outside of the rejection to return the Lewis Prison – of which I was still on the “books” – and Upshaw again catering to Warden Helm’s unethical and unprofessional rejection of my return, as all of this unfolded, there was another reason for my going to Polunsky.

Fall Guy Maness – Not Quite as They Planned. Upshaw and soon-to-retire Senior Warden Timothy Simmons very clearly *needed* someone to become their Fall Guy – Maness – to allow them to *begin* their correcting of their five-plus years of cover up of the hoard of Polunsky Chaplaincy Department violations and their own illegal super-favor to their Chaplain David Collier. Only, they did not count on thing, even under the duress of a fresh reprieve from dismissal proceedings – no matter – that I would take as strong a stand FOR POLICY as soon as I did.

Item 10b. Dismissal Mediation Papers

Why bother showing this? Because it is important to note that this process is a *formal* process with a whole lot of “T” crossing and “I” dotting, running across several desk to avoid “mistakes” and such. My delay of my first Dismissal Hearing, and subsequent rescheduling, is somehow related to how Chaplain Jose Vitela and his whole application, interview, and notification of *hiring* was later *nullified*. After all, I have no doubt it was because Simmons and Upshaw *knew* Vitela was just a good old Catholic *volunteer* of integrity and *loved* Polunsky as it was, unknowing the Polunsky Chaplaincy was violating a hoard of policies for years. That could not continue forever and Upshaw fail to be held accountable, eventually.

That is my educated opinion at this time, until a more thorough investigation of that side-story reveals something better or something more cogent.

Item 11. Dr. Keith Bellamy Letter Supporting Maness on Facebook

Critically Important – I cannot stress how important this letter is, or my disgust at Michael Upshaw’s total rejection of it. If my disciplinary was truly for violating an SOP for not *re-asking* for permission for every each and every subsequent use – then this letter should be seen as hard evidence that I used the photos precisely as first asked. But, in the light of all, real issue was that Upshaw as not interested in evidence in my favor, and he is responsible for other more serious violations, only accountable for them.

April 14, 2012

To whom it may concern:

re: Facebook “Thank You”

I am writing to support my colleague in ministry, and friend Chaplain Michael Maness. I have known him for nearly thirteen years, and we have both been active in the Tyler County Alliance for as long.

As one of his many Facebook friends, I appreciated his sharing of the photos of prisoners putting together Christmas card packages. Our church like many other churches in the area – including his own First Baptist Church of Woodville – has donated to help with that important ministry over the last nearly thirteen years. His posting of the photos was a great way to say “thank you” to our church family, to me, and to many in our church who also happen to be his “friend” on Facebook. He has many Facebook “friends” who have simply become his friend to be a part of his ministry in the many places he serves, not only in prison but all around the community and state.

Sharing photos of prisoners putting together the Christmas cards for other prisoners (many of which do not have money to buy any cards) inspired me and our congregation to continue participating in helping prisoners. That is how I viewed his sharing of the photos, too. Having known him and served with him at the prison for these years, I never once construed the sharing of those photos as any kind of inappropriate relationship with a prisoner, but quite the opposite – all about a professional sharing what he is supposed to share, helping prisoners help others. There is not enough sharing, in my opinion, of the good work going on out there in Gib Lewis Chapel. I would like to share photos of me teaching my class with my church and Facebook ministry. I believe it is a statewide push to increase ministry, and I am helping with the new faith-based program, too.

Not only did I feel appreciated, but many in our church and in other churches who are Facebook savvy could, if they wanted to, share our churches participation in that ministry by “sharing” a link through Facebook’s robust social networking. A great way to say “thank you.”

Also, as one of Chaplain Maness’ confidantes, it is important for me to share that Facebook is an important ministry tool, in many ways the only way to reach the younger generation these days. Like Chaplain Maness, I do NOT share personal stuff, like when I go to bed, go to the store, go on vacation, etc. I use Facebook to network with friends, church members, and others, some of which I have never met, but desire my own inspirations I try to share. Like Chaplain Maness, I regularly share an inspirational work or photo to “lift up” some person.

Interestingly enough, Facebook has recently changed its format, and some of us have bemoaned the change to the new Timeline. That is, chronologically now, one can view the postings from today and backward to the beginning of one's time on Facebook. See the whole history. If one looks, really looks, at what Chaplain Maness has posted, one will see ministry to people in general and to many specific people. He does not post any personal stuff at all, no family, no vacations, no personal barbeques, and no family Christmas dinners at all. It is all ministry related.

I hope this will help not only Chaplain Maness, but TDCJ in its efforts to help keep all safe and foster prisoner rehabilitation.

If you have any questions, please feel free to call.

Very sincerely,

Keith Bellamy

Dr. Keith Bellamy, Minister
Woodville Church of Christ
New Life Behavior Ministries Regional Director
Tyler County Chaplain
Tyler County Hospital Head Chaplain
Cell 409-429-6315



TAB 17. Maness Disciplinary 3 – Dismissal ??
State Employees Are Supposed to be Treated Equally



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Tab 18.

TAB 18. Warden Helm Investigation – NONE – on Treatment of Esteemed Vol. Chaplain Melvin Bell

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▲ they really, really wanted to grind this, while others, including wardens on ▲	
my same prison were doing far worse - no equality or justice here at all	
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No Defense of Vol. Bell – Investigation: None	
Warden Violates Policy with Immunity ▲	
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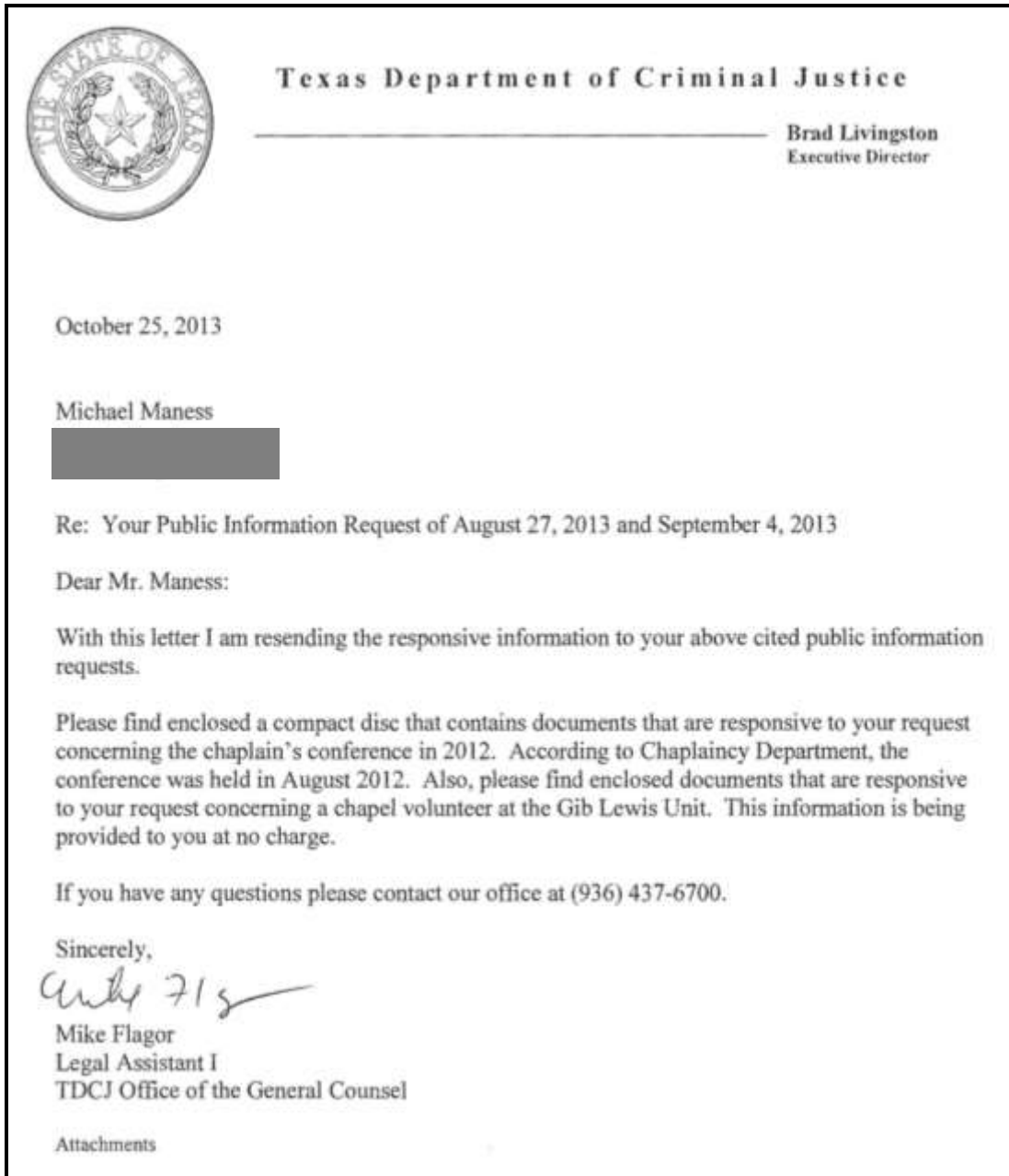


TAB 18. Warden Helm Investigation – NONE – on Treatment of Vol. Bell
State Employees Are Supposed to be Treated Equally



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**Item 1. TDCJ General Counsel Resends Request from
Texas AG to withhold Info**



Getting this information involved several OR requests and
an appeal the Texas AG's Office on Open Records

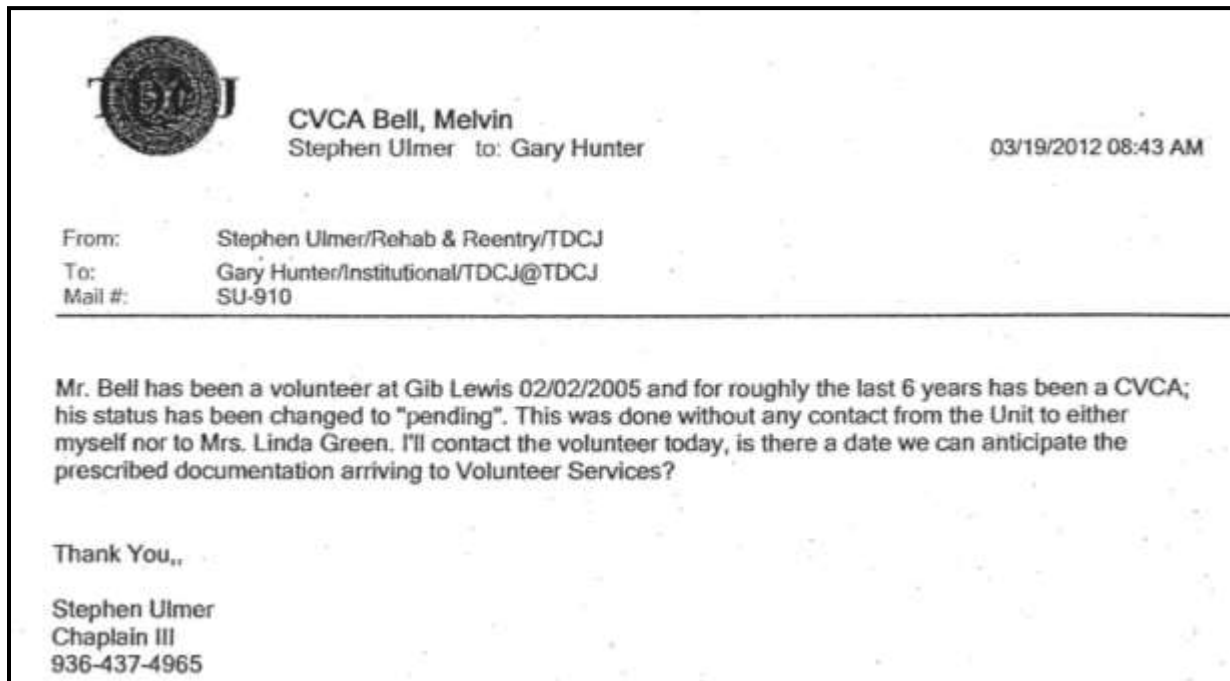
In essence, it clearly documents Warden Helm's disrespect for TDCJ policy, twice, and uncanny spite and vindictive nature for reasons only he knows. To this day, thanks to efforts of Regional Chaplain Steve Ulmer and the integrity of Senior Warden Michael Roesler, there is still no good reason at all for what Warden Helm did, twice, to Volunteer Chaplain Melvin Bell.

Yet, there is evidence that Helm did NOT manufacture and did NOT lie – three cheers there. And though this is likely the Worst Volunteer Firing in TDCJ History, and is linked between Maness and the Polunsky Prison, this pales in comparison to what the Polunsky Wardens have done for *years* in avoiding *many* serious security and safety violations.

Tab 18
Item 2a

TAB 18. Warden Helm Investigation – NONE – on Treatment of Vol. Bell
State Employees Are Supposed to be Treated Equally

Item 2a. 03-19-12 – Email from Regional Chaplain Steve Ulmer
– begins to investigate



Item 2b

Item 2b. 03-20-13 – Email from Maness to Ulmer Outlining in
Sweetest Terms the Infamy

```
----- SYSM OUTBASKET MESSAGE COMPOSING ----- 4.1.C
User ID: MMA0627                               07:40am - Tue, Mar 20, 2012
Enter Command ==>
*** This message was previously SENT -- NO Updates are Allowed ***
Message ID: 230404                               Status: SENT Lines: 0000016 Chars: 0001170
-----+-----1-----+-----2-----+-----3-----+-----4-----+-----5-----+-----6-----+-----7-----
| STEVE, CVCA BELL'S TIME AWAY WAS FROM 7-2008 TO 3-2009, CONSULTING WITH
| WARDEN M. ROESLER BEFORE HE COMMITTED, AS HE LEFT, AND ONLY RETURNED
| AFTER AN INTERVIEW WITH WARDEN ROESLER. HE IS LEAVING FOR FLORIDA
| WEDNESDAY FOR A WEEK OR TWO. BELL'S CELL IS 409-728-1542, THOUGH HE
| DOES "NOT" TURN IT ON A LOT. MY HEART IS BROKEN, AS ARE MANY
| VOLUNTEERS AND SEVERAL IN THE COMMUNITY, NOT TO MENTION EXTENDED
| RELATIVES WHO ARE TDCJ EMPLOYEES AND RETIREES. HIS FAMILY GOES BACK TO
| THE COVERED WAGEN DAYES HERE, HE IS PRESIDENT OF FRED LIONS, AND ON THE
| BOARD OF THE HERITAGE VILLAGE, AND HAS HELPED OUT NUMEROUS OFFICERS
| WHEN WE HAVE TAKEN UP DONATIONS FOR EMPLOYEE CRISES. SINCERELY, MIKE
| :)
| * * *           END OF MESSAGE           * * *
-----+-----1-----+-----2-----+-----3-----+-----4-----+-----5-----+-----6-----+-----7-----
W/P CMMDS: Wordwrap SPEll DICTIONary CORrect TSplit
COMMANDS:  Up Down Top Bottom Right Find Send DElete Copy UPdate GET PUT QUE
           Print FILE PULl Post BPull Check SORT SET{CAP;CMMd;NULL;SCR} UNLk
```

Item 3a. 03-27-12 – 09:33 – Warden Frank Helm IOC
to Sen. Warden Gary Hunter on Bell

04/02/2012 08:39 14092832293 GIB LEWIS UNIT PAGE 02/05

Texas Department of Criminal Justice
Correctional Institutional Division
Inter-Office Communications

To: S. Ulmer, Regional Chaplain
Thru: G. Hunter, Warden H
From: F. Helm, Asst. Warden GL

Date: March 27, 2012
Subject: Melvin Bell

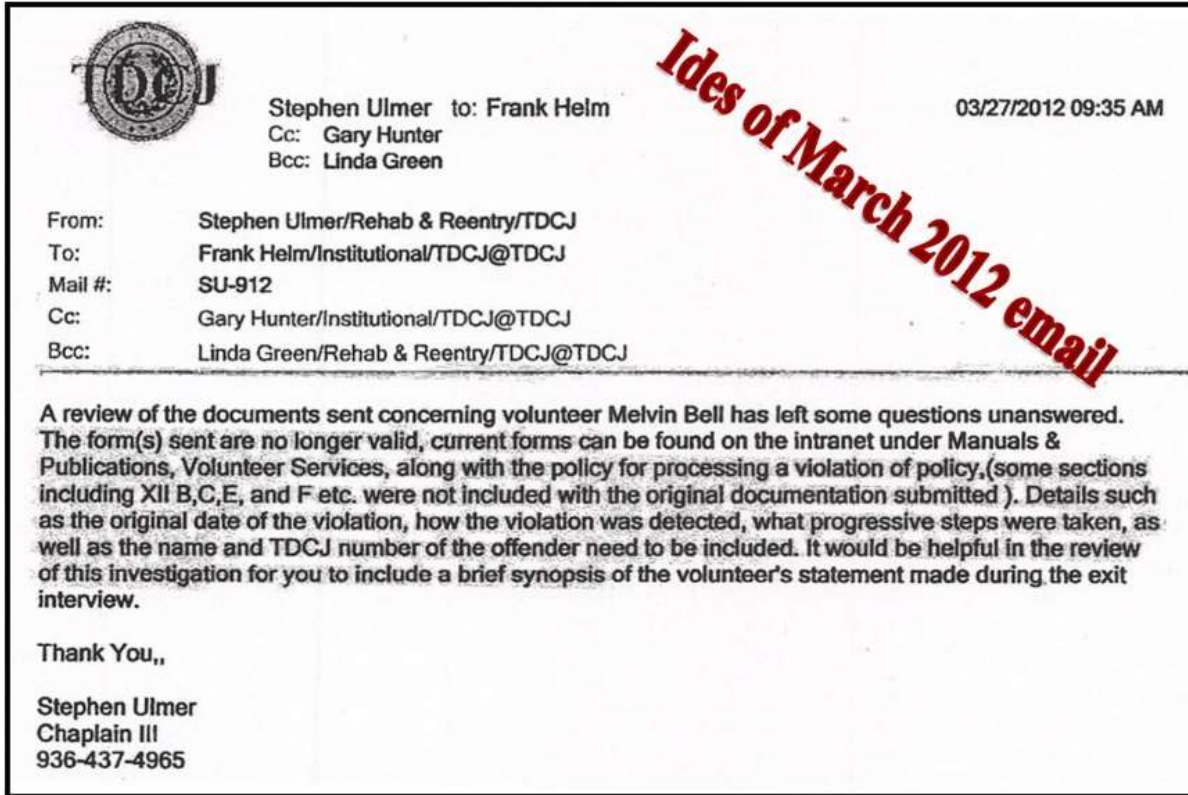
On March 12, 2012, I interviewed Mr. Melvin Bell, who was an approved volunteer, concerning allegations of an ex-offender that was living with him at his residence. In the interview, he admitted that he had allowed Offender [REDACTED] to move into his residence upon his being paroled from the Gib Lewis Unit. He stated that he had resigned as a volunteer just prior to allowing the offender to live with him. He claimed that the offender no longer lived with him, but that he had regular contact with him through [REDACTED] at the hardware store where the offender works. He alleges that he was allowed to return to volunteer service after the offender had moved out of his residence.

I advised Mr. Bell that he had violated the volunteer services plan by forming a close personal relationship with the offender. He denied this stating that he had resigned prior to allowing the offender to live with him. I explained to him that he had already formed the relationship when he decided to take that action or he wouldn't have done so. I advised Mr. Bell that he would not be allowed on the unit pending his removal from the volunteer program.

On approximately March 19, I contacted Marvin Dunbar, Manager III, who advised that Mr. Bell's status would be changed to pending. I also directed Chaplain Michael Maness to complete the appropriate paperwork.

Ides of
March
2012
email
from Helm

Item 3b. 03-27-12 – 09:35 – Reg. Chaplain Ulmer Email – What the Heck?



Item 4. 04-03-12 – Reg. Chaplain Ulmer Contacts

Senior Warden Michael Roesler

Warden Michael Roesler and Regional Chaplain Steve Ulmer
email and phone exchanges

From: Michael Roesler/Institutional/TDCJ
To: Stephen Ulmer/Rehab & Reentry/TDCJ@TDCJ
Date: 04/03/2012 11:42 AM
Subject: Re: Volunteer Melvin Bell ref: Gib Lewis

Ref: George Napier #704468
Per our previous phone conversation, I found his name.
——Stephen Ulmer/Rehab & Reentry/TDCJ wrote: ——


To: Michael Roesler/Institutional/TDCJ@TDCJ
From: Stephen Ulmer/Rehab & Reentry/TDCJ
Date: 04/03/2012 10:54AM
cc: Linda Green/Rehab & Reentry/TDCJ@TDCJ
Subject: Volunteer Melvin Bell ref: Gib Lewis

Recently Warden Helm submitted paper work to remove Mr. Bell as a volunteer from the Gib Lewis Unit for having an inappropriate relationship with an inmate. It's something about Mr. Bell was a volunteer who allowed a former inmate to live in his house and currently visits the ex-offender at his place of employment, i.e. a hardware store and that Mr. Bell and the ex-offender attend the same congregation. The details on the paper work do not provide us with the ex-offender's name and number, the date the Unit first became aware of the relationship, what steps were initially, and subsequently, taken. I'm writing you because apparently this all occurred about 6 1/2 years ago under your administration. The question is if all this happened back then, why the request to exit now.

Thank You,,

Stephen Ulmer
Chaplain III
936-437-4965

Item 5. 04-03-12 – Ulmer Ides of March MASTERPIECE
Summary of Warden Roesler's Recollection



Fw: Volunteer Melvin Bell ref: Gib Lewis Unit
Stephen Ulmer to: Linda Green

04/03/2012 02:05 PM

Regional Chaplain Steve Ulmer

From: Stephen Ulmer/Rehab & Reentry/TDCJ
To: Linda Green/Rehab & Reentry/TDCJ@TDCJ
Mail #: SU-928

**Ides of March 2012
Masterpiece**

Warden Roesler called me today, the following is an outline of his input:

The time frame covered in this report is February 17, 2005 when Mr. Bell began volunteering at the Gib Lewis Unit to July 7, 2008 when he stopped coming and then March 5, 2009 when Mr. Bell returned to the Gib Lewis to March 12, 2012 when Mr. Bell was placed in the pending status.

Warden Roesler reported to me today that his memory of the issue was as follows. Mr. Bell and Chaplain Maness had come to him, then an Asst. Warden at the Gib Lewis Unit, and advised him that an inmate Mr. Bell had been ministering to was about to be paroled and had no place to go; it's important to note that Mr. Bell is qualified as a "Mentor" as well as a volunteer. Mr. Bell asked for input concerning his options to assist the offender ([REDACTED]). He was advised that as long as he provided any assistance to [REDACTED] after release would require that Mr. Bell stop volunteering at the Lewis Unit. Senior Warden Dawson concurred with this. Warden Roesler said that Mr. Bell was very much on the up and up with him and had sought his advice on how to not violate any policy or rules. He said this is consistent with Mr. Bell's previous years of service at the Lewis Unit which he described as "dedicated" and without "blemish".

Upon release [REDACTED] lived in a building in the backyard of Mr. Bell. Mr. Bell advised the Unit administration of this and ceased volunteering at the Unit. Around a year later Mr. Bell contacted the Unit Administration advising them that [REDACTED] had secured alternate housing and he was allowed to return to the Lewis Unit as a volunteer and mentor. His service continued under wardens Dawson and Ginsel, i.e. the last three years.


A recent investigation indicates that [REDACTED] was released on 7-08-2008 and has been continuously employed in the Woodville area at a local hardware store. He also attends the same congregation as Mr. Bell; this does not violate policy. The Lewis Unit Administration has not provided a rationale for why they recently requested Mr. Bell be removed from the Unit over an event which occurred three years ago and is common knowledge on the Unit.


Thank You,,

Stephen Ulmer
Chaplain III
936-437-4965

— Forwarded by Stephen Ulmer/Rehab & Reentry/TDCJ on 04/03/2012 12:55 PM —

**Item 6. 04-04-12 – Email from Roesler Confirming Ulmer’s
Masterpiece Summary above**



Re: Fw: Volunteer Melvin Bell ref: Gib Lewis Unit 
Michael Roesler to: Linda Green 04/04/2012 04:43 PM

From: Michael Roesler/Institutional/TDCJ
To: Linda Green/Rehab & Reentry/TDCJ@TDCJ
Mail #:

Yes Ma'am, I concur with Chaplain Ulmer's email.
—Linda Green/Rehab & Reentry/TDCJ wrote:—

To: Michael Roesler/Institutional/TDCJ@TDCJ
From: Linda Green/Rehab & Reentry/TDCJ
Date: 04/04/2012 04:35PM
Subject: Fw: Volunteer Melvin Bell ref: Gib Lewis Unit

Warden, if you will please review and concur or nonconcur to the below. Please feel free to add any additional comments you might want me to consider.

Again, enjoyed talking with you and thanks for your assistance.

Linda Green
Director, Volunteer Services
Rehabilitation Programs Division
(936) 437-3027
— Forwarded by Linda Green/Rehab & Reentry/TDCJ on 04/04/2012 04:28 PM —

From: Stephen Ulmer/Rehab & Reentry/TDCJ
To: Linda Green/Rehab & Reentry/TDCJ@TDCJ
Date: 04/03/2012 02:05 PM
Subject: Fw: Volunteer Melvin Bell ref: Gib Lewis Unit

Warden Roesler called me today, the following is an outline of his input:

The time frame covered in this report is February 17, 2005 when Mr. Bell began volunteering at the Gib Lewis Unit to July 7, 2008 when his stopped coming and then March 5, 2009 when Mr. Bell returned to the Gib Lewis to March 12, 2012 when Mr. Bell was placed in the pending status.

From Open Record Requests – now then *reconfirmed* by Mr. Flagor
after TDJC first appealed release to the Texas AG

Item 7. 04-12-12 – Vol. Serv. Director Linda Green DENIES Report from
Lead Investigator in Support of Warden Helm’s Shenanigans – unbelievable



Texas Department of Criminal Justice

Brad Livingston
Executive Director

April 12, 2012

Mr. Melvin Bell
5474 CR 4600
Fred, TX 77606

Dear Mr. Bell,

The Volunteer Services department has been made aware of an incident that took place back on or around July 2008 where you requested to step down from being a volunteer so you could be free to assist an offender about to be paroled. In an effort to assist him, you were willing to allow him to live on your property and remove yourself from volunteering with the Texas Department of Criminal Justice.

First, let me say, I commend your desire to help then and now. As it stands today, if you leave the agency again to allow an offender to live on your property, you will be exited from the volunteer program. You will be considered exited under a violation of agency policy. In fact, I encourage you to review your volunteer handbook to make sure there are no other potential issues from which you could be exited.

I sincerely hope you will continue in your volunteer efforts here with the agency as I am sure you are making a difference, not just in TDCJ but in God’s kingdom as well.

Sincerely,

Linda Green
Director of Volunteer Services
Rehabilitation Programs Division

LG/

File
4/12

Letter to be hand - delivered to Mr. Bell by
Stephen Ulmer. He will deliver to him on Tues,
April 17, 2012. Lgreen

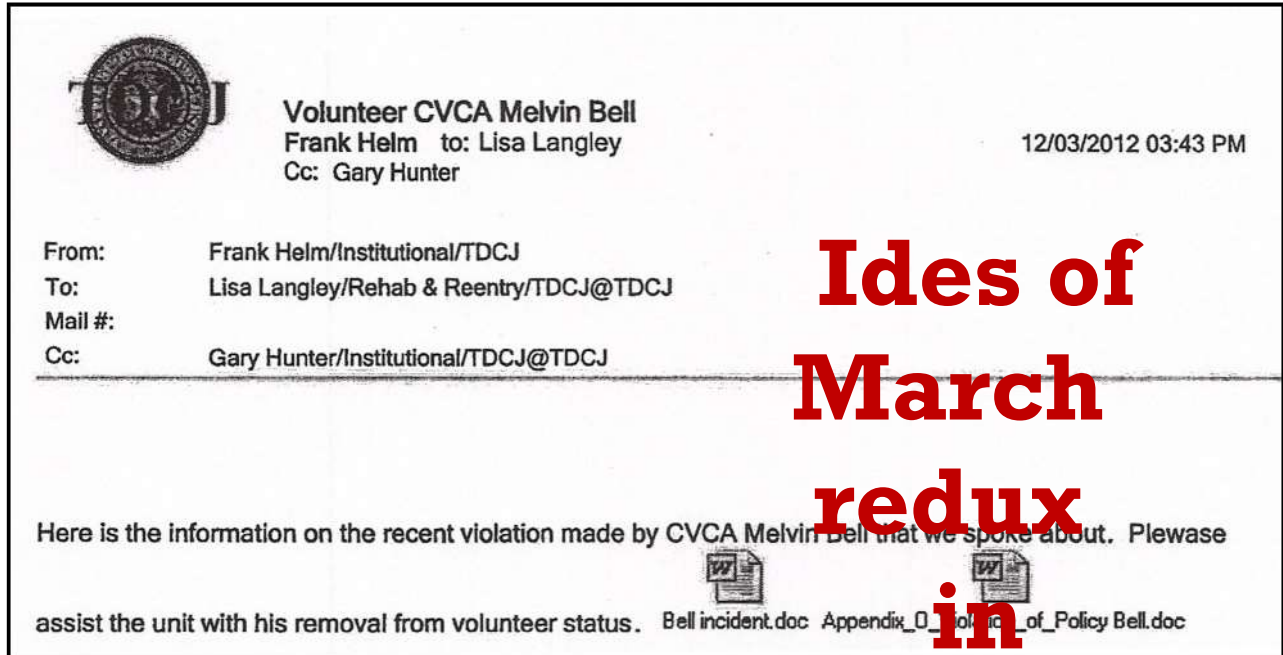
- * Notice no reflection on the investigation by Regional Chaplain Ulmer and the concurrence of Senior Warden Michael Roesler. Mrs. Green clearly supports Warden Helm on the years-old incident that was worked out according to policy then.
 - * Goodness, again, Vol. Bell *consulted staff FIRST*, to make sure he was NOT violating policy, way back.
- What more could one ask from a volunteer?**
- * If anything, this is another example of a bureaucrat hired into a position with no significant real-world experience with volunteers.

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342-0099
www.tdcj.state.tx.us

Please notice, the footer TDCJ Mission Statement, especially the words
promote positive change in offender behavior, reintegrate offenders into society
Wonder if anyone is reading that these days.

Item 8. Warden Helm's Ides of March Redux in 12-03-2012



The screenshot shows an email header with the TDCJ logo, recipient information, and a date of 12/03/2012 03:43 PM. The email body contains a request for assistance with the removal of a volunteer's status, accompanied by two document icons. The text is partially obscured by large red text overlays.

Volunteer CVCA Melvin Bell
Frank Helm to: Lisa Langley
Cc: Gary Hunter
12/03/2012 03:43 PM

From: Frank Helm/Institutional/TDCJ
To: Lisa Langley/Rehab & Reentry/TDCJ@TDCJ
Mail #:
Cc: Gary Hunter/Institutional/TDCJ@TDCJ

Here is the information on the recent violation made by CVCA Melvin Bell that we spoke about. Plewase
assist the unit with his removal from volunteer status. Bell incident.doc Appendix_0_of_Policy Bell.doc

**Ides of
March
redux
in
December
2012 from
Helm**

Item 9. 12-03-12 – Helm Fires Bell for What? –
“It appeared that [Vol. Bell] was attempting”

Texas Department of Criminal Justice
Correctional Institutional Division

Merry Christmas Chaplain
-- with nearly same
ABSENCE of Documentation

Inter-Office Communications

Helm fires Bell for what?
*Lines of March refers
to December 2012 from Helm*

To: G. Hunter, Warden Date: December 3, 2012

From: F. Helm, Asst. Warden Subject: Volunteer M. Bell

On December 3, 2012 at approximately 1100 hours, I passed the Chaplain's office and observed CVC Melvin Bell in the office with an offender. Mr. Bell was on the telephone and it appeared that he was attempting to make a telephone call for the offender.

Knowing that no Chaplain was on the unit, I excused the offender and questioned Mr. Bell on his activities. He admitted that he was allowing the offender to make a call due to a critical illness in his family. I asked him if this had been verified and he stated no. I asked him who authorized the telephone call and he stated that they had always done it this way. I checked the form and the illness had not been verified. I sent the offender away and advised Mr. Bell to verify the illness and to get with me for approval before allowing any telephone calls. I later checked back and he had left the unit. The form still showed no verification and the telephone log had not been completed in accordance with policy.

Mr. Bell has a history of circumventing policy and procedure when he does not agree with it and is a security risk to the unit. I am requesting his removal from volunteer status at the Gib Lewis Unit.

Come now? - the crime? Gasp - a chaplain is helping an prisoner, as chaplains have for centuries! As he was trained to do by me. The crime: “it appeared that he was attempting to make a telephone call for an offender” – attempting! God, I hope he was, otherwise what good is he at a chaplain? And under the oppressive regime of Helm, who NEEDED to ... oh, if one cannot see it here, there I no describing it. The rest is in Tab 18, the Maness and Bell Integrity Defended.

But notice here, read breezily or carefully, and one can see a fuming Warden Helm, looking like an Indian Scout at model Chaplain Bell *instead* of at the 1,300 prisoners. Helm was on a mission. And if you knew Helm, then you know these were very painful words for him, for he really spent some time on this – a chaplain *appearing to make a call*.

IN ALL THE DOCUMENTATION – THERE WAS NO CRIME, NO VIOLATION
written, or spoken, or placed anywhere, but everyone falls into step like dominos.

Just to be sure, look below at the rest of the documentation.

Item 10. 12-06-12 – Violation of Policy Form – Incomplete

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Volunteer Services
VIOLATION OF POLICY FORM

Volunteer's Name: Bell, Melvin
Last First MI

Driver's License (State/No.): [REDACTED] Date of Violation: December 3, 2012

Beginning date of service: November 2004 Most recent training date: November 2009

Date divisional volunteer authority was contacted to place the volunteer in pending status while investigation is being conducted: December 3, 2012 (Lisa Langley)

Facility where violation occurred: Gib Lewis

Describe violation(s) (attach additional pages as necessary): Making telephone calls for offenders which had not been verified nor approved

Check action(s) taken:

Letter of instruction Verbal Reprimand Services declined
 Require re-training Volunteer resigned
 Change volunteer's responsibility (explain) _____
 Restrict from facility(s) (designate units) Gib Lewis
 Transfer volunteer to another office/unit (explain) _____
 Temporary suspension (explain) _____

Was the volunteer notified of violation/action taken? Yes By whom? S. Wood

Method of contact: Phone Letter Email Date: 12/8/12 - SW
 In Person

Submitted by: F. Helm, Asst warden Date: 12/6/12
(i.e., Chaplain, etc.) (Name/Title)

Facility Administrator: ADILL G. GARDEN Date: 12-6-12
(i.e., Warden, etc.) (Name/Title)

Regional Program Supervisor: _____ Date: _____
As applicable (Name/Title)

Director of Volunteer Services: Staci Wood Date: 12/14/12

Attach the following documents:
* Volunteer Assignment Description Form
* Supporting documentation (i.e., statement(s) from witnesses; related correspondence; trust fund account information; visitation list; letter of instruction, etc.).

Volunteer Services Plan
Appendix O (revised March 2010)

Original to be maintained in the volunteer's permanent file.

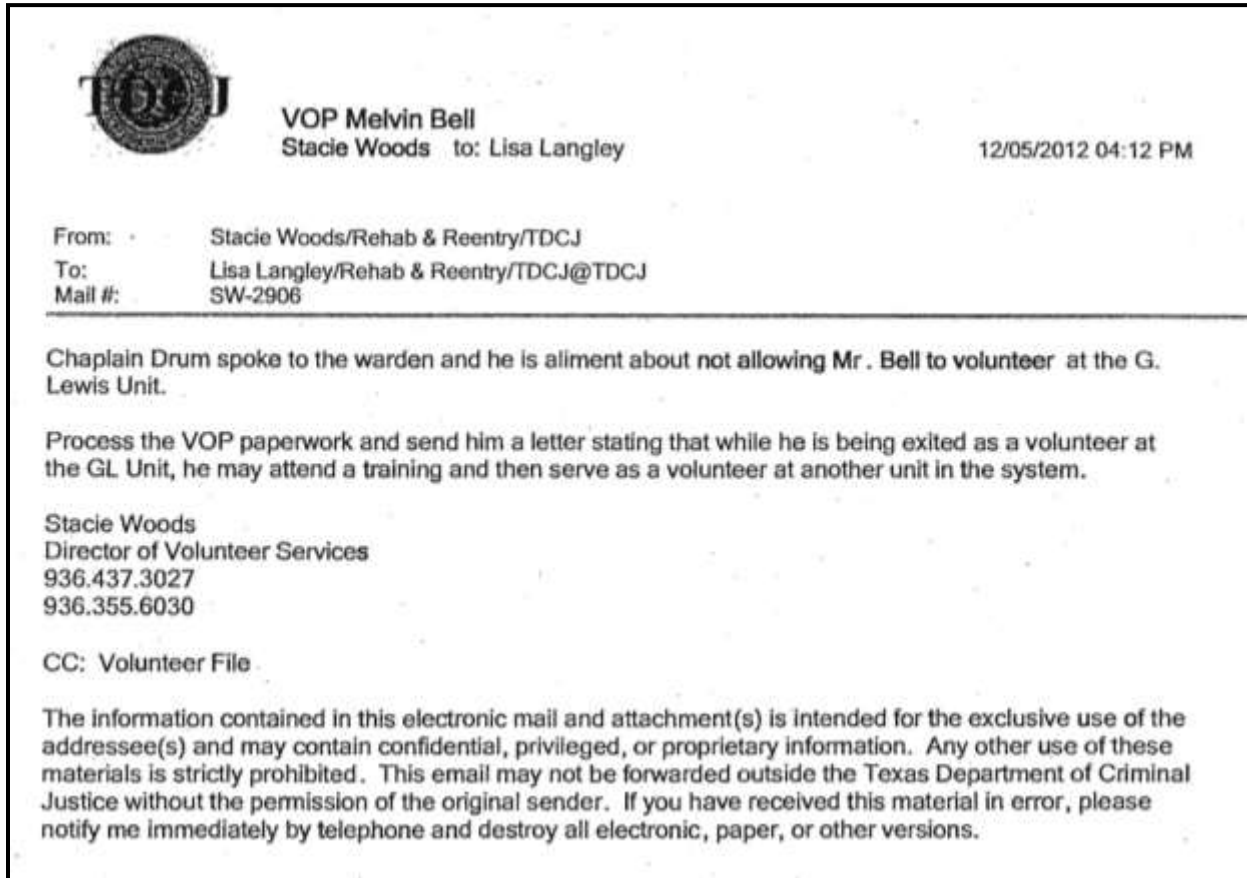
Item 11. 12-03-12 – Handwritten note from Someone

```
CSVOL002/CSVS02A  TEXAS DEPARTMENT OF CRIMINAL JUSTICE  2012/12/03
LLA7654 /7230      VOLUNTEER SERVICES PROGRAM          15:32:34
                   UPDATE VOLUNTEER
                   CHAPLAINCY
LAST NAME: BELL           FIRST NAME: MELVIN           MI: E SUFFIX: ___
NICKNAME: _____    DATE ADDED: 11 24 2004
ADDRESS: [REDACTED]      CITY: [REDACTED]
STATE: TX ZIP: [REDACTED] HOME PHONE: [REDACTED] WORK PHONE: _____
SSN: [REDACTED] DL: [REDACTED] ID: [REDACTED]
DOB: [REDACTED] SEX: M RACE: W
VOLUNTEER TYPE: M TDCJID: _____ SID: _____ UOA:
KNOW OFFENDER: 1) [REDACTED] 2) _____ UOA: 3) _____ UOA:
STATUS: RET STATUS DATE: 09 29 2011 TRAINING: Y

APPROVED UNITS/OFFICES: ALL _____
RESTRICTED UNITS/OFFICES: _____
* CHAPLAINCY PROGRAM INFORMATION: *****
FAITH CODE: Z02 VOLUNTEER CHAPLAIN: Y
CHAPLAIN NAME: MANESS / BREWER
FROM VP00: VP00 VOLUNTEER NAME:
OCCUPATION: O AREA OF INTEREST: MENTOR TRAINING 1/07
COMMENTS: (GL) CERTIFIED VOLUNTEER CHAPLAINS ASST. PENDING VOP
YOU MAY CHANGE INFO FOR VOLUNTEER. ALL REQUIRED FIELDS ARE HIGHLIGHTED.
PF1=HELP PF3=PREV PF4=REFRESH PF5=SEARCH PF6=UPDATE PF9=PRINT PF12=EXIT

Warden Helm called regarding the
attached incident. He would like to remove
Mr. Bell as a volunteer - (A)
```

**Item 12. 12-05-12 – Final Email – “Warden Adamant” only Reason –
No Defense of Vol. Bell – Investigation: None
Warden Violates Policy with Immunity
System Did NOT Work – Volunteer Service Mere Paper Shuffler**



TAB 18. Warden Helm Investigation – NONE – on Treatment of Vol. Bell
State Employees Are Supposed to be Treated Equally



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Tab 19.

TAB 19. Miscellaneous Research

**These Apply to Chaplain Professional Equity
and to the defense of my character and contribution that
has been undermined by a few bureaucrats bent on the profession's
ruination – forget not that in 2011 TDCJ Chaplains were Zero-Budgeted
if in Texas, the rest of the U.S. would have certainly followed**

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TAB 19. Miscellaneous Research
State Employees Are Supposed to be Treated Equally



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TAB 19. Miscellaneous Research
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Item 1. Save Texas Chaplaincy Flyer 2011

Flyer Maness created for volunteers to distribute during 2011 Legislature, the history of which is exclusively chronicled here: www.PreciousHeart.net/Save_Chaplaincy.htm - some statistics herein are nowhere in any TDCJ pub. in the last 20 years, but helped Save TDCJ Chaplaincy!

Save Texas Chaplaincy

It Saves Money

and Challenges, Cares, and Gives Hope

Chaplaincy Savings and Superlatives Seem without End Restored Chapel, Wynne Unit

Total Cost Recovery — How Many Times Over?

- 1. First Amendment Rights Must be Managed**
Religion will *always* be in prison, and the time pulled from staff for managing could cost as much as a Chaplain's salary. TDCJ's sophisticated Chaplaincy policy and trained Chaplains help fairness and avoid the dominance of sectarian interests.
- 2. Litigation Savings Alone Recovers Cost**
Sophisticated Chaplaincy policy exists from 100+ years of legal battles — the staff pulled to handle this would consume more time than the cost of an up-to-date Chaplain. Inmates sue.
- 3. Volunteers will ALWAYS be Coordinated by Staff**
The Chaplains coordinate 17,000+ religious volunteers for 400k+ hours a year, which means \$10+ million savings by the Independent Sector — statistics habitually hidden on prison Chaplaincy nationwide — Total Cost Recovery in this venue alone!
- 4. Recidivism—Religion Changes People**
If a single prisoner is kept from returning, a Chaplain's entire salary is covered. Yet, inestimable, the FAITH of the Chaplains, Volunteers, and most Legislators testify, whether Christianity, Catholicism, Islam, Judaism, and whatever, Religion CHANGES people, and herein the COST savings alone to Recidivism covers the cost of Chaplains TEN-FOLD, if not a HUNDRED-FOLD!
- 5. Literature Consumables Equal Salary**
The donated literature consumables and Bibles used by offenders that Chaplains facilitate tally to more than their annual salary.

and people die — who is *supposed* to be there?
The hurting side of prison — the precious families — notifications of death and critical illness will take place and that should not be a sloppy affair. More than money, the inmates and their law-abiding families need staff Chaplains sensitive to the heart.

The Threat —

For the first time in Texas history, House Bill 1 eliminates the Texas Prison Chaplaincy Program, a legislative process kicked off with a prayer. We must not let this happen.

Whatever else happens in the Senate and House, we have come together to Save Texas Prison Chaplaincy.

What this is NOT —

Chaplaincy is NOT funding for sectarian religion; it is funding for the defense of the First Amendment. NOT funding for play time in the Chapel, but serious faith observance. Chaplaincy is NOT about denigrating any faith in particular, but is about networking with and facilitating fine Religious Volunteers throughout Texas.

What this IS about —

Cost Savings, with a heart. Full of savings and superlatives — in 2004 staff Chaplains facilitated over 400,000 volunteer hours, 82,000+ programs 1.5M attending, and 25,000+ death/illness messages. The 17,000+ Religious Volunteers, 150,000+ inmates and 1,000,000+ law-abiding family members deserve a caring professional who understands deep religious conviction!

With such Cost Savings — is there a MORE productive program in ALL of Texas?
See the web site for FACTS!

Will You Help? KEY — CONNECT with your Texas Representative and Senator — by visit, phone, letter, email, facebook. For links to Legislators, Resources, and Facts:
➔ www.PreciousHeart.net/Save_Chaplaincy.htm

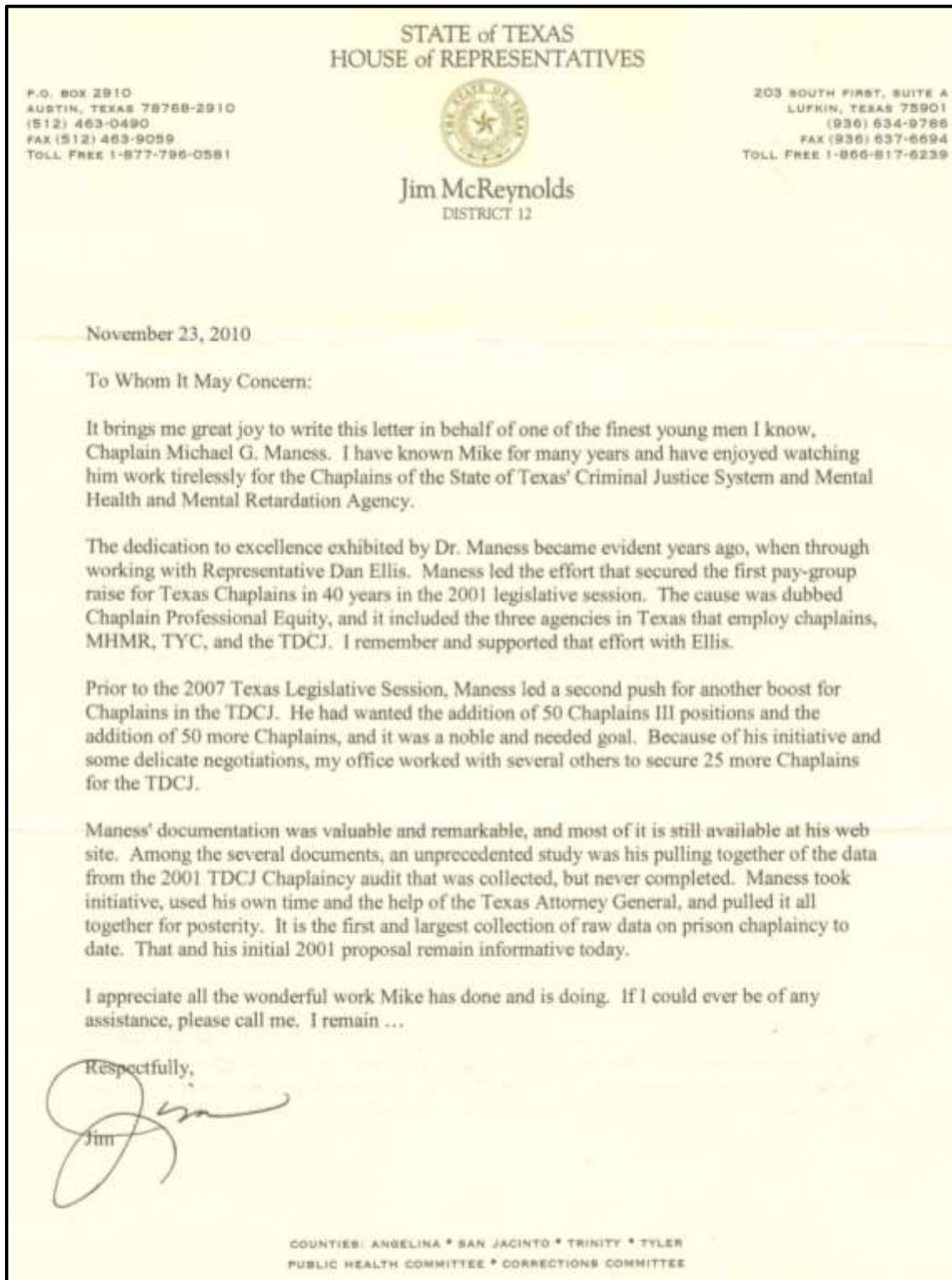
TIME — We don't have much time ... only 1-2 months. Get with your Legislator!

Sponsored by Friends of TDCJ Mission, Chaplaincy, Michael G. Maness LLC, Frank Graham's www.ChapelOfHope.org

Those who CONNECT help a lot ... those who help others CONNECT help more ...

TAB 19. Miscellaneous Research
State Employees Are Supposed to be Treated Equally

Item 2. Texas Representative Jim McReynolds Letter to Maness 2010



Dep. Dir. Bryan Collier intimated that I had little to do with getting the 25 chaplains added to the TDCJ budget in 2007, from which he took five for Parole. Not sure who told him, but whoever it was, it was simply another attempt to sidetrack the good work of several.

TAB 19. Miscellaneous Research
State Employees Are Supposed to be Treated Equally

**Item 3. Rob Junell Receives Honorary State Chaplain Award
from TDCJ Chaplains 2001**



In 2000 I organized TDCJ, TYC, and MHMR Chaplains statewide into regions, with a TDCJ Chaplain over each region to network at their TDCJ regional chaplain meetings. I travelled to the five regional meetings to meet the chaplains at the end of the day on their own time, and then we came together in our off time at the annual Chaplaincy Conference. House Appropriations Chair Rob Junell helped significantly, with the help of constituent David Curry, director of Texas Baptists Committed, and fortunately officed in same complex as Junell in San Angelo. Several copies of Chaplain Professional Equity Proposal were given and three testified before the House Appropriations Committee, Michael Maness, Emmett Solomon, and SuziiPaynter. See it here:

www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 1 Proposal 2000.pdf

Importantly, then Chaplaincy Director Don Kasper was told it was because of an audit, but Kasper had been lied to. The audit www.PreciousHeart.net/chaplaincy/Chaplaincy Audit 2001.pdf was never finished, and sadly the Texas Attorney General had to be sought to get access that those records. And the story of our hard work was covered up then too. Since then, they stopped the annual conference.

To Executive Director Gary Johnson as special edition was given that included the unethical treatment of the Chaplaincy Department: www.PreciousHeart.net/chaplaincy/01-Chaplain Pt 2 Timeline 2001.pdf.

Item 4a. Texas TDCJ 2000 Chaplain Fact Sheet

Texas TDCJ 2000 Chaplain Fact Sheet

Chaplain Professional Equity

Religion & Health Care Costs

—Health care costs have risen faster than any other correctional costs.¹ Prisoners are adversely affected beyond the intentions of prison mission goals, often developing more severe emotional problems added to their own criminal behavior problems and outside the realm of abnormal diagnosis in DSM IV.²
 —Religion gives faith, hope, meaning, optimism and security to persons, impacting the well-being of persons and their ability to handle stress.³ In a review of over 200 articles,⁴ religious commitment indicated a positive impact on morbidity and mortality, with over 80% of the studies indicating longer life.⁵ Prisoners are at a risk for suicide, and "Published studies consistently have shown that religious commitment is inversely related to suicide rates."⁶ Furthermore, given the ever-increasing cost of health care in corrections, Johnson and Larson state, "there is considerable empirical evidence concerning the beneficial effect of religious practices and commitment upon various health-care issues."⁷

Religion & Institutional Adjustment

—Religion helps inmates deal with criminal behavior and issues of denial, helping them cope with the deprivations of prison life and understand the issues inherent in the loss of freedom; religion provides them with the opportunity to start a new life while in prison.⁸ No one doubts that religion fosters coping skills in prison.⁹

Religion & Recidivism

—Given the above, reduced recidivism is a by-product, clearly the more healthy and well-adjusted inmates are the ones who stay out. Every chaplain (and regular volunteers) know several inmates who have stayed out as a direct result of their programming. Moreover if two ex-inmates do not return, such offsets more than *entire* TDCJ monetary cost for a single chaplain in a given fiscal year. For example, Senior Chaplain Gerald Saffel of the Ferguson Unit tracked inmates baptized in three months (12-91 to 2-92) to July of 2000 and found a 7.7% recidivism rate, 13 did not return. Senior Chaplain Saffel more than recovered the entire cost of his own salary for *seven plus* years in three to six months.¹⁰ With the volunteers supervised, the facts and vision go far beyond expectations. Texas' full time chaplains reduce recidivism and recover more than their entire operating cost several times over. *WHY* are superlatives like these not blazoned in the sky?

TDCJ Need

—**Good News:** from 1990 to 1997 the total crime rate dropped 30%; from 1988 to 1998, the crime rate has dropped significantly in direct proportion to TDCJ's increase in inmate population.¹¹
 —**Greater Needs Coming to TDCJ:** from 1970 to 1999 the mental health system has increasingly de-institutionalized its services, down from 12,413 in state hospitals in 1970 to 2,309 in 1999.¹² "Between 1988 and 1998, while the TDCJ incarcerated population increased by 262%, the number of mentally ill offenders in prison receiving outpatient mental health services increased by 429%."¹³ Work's increasing.

TDCJ Professional Chaplains: The Greater Picture

—Chaplains Supervise Pastoral Care of a Multi-Religious Environment:¹⁴

- Christians	104,481	- Jewish	871
- Muslims	9,151	- Buddhist	458
- Native Americans	1,277	- Wicca	289
- Jehovah's Witnesses	1,206	Major Faith Adherents:	117,733 of 158,005 = 74.5%

—*The Christian category* alone comprises 66%, including 43,651 Baptists, 27,534 Catholics, 2,080 Methodists, 4,018 Pentecostals, 535 Lutherans and 259 Presbyterians.

—**Point Question:** with 120+ categories of adherents, do the Religious Constituents of Texas have a vested interest in the Professional Chaplains charged with supervising Faith issues?

--152 Chaplains Supervised in One Month, July 2000¹⁵

- Employee Volunteers	65 w/ 552 hrs	- Mentor Volunteers	1,729
- Hospitality Volunteers	150 w/ 853 hrs	- Voyager Volunteers	328
- Volunteer Chaplains	403 w/ 7,192 hrs	- Marriage Seminar Volunteers	41
- General Volunteers	10,697 w/ 41,897 hrs	- Contract Chaplain Hours	926

--152 Chaplains Led or Did in One Month, July 2000¹⁶

- Primary Worship Services	2,158	- Chaplain Classes Taught	705
w/ Volunteers	2,859	- Chaplain Counseling Groups	465
Total # of Inmates Attending	150,190	- Individual Counseling Interviews	5,126
- Additional Services	1,701	- Family Death Messages to Inmates	931
w/ Total # Inmates	69,192	- Inmate Crisis Calls Supervised	2,066
- Spiritual Growth Classes	1,734	- Inmate Deaths Worked	59
w/ Total # Inmates	73,102	- Hours of Off-Unit Staff Ministry	692
- Community Service Hours	699	- Community Speaking Promotions	194

— **Chaplaincy: the only department that supervises, facilitates & instructs inmates in the finer aspects of family values rooted in faith**

Religion: Human History's Most Significant & Powerful Source for Change

—Harvard Professor Gordon Kaufman said addressing the ultimate questions of life is a necessity for thinking persons.¹⁷ Professor John Newport of Fort Worth's Southwestern Theological Seminary (the largest in the world) said this necessity is built into human nature and "has been true through the ages, as long as humans have existed, we have asked ultimate and crucial questions."¹⁸ "Religion has existed in every society, from the most primitive to the most culturally advanced."¹⁹ All of the major religions have always spoken to and provided interpretations about existence and influenced every aspect of human behavior, thought, feelings, family, culture, life, death and afterlife.²⁰ There is no more complex a profession.

Religion & Texas Chaplaincy: Full of Superlatives

—How can a 22 year old *entry* level Programmer or Engineer make more than a fully credentialed chaplain?
 —Most Texas Chaplains have decades of experience (and graduate degrees), supervise older volunteers, counsel Texas' most troubled persons, impact general inmate morale and reduce recidivism in a hugely cost effective manner. With the cost savings and superlatives like "*human history's* most powerful source of change" and a "no more complex a profession," the superlatives show a clear case and need for Parity and Professional Equity for Texas Chaplains. Let's empower Texas' Chaplains to do *more* of what they already do and grant Chaplains parity with the other professions—Chaplains *more* than earn it. They deserve it.

Support Professional Equity for Chaplains www.PreciousHeart.net/chaplaincy

TAB 19. Miscellaneous Research
State Employees Are Supposed to be Treated Equally

Item 4b. (continued) Chaplain Fact Sheet References

¹ D. McDonald, *Managing Prison Health Care and Costs*, Washington, D.C.: National Institute of Justice, U.S. Department of Justice, 1995. The entire issues September 1995 *Corrections Forum* and October 1995 *Corrections Today* were devoted to correctional health care.

² Hans Toch, *Mosaic of Despair: Human Breakdowns in Prison*, Rev. ed. [1st 1975], Washington, DC: American Psychological Association, 1992; R. Johnson & H. Toch, *The Pains of Imprisonment*, Prospect Heights, IL: Waveland Press, 1988.

³ D. Moberg, *Spiritual well-being: Sociological Perspective*. Washington, D.C.: 1979; D. Hadaway & W. Roff, "Religious Commitment and the Quality of Life in American Society," *Review of Religious Research* (1978: 295-307); D. Williams, et al, "Religion and Psychological Distress in a Community Sample," *Social Science Medicine* (1991: 1257-1262).

⁴ J. Levin & P. Schiller, "Is There a Religious Factor in Health?" *Journal of Religion and Health* (1987: 9-35).

⁵ J. Levin & H. Vanderpool, "Is Frequent Religious Attendance Really Conducive to Better Health?" *Social Science Medicine* (1987: 69-78).

⁶ Byron R. Johnson & David B. Larson, "Linking Religion to the Mental and Physical Health of Inmates: A Literature Review and Research Note," *American Jails* (1997: 29); see also J. Gartner, et al, "Religious Commitment and Mental Health: A Review of the Empirical Literature," *Journal of Psychology and Theology* (1991: 6-25).

⁷ *Ibid.*, Johnson & Larson, 30.

⁸ T. Clear & M. Myhre, "A Study of Religion in Prison," *IARCA Journal* (1995: 20-25): A study of over 700 inmates in 20 different prisons. T. O'Conner, et al, "The Impact of Prison Fellowship on Inmate Infraction at Lieber Prison in South Carolina," Center for Social Research (April 1997): two and a half times fewer infractions among those in Prison Fellowship programs.

⁹ See Johnson & Larson, "Linking Religion to the Mental and Physical Health of Inmates: A Literature Review and Research Note"; Gartner, et al, "Religious Commitment and Mental Health: A Review of the Empirical Literature." See Kaufman, *Relativism...; Newport, Life's Ultimate Questions...; Gaer, What the Great Religions Believe*; the Bible, the Quran, the Torah and all of the millions of volumes in the major seminary libraries of the major faiths in the world.

¹⁰ Gerald Saffel, Independent Study, Maximum Security Ferguson Unit, Midway, Texas (July 2000). Of course, Saffel did mention the faith work prior to and after baptism for the group prior to release, which certainly impacts whether it was actually three or six plus months of faith work for the 13; but of those he did baptize, there was a 7.7% recidivism on an 8 year span, which is still far better than the current rate of 30-40% recidivism on a 1 to 3 year span of general population inmates in other programs. And Saffel is still baptizing. See also, Byron R. Johnson, et al, "Religious Programs, Institutional Adjustment, and Recidivism Among Former Inmates in Prison Fellowship Programs," *Justice Quarterly* 14:1 (March 1997).

¹¹ Tony Fabelo, *Report to the Governor and Legislator*, Austin: Criminal Justice Policy Council (May 1998); Andrew Barbee, et al, *Sourcebook of Texas Adult Justice Population Statistics, 1988-1998*, Austin: Texas Criminal Justice Policy Council (November 1999).

¹² Joel Heikes, *The Public Mental Health System in Texas and Its Relation to Criminal Justice*, Austin: Criminal Justice Policy Council (February 2000): 11.

¹³ Tony Fabelo, Executive Director of Criminal Justice Policy Council, in the introduction: Joel Heikes, *The Public Mental Health System in Texas and Its Relation to Criminal Justice*, Austin: Criminal Justice Policy Council (February 2000): 1.

¹⁴ TDCJ Chaplaincy Department Statistical Run, Huntsville, Texas (August 29, 2000).

¹⁵ TDCJ Chaplaincy Aggregate Monthly Report, Huntsville, Texas (July 2000).

¹⁶ *Ibid.*

¹⁷ Gordon Kaufman, *Relativism, Knowledge and Faith*, Chicago: University of Chicago Press, 1960.

¹⁸ John Newport, *Life's Ultimate Questions: A Contemporary Philosophy of Religion*. Dallas: Word Publishing, 1989: 1.

¹⁹ Joseph Gaer, *What the Great Religions Believe*, New York: New American Library, 1963: 16.

²⁰ See Kaufman, *Relativism...; Newport, Life's Ultimate Questions...; Gaer, What the Great Religions Believe*; the Bible, the Quran, the Torah and all of the millions of volumes in the major seminary libraries of the major faiths in the world.

Support Professional Equity for Texas Chaplains:

www.PreciousHeart.net/chaplaincy

Item 5. Appeals to Date on Prisoner Disciplinary Summaries

5a – 11-08-13 – 3rd OR Request for Prisoner Disciplinary Summaries

5b – 09-30-13 – 3rd OR Request for Prisoner Disciplinary Summaries

5c – 09-13-13 – 3rd OR Request for Prisoner Disciplinary Summaries

**Open Records Requests for Prisoner Disciplinary Summaries
Monthly, Quarterly, Annually, and any Analyses**

From: [Michael](#)
To: ["exec.services@tdcj.state.tx.us"; "Alicia.Frezia-Nash@tdcj.state.tx.us"](mailto:exec.services@tdcj.state.tx.us)
Subject: OR Inmate Disciplinary Summaries
Date: Friday, November 08, 2013 9:09:59 AM

November 8, 2013

Dear OR Coordinators:

5a

I still have not had a single response to this request, going into two months now.

Sincerely,

Michael G. Maness
804 N. Beech, Woodville, TX 75799
409-383-4671 - Maness3@att.net

From: Michael [<mailto:Maness3@att.net>] - **Sent:** Monday, September 30, 2013 10:04 AM
To: exec.services@tdcj.state.tx.us; Alicia.Frezia-Nash@tdcj.state.tx.us
Subject: FW: OR Inmate Disciplinary Summaries

Alicia,
I do not believe I have received any kind of a response to this request?
Thanks.

5b

Michael G. Maness
409-383-4671 - Maness3@att.net

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From: Michael [<mailto:Maness3@att.net>]
Sent: Friday, September 13, 2013 12:24 PM
To: exec.services@tdcj.state.tx.us
Cc: Michael Maness
Subject: OR Inmate Disciplinary Summaries

5c

September 13, 2013

Dear Open Records Coordinator,

Could I have a copy of the following please,:

1. A copy of January's and July's for 2012 and 2013 of the **Month's Summary or Analysis** of inmate offenses charged or rule violations or disciplinaries, as by unit and TDCJ totals, etc.
2. A copy of the last four **Quarterly Summaries or Analyses** of inmate offenses charged or rule violations or disciplinaries,, as by unit and TDCJ totals, etc.
3. A copy of any **Annual Summaries or Analyses** of inmate offenses charged or rule violations or disciplinaries, for the last five years, if any such buggers exist ☺

TAB 19. Miscellaneous Research
State Employees Are Supposed to be Treated Equally

Preferably the Word, Excel, PDF or computer file of any or all of those.

I recollect seeing a few monthly or quarterly analyses as by offense charged of inmate disciplinaries in what appeared to be Excel sheets at a few of the monthly warden's meetings over the years.

Thanks a bunch.

Sincerely,

Michael G. Maness

804 N. Beech

Woodville, TX 75979

409-383-4671

Maness3@att.net

www.PreciousHeart.net

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Item 6. Role of Correctional Chaplain – Defining the Terms

I wrote this about 1996 years ago to help our Volunteer Chaplains and a group of TDCJ Chaplains I had been fellowshipping with, mainly as the result of conversations on the meaning of the terms in our Chaplaincy Mission Statement. It is the result of study in the profession and collaboration with other Chaplains.

Role of Correctional Chaplain – Defining the Terms

Dr. Michael G. Maness

Our mission statement for Texas Department of Criminal Justice Chaplains includes this: to provide quality (1) pastoral care, (2) program management, and (3) a therapeutic community that promotes public safety, produces change in criminal behavior, and reintegrates offenders into society. Here is my description of the role of a correctional chaplain.

[1] **Pastoral Care** is doing what it takes to encourage someone toward a higher level of living and struggling with that person in mutual growth. Quality Pastoral Care is *care* and a *relationship* delivered in a religious context with the purpose of determining and developing the vital issues of *ultimate concern* in life. This developing *isgrowth--growth* that enriches meaning in life and fosters change toward moral living, the essence of religion.

What are his or her vital issues of ultimate concern in faith, life, heart, and soul? How can they *come to terms* with their vital issues? How can they *work through* their vital issues in their community of faith, in their family, and in society?

[2] **Program Management** delivers Pastoral Care through the inter-religious service of the chaplain, through the chaplain's own religion, and through the chaplain's resources and associates in other religions. The theology, philosophy, beliefs, and practices of every religion address the vital issues of *ultimate concern*. These vital issues include all concerns of *heart* and *soul*, every aspect of whatever makes up the *personhood* and *being* of each person as they relate to the rest of the universe. A few of these vital issues are:

God &/or Spirit,	Existence--Being--Non-Being,	Life Crises & Goals,
Supreme Being,	Eternity & Annihilation,	Nature of Growth--Death,
Universal Forces,	Origin--Beginning--Ending,	Purpose Pain & Pleasure,
Purpose of God,	Derivation--Purpose of Law,	Sources of Authority,
Destiny of Mankind,	Social Accountability,	Scripture Interpretation,
Transcendence,	Truth--Dignity--Honor--Love,	Cycles & Stages of Life,
Moral Accountability,	Family--Marriage--Separation,	Wisdom & Life Skills
Essence of Good--Evil,	Essence of Mankind & Principles,	Purpose--Meaning in life.

[3] **A Therapeutic Community** is the chaplains and ministry team as they relate to the prisoners in the delivery of quality pastoral care. This delivery is in the context of the entire treatment and correctional team.

The Method of Delivery is this: in the context of sustained religious programming, the *needs of persons* determine the allocation of available resources. The closed nature and the close quarters of the system *force* the creation of unique and intense relationships. Though a preponderance of delivery is directed toward the prisoners, effective delivery has a focus that includes *all* persons: staff, prisoners, volunteers, chaplains, and the families of all. Only by being available to *all* of the needs and vital issues of *every person* in the system regardless of faith will the highest possible level of pastoral care be available to any one person.

TAB 19. Miscellaneous Research

State Employees Are Supposed to be Treated Equally

The Challenge is Beyond Definition. The caregivers are only mortal. At times the *best* effort is a fragile struggle between two people, two souls, two sets of vital issues: one is as available as he or she is able, the other is on the brink of collapse into a lower level of living or destruction. So the history of every religion brings a confidence that if anyone takes a seed of faith there is in that seed a hope--a hope in a destiny of significance, worth, and purpose. The seed sown has power in itself, far beyond the limitations of the mortal sower.



Item 7. Federalist Paper No. 51 – Government Checks & Balances

In the light all, this cannot be more important for TDCJ, for the checks and balances that help it fulfill its mission cannot function if its OIG cannot be accessed. For, as Madison said, none of us are “angels,” there is a need for controls.

“What is government itself, but the greatest of all reflections on human nature? **If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.** In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.”

— James Madison, *Federalist Paper No. 51*



The Federalist Paper No. 51

The Structure of the Government Must Furnish the Proper Checks and Balances Between the Different Departments

Independent Journal, Wednesday, February 6, 1788

Publius, aka James Madison

To the People of the State of New York:

TO WHAT expedient, then, shall we finally resort, for maintaining in practice the necessary partition of power among the several departments, as laid down in the Constitution? The only answer that can be given is, that as all these exterior provisions are found to be inadequate, the defect must be supplied, by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places. Without presuming to undertake a full development of this important idea, I will hazard a few general observations, which may perhaps place it in a clearer light, and enable us to form a more correct judgment of the principles and structure of the government planned by the convention.

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people, through channels having no communication whatever with one another. Perhaps such a plan of constructing the several departments would be less difficult in practice than it may in contemplation appear. Some difficulties, however, and some additional expense would attend the execution of it. Some deviations, therefore, from the principle must be admitted. In the constitution of the judiciary department in particular, it might be inexpedient to insist rigorously on the principle: first, because peculiar qualifications being essential in the members, the primary consideration ought to be to select that mode of choice which best secures these qualifications; secondly, because the permanent tenure by which the appointments are held in that department, must soon destroy all sense of dependence on the authority conferring them.

It is equally evident, that the members of each department should be as little dependent as possible on those of the others, for the emoluments annexed to their offices. Were the executive magistrate, or the judges, not independent of the legislature in this particular, their independence in every other would be merely nominal. But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The

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provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.

A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions. This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other that the private interest of every individual may be a sentinel over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the State. But it is not possible to give to each department an equal power of self-defense. In republican government, the legislative authority necessarily predominates. The remedy for this inconveniency is to divide the legislature into different branches; and to render them, by different modes of election and different principles of action, as little connected with each other as the nature of their common functions and their common dependence on the society will admit. It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, the weakness of the executive may require, on the other hand, that it should be fortified.

An absolute negative on the legislature appears, at first view, to be the natural defense with which the executive magistrate should be armed. But perhaps it would be neither altogether safe nor alone sufficient. On ordinary occasions it might not be exerted with the requisite firmness, and on extraordinary occasions it might be perfidiously abused. May not this defect of an absolute negative be supplied by some qualified connection between this weaker department and the weaker branch of the stronger department, by which the latter may be led to support the constitutional rights of the former, without being too much detached from the rights of its own department? If the principles on which these observations are founded be just, as I persuade myself they are, and they be applied as a criterion to the several State constitutions, and to the federal Constitution it will be found that if the latter does not perfectly correspond with them, the former are infinitely less able to bear such a test.

There are, moreover, two considerations particularly applicable to the federal system of America, which place that system in a very interesting point of view. First. In a single republic, all the power surrendered by the people is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself. Second. It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure.

There are but two methods of providing against this evil: the one by creating a will in the community independent of the majority that is, of the society itself; the other, by comprehending in the society so many separate descriptions of citizens as will render an unjust combination of a majority

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of the whole very improbable, if not impracticable. The first method prevails in all governments possessing an hereditary or self-appointed authority. This, at best, is but a precarious security; because a power independent of the society may as well espouse the unjust views of the major, as the rightful interests of the minor party, and may possibly be turned against both parties. The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority.

In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country and number of people comprehended under the same government. This view of the subject must particularly recommend a proper federal system to all the sincere and considerate friends of republican government, since it shows that in exact proportion as the territory of the Union may be formed into more circumscribed Confederacies, or States oppressive combinations of a majority will be facilitated: the best security, under the republican forms, for the rights of every class of citizens, will be diminished: and consequently the stability and independence of some member of the government, the only other security, must be proportionately increased. Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign as in a state of nature, where the weaker individual is not secured against the violence of the stronger; and as, in the latter state, even the stronger individuals are prompted, by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves; so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful.

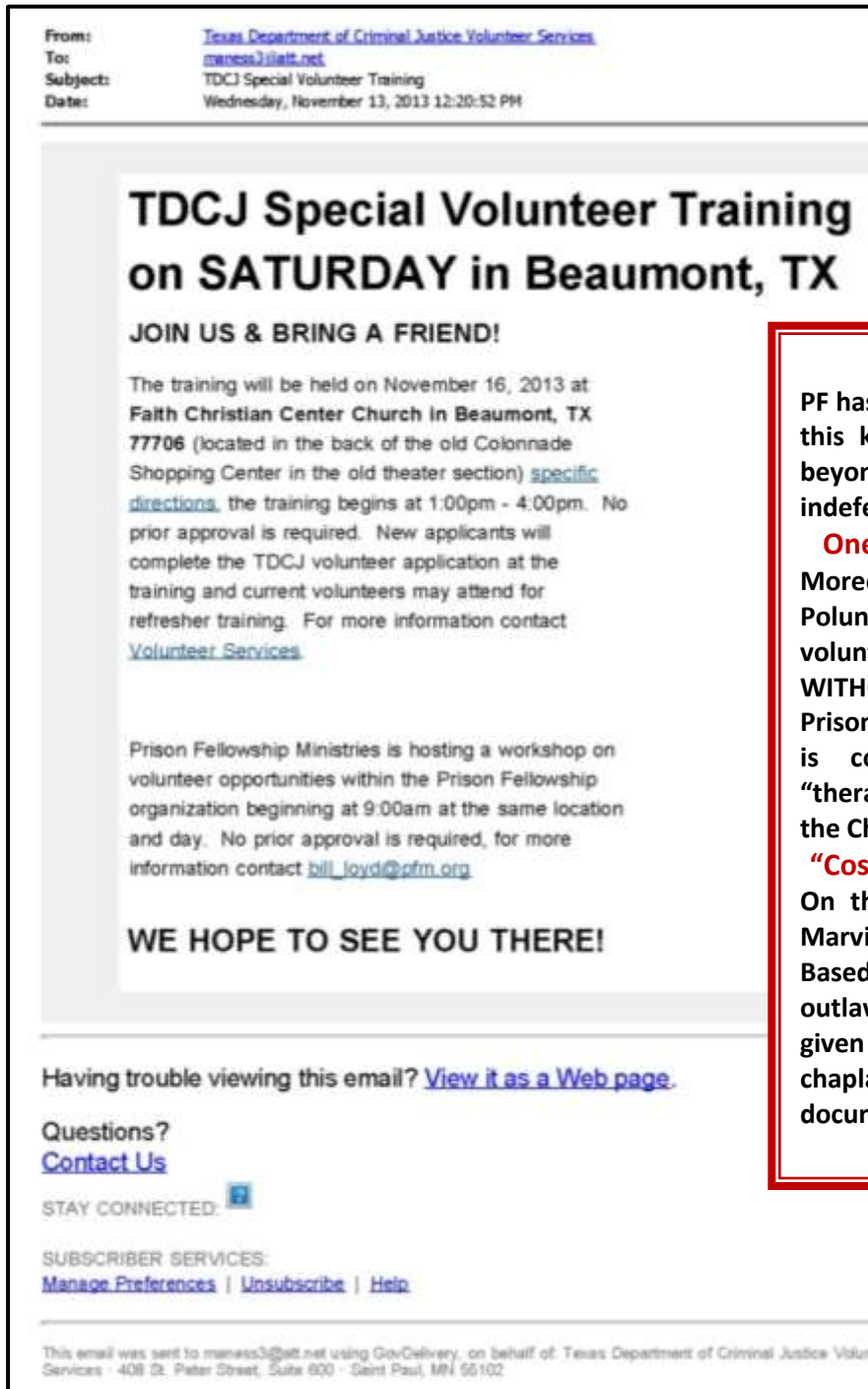
It can be little doubted that if the State of Rhode Island was separated from the Confederacy and left to itself, the insecurity of rights under the popular form of government within such narrow limits would be displayed by such reiterated oppressions of factious majorities that some power altogether independent of the people would soon be called for by the voice of the very factions whose misrule had proved the necessity of it. In the extended republic of the United States, and among the great variety of interests, parties, and sects which it embraces, a coalition of a majority of the whole society could seldom take place on any other principles than those of justice and the general good; whilst there being thus less danger to a minor from the will of a major party, there must be less pretext, also, to provide for the security of the former, by introducing into the government a will not dependent on the latter, or, in other words, a will independent of the society itself. It is no less certain than it is important, notwithstanding the contrary opinions which have been entertained, that the larger the society, provided it lie within a practical sphere, the more duly capable it will be of self-government. And happily for the REPUBLICAN CAUSE, the practicable sphere may be carried to a very great extent, by a judicious modification and mixture of the FEDERAL PRINCIPLE.

PUBLIUS.

Item 8. TDCJ Advertises for PF – “Come One, Come All” to 10,000+

November 13, 2013

TDCJ’s free advertising for Prison Fellowship NOT equal to all other 5.01(c)3s, and PF’s financial records are secret (I’ve tried to get them) on what PF spends on their “staff” in Texas that TDCJ helps. No one knows TODAY how much it costs for PF programs that TDCJ supplements, or any cost ratio per prisoner, to say little of actuarial recidivism. Worse, we have the repeated call for volunteers without any consideration of the individual prison’s need and chaplain’s ability to supervision – one precise *cause* of the Polunsky fiasco.

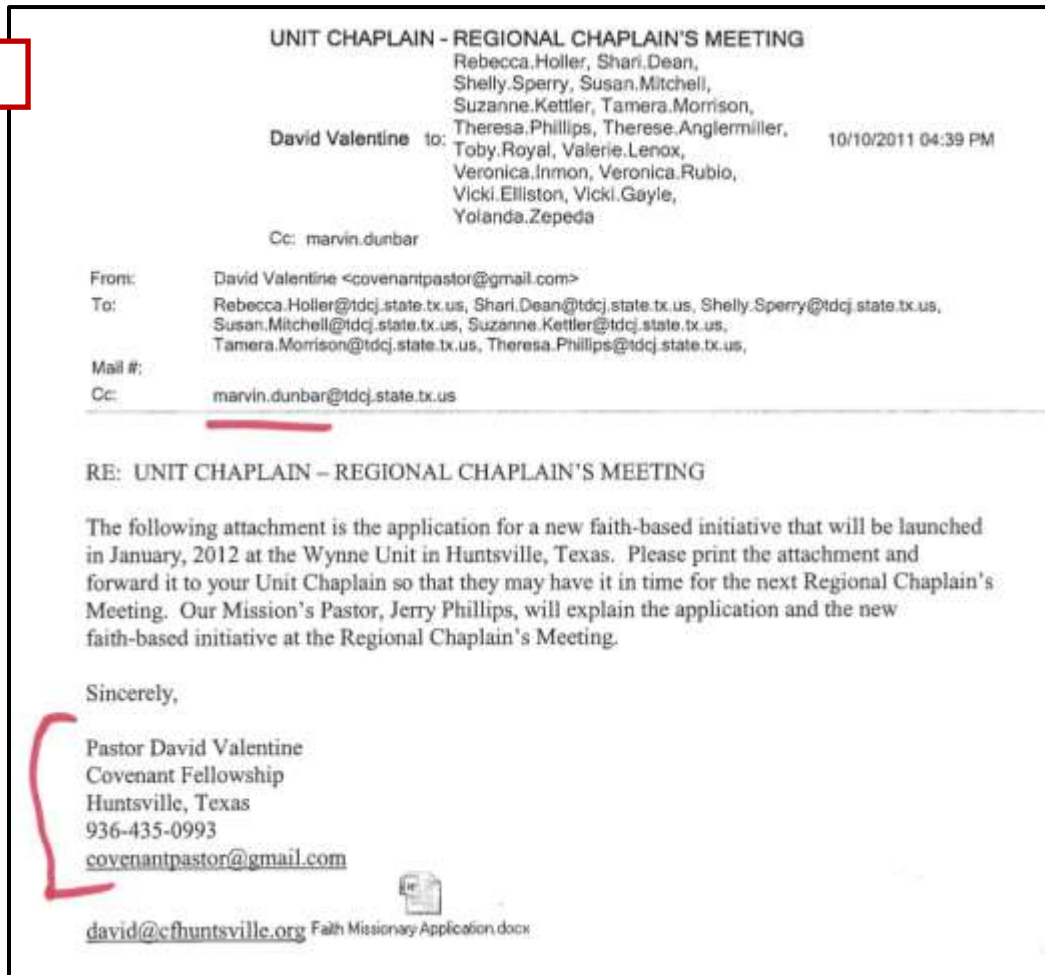


TDCJ Entanglement
PF has some excellent programs, but this kind of state entanglement is beyond comprehension, indefensible.
One Source of Polunsky Fiasco
Moreover, given the fiasco at Polunsky, the decade-long push for volunteers of any kind and stripe WITHOUT concern the individual Prison Chaplaincy Department teams is counter-productive to the “therapeutic community” element of the Chaplaincy Mission Statement.
“Cost” and “Thinking” Outlawed
On the “cost,” I was slammed by Marvin Dunbar on my 50-page Faith-Based Housing Letter, “thinking” outlawed. No concern has been given to the “load” of any prison chaplaincy’s department in *any* document for the last 15 years!

Item 9. David Valentine's Church-Starting Program – TDCJ Sponsored

This was the single document given to us to share with “our best prisoners” to “help” recruit prisoners **on orders** for David Valentine's church-starting program. He told me that. It was filled with church-state conflicts, and as a senior Baptist to him as a fellow Baptist, I expressed my concerns in an email from home and got a disciplinary for that email (Tab 16). Dep. Dir. Bryan Collier at my final appeal intimated that Valentine was just trying to network churches to help ex-prisoners, which is a completely different story from what Valentine secured from TDCJ, indicating at least that Valentine had fooled Collier.

Item 9a



Here is single document we got on the program, and at the Regional Meeting cleared things up – all chaplains were ordered to help Valentine, who planned to locate ex-offenders in high-risk areas. The church would help the prisoner with rent and a job. So the prisoner is essentially obligated for rent and his job to start churches, just the opposite of how a prisoner needs to start his new life. Help the prisoner *start a new life first*, and after he is stable and active as a free citizen, then involve him more.

As mentioned in emails, Valentine split his church, First Baptist Huntsville, in an ugly split, and the break-off church was his only “church start,” and there are so many ethical problems with that mentioned in Tab 16. Marvin Dunbar was very concerned that I *forgive* Valentine and keep that silent, covered up, part of the reason for the disciplinary, my ethical concerns of no value. Everything is wrong with that.

Look at the five pages. Upon further investigation, Valentine claimed “to be working with the Baptist Association” in Houston, but the association director said there was no formal relationship. Valentine also said he was working with other denominations, but the Huntsville Ministerial Alliance coordinator told me Valentine was not active in that association of many denominations. There is nothing right about “orders” for Methodist and Catholic Chaplains to help Baptists start churches, especially when Valentine failed to *unite* his previous church and *lead* it to split.

What church would want to work with Valentine knowing he was a “church splitter,” while *guiding* prisoners so start house churches? Aahh, but we chaplains need to keep that a state secret, too.

There are huge problems when *one* volunteer gets “ordered” support from all Chaplains without respect to other volunteers’ work prisoners. Valentine’s pseudo-sociological survey reveals his intention.

Look at page one, even before the prisoner is *shipped* to Valentine, notice how the ex-prisoner “missionary will disciple others so that more house churches can be started.” The language is thoroughly Baptist and Protestant, disrespecting the Methodist, Episcopal, and especially the Catholic and doubly offensive to how Muslim mosques and Jewish synagogues are started. See Tab 16 for more.

Application for a missionary serving as a catalyst in starting house churches.
(The missionary will disciple others so that more house churches can be started.)
Please Print

Name: _____
(Last Name) (First Name) (MI)

Today's Date: _____ Date of Birth: _____ TDCJ # _____

City/County that you will be Paroled/Discharged to: _____

Religious Preference: _____

When released, will you have family living with you? Yes No Unsure

Is your family aware of this opportunity? Yes No Unsure

Are they supportive of this opportunity when you are released? Yes No Unsure

Do you consider yourself to be a Christian? Yes No Unsure

If yes, please explain why? _____

What is your ethnic background? African-American Asian Caucasian Hispanic
 Native American Other _____

Please list below what job skills that you have:

1. _____
2. _____
3. _____
4. _____

Did you graduate from High School or get your G.E.D.? Yes No

Have you ever held a leadership position in a church/religious group? Yes No

Page 1 of 5

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State Employees Are Supposed to be Treated Equally

Explain how you would lead someone into a faith relationship with Jesus Christ. _____

Tell us what you have started? (Bible study, ministry, business, etc.) _____

Have you ever been part of a Life Change Group/Life Transformation Group? Yes No

Tell us about someone you have taught, trained, mentored or disciplined in the past. _____

Tell us how you connect with God & hear His voice? How do you spend time with God? – describe that.

Do you have any broken relationships with anyone? () Yes () No () Unsure

If yes, please explain. _____

How do you learn new things? _____

What do you consider to be your strongest characteristics? _____

What do you consider to be your weakest characteristics? _____

Please explain why you want to be in this program? _____

Page 4 of 5

**Item 10. Death Row Richard Tabler Cell Phone 2008 OIG Investigation –
What a Real Investigation Looks Like**

www.PreciousHeart.net/OIG/Tabler-Cell-Phone-10-21-08.pdf

Polunsky Death Row Prisoner Richard Tabler #999523 got a cell phone in 2008, called Texas Senator John Whitmire, chair of the Criminal Justice Committee and also a member of the powerful Senate Finance Committee.¹⁷³ Tabler threatened the Whitmire, causing a system-wide lockdown and upgrades on security, including shakedowns of staff. OIG Criminal Case Report 08-3015 itself is 28 pages long (see link above), but the Open Records request included about 200 pages of other material, including a couple of other prisoners' letters to Whitmire on smuggling at Polunsky and other prisons. Several portions of CCR 08-3015 were redacted and blanked out.

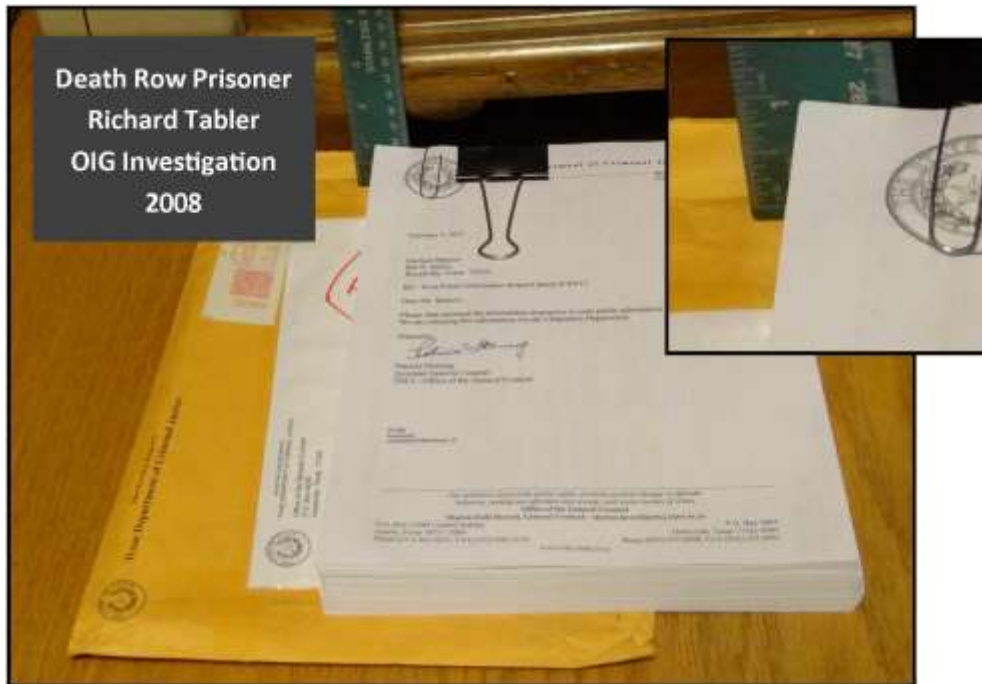


Photo of Stack: Tabler OIG Investigation

This is what a good OIG report looks like, where investigators dug up *everything* relevant and talked to *everyone* relevant, to discern what happened, when, by who, etc., and arrests followed.

At the time this happened and during this investigation, the unsupervised prisoners were on computers and had the run of the chapel. And, sadly, staff Chaplain Richard Anderson took a letter off, but Anderson stringently defends he did not take off any letter threatening Senator Whitmire in his book *God's Feet Are in My Sandbox*.¹⁷⁴ Even in 2008, Anderson was amazed and questioned how SSI Prisoner Ramy Hozaifeh #705004 had "learned" so much about computers *while* in prison. No small thing is that testimony by Anderson on Disk 1, Track 3.



¹⁷³ See www.whitmire.senate.state.tx.us.

¹⁷⁴ Rick Anderson, *God's Feet Are in My Sandbox – Faith Chronicle of a Texas Death Row Chaplain* (Mustang, OK: Tate Publishing, 2011; 227p.).

Tab 20.

TAB 20. 50-Page Faith-Based Housing Letter

The following was sent to Brad Livingston, in good faith, revealing the heartfelt concerns of many, reasons chaplains and others have been unable to share for many years. Other than the disciplinaries I suffered for this in Tab 16, during which this was discussed during the first two through the whole appeal process to Dep. Dir. Bryan Collier’s office. It has yet to be addressed by any party in TDCJ.

Strangely, at the same time Alexander Volokh had constructed his legal analysis, “Do Faith-Based Prisons Work?” 63:1 Alabama Law Review (2011), 43-95.¹⁷⁵ This complements in an astounding way, indicating further the thoughtless manner in which the Faith-Based Housing dorms and wings have been initiated.

Even two years after this, no substantial study has been accomplished, much less the have any of the concerns been addressed.

Nor have I received any substantial response from any others. One is clear, shortly after it was sent, I found myself with three disciplinaries and a “Recommend for Dismissal” for contrived elements already outlined, primarily in Tab 16, but also in the main treatise of this Sourcebook. Clearly, the “contriving” of my disciplinaries are all the more apparent, for TDCJ strives to forward equality, but there was none regarding me, not compared to others on the two prisons I served, where many others were guilty of worse than I, and by far, especially at Polunsky. All that has happened serve to underscore the importance of this letter and the pastoral care concerns therein.

The Chaplaincy Profession is at stake. So is the reputation of TDCJ, when cover up and duplicity is the order of the day, and worse when top administrators commit treason.



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in original letter, contents came later, after intro and teaser

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¹⁷⁵ See www.PreciousHeart.net/Volokh-Article.pdf.

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START 50-Page Faith-Based Housing Letter

December 12, 2011

Brad Livingston, Executive Director
Texas Department of Criminal Justice
P.O. Box 99
Huntsville, TX 77342-0099

Bryan Collier, Deputy Executive Director
Texas Department of Criminal Justice

Dear Brad and Bryan,

I hope you both had a fine Thanksgiving and wish you the best Christmas. Much ambivalence and fear were fought in my heart through all of this. I love my job and so many in this agency. I *know* you value faith. This is *all* about the value of faith, that value first codified in our precious First Amendment. Yet so much is not what it seems. Rather than starting with a list, let me start with a conclusion from facts just pulled together. We chaplains have been taxed with covering up, but should be the most honest of all. From simple naiveté or staid indifference, whatever, here is one conclusion from facts, in the drama of a headline.

Dallas Morning News

January 1, 2012

Orders from Texas Prison Executive Director

**All Texas Prisons ORDERED to
Fast-track Protestant Dominance Over
ALL Other Religions Combined
Including Catholics and Muslims**

Currently, Protestants dominate volunteer access *ten-fold* over all other religions *combined* (including Catholics and Muslims), and all state chaplains have been ordered to nearly **double that dominance** quickly under penalty of administrative discipline. One state chaplain said, "We have to do this quick and report progress." The potential extra income for private prison ministries could be thousands more dollars while costing the state thousands, perhaps millions – no one knows for sure! ... *or so the article goes*

Extra!
Extra!

**Read
all
about
new
Crusade!**

That shocked me too. Many in Texas feel the faith-based houses are wrong on many levels. From the perspective of the TDCJ's mission and in the light of the First Amendment more problems arise. After a while, after a few hundred hours of work, this got simpler and the dramatic headline appeared. Here are the facts: the TDCJ grants Protestant volunteers **ten-fold access today** in crusades, rehab programs (marriage, child, substance abuse, mentors, etc.), and chapel programming (all chapels have Protestants two-to-four-fold) making that a Protestant super-dominance **over all the other religions combined**. All of the faith-based houses are 97-100% Protestant. All religious activities involve state-staff cost, yet the staff cost for faith-based housing is many times greater in the additional processes of selection, moves, and enhanced security for volunteers visiting prisoner housing. The chaplains have been *repeatedly* told your office "ordered" this to be fast-tracked. *Hurry*. The reality is the dramatic headline: the state has essentially *ordered* the near doubling of an already Protestant super-dominance over all other religions combined (including Catholics and Muslims) at enormous state cost without any current estimate of cost and without any cost projection. Just expand the super-dominance!

No one planned the Protestant dominance; I must defend the innocence of my own Baptist denomination who is the super-majority in TDCJ. Take a look at the web site in this note if you or the reader is not sure what *Protestant* means.¹⁷⁶ Though I have been studying chaplaincy nationwide for fifteen years, even I did not see this fully until last week. If it was hard in coming to me, as intent on these things as I have been for over a

¹⁷⁶ See en.wikipedia.org/wiki/Protestant_Reformation and en.wikipedia.org/wiki/Protestantism.

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State Employees Are Supposed to be Treated Equally

decade, then how much harder is it for others not so bent on highlighting chaplaincy's assets? The *late-incoming* revelation of Protestant super-dominance mollifies a little the protracted indifference indicated below, and, of course, there is no indifference in one *not even thinking* about these things. Naïveté is a good portion of the reason for where we are, and bringing this out in the open will be very difficult.

At the beginning, we must realize that most of the naïveté is the result of merely following the national trend. No criticism in this treatise should be taken personal, and nearly every word could as easily be applied to Florida, Louisiana, or any other place in the U.S. that is ramping up its faith-based pushes for prisoners. It is time for Texas to tap into its vein of independence, pull its bootstraps, and charge forward more intently on clarifying *fairness* and *equal protection* for all prisoners and defend afresh our value of the First Amendment.

All of the following is *all* about the value of faith, and our duty to respect others.

TWO GIFTS for each of you. **One** is the Rev. Dr. Barry Lynn and Rev. Welton Gaddy's *First Freedom First: A Citizen's Guide to Protecting Religious Liberty and the Separation of Church and State* (2008; 188p.), which provides resources you likely have not seen before, and there are many "faith-based" advocates that will *not* encounter Lynn's work.¹⁷⁷ Barry Lynn is the executive director of Americans United for Separation of Church and State, and I hope you all can have lunch together. **Two**, lest you think the length of my treatise unusual, as you likely have not had anything like it from an employee before, let me give to you a copy of my *Ocean Devotions – From the Hold of C. H. Spurgeon, the Master of Mariner Metaphors*. Merry Christmas. It has nothing to do with this treatise, but I give it as a matter of good faith on my part to highlight that these fifty pages were not that hard for me to write.¹⁷⁸ There is more to write.

TDCJ prides itself on its openness. If all was open and laid bare, that dramatic headline is precisely how a Muslim or Buddhist would read the facts that currently exist. And at this present time, few know this and the facts are hard to get; our data streams collect volunteer faith preference but cannot calculate trends, dominance or even cost. Given that the dominance is now overwhelming compared to other religions, which can be gleaned from the programs we are currently facilitating – us chaplains know – that **dominance is a church-state conflict**.

To those who read church-state literature, it is an offense that any state "**order progress in faith**" of whatever nature. Such an "order" is thoroughly unconstitutional. The only justification for state-funded prison chaplains is in response to prisoner need, and it is a conflict for the state to order an increase in already overwhelming dominance, especially complicated with no data.

This small book grew as I defended TDCJ's mission of public safety, safe incarceration, and rehabilitation *in fairness*. I found more cover-up than I had expected. I have been living with the dominance as member of the majority for so long that much of it became second nature. Because *I am a Baptist Protestant*, therefore, I am part of the problem! Nearly all my friends are Protestant and most are Southern Baptist! The full story might be 300-plus pages long.

No one has published anything similar to this, except in a few portions of **Americans United for Separation of Church and State (AU) publications**. The following is impossible to retrieve by those on the outside. And *no state* across the nation is regularly collating and publishing data on chaplaincy and their religious volunteers, and some separate the two.

Furthermore, the TDCJ does not have the resources to fully detail several mysteries on the questionable costs below, and some resources have been choked for decades under deliberate indifference. Some might think this overcooked, especially the advocates of faith-based housing, most of which do not read any books on church-state issues anyway. Worse, or better – depending upon who you talk to – a few ministries stand to gain thousands if not millions more dollars in private revenue by the TDCJ faith-based push. And some want to cover-up that too.

¹⁷⁷ See also Lynn's *Piety & Politics: The Right-Wing Assault on Religious Freedom* (Harmony, 2006; 272p.) and Rob Boston's *Why the Religious Right Is Wrong: About Separation of Church & State* (Prometheus Books, 1994; 257p.). There are many more. See also www.AU.org and the Baptist Joint Committee at www.BJConline.org.

¹⁷⁸ See www.PreciousHeart.net for my other books.

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I was very afraid, at times, about sending this. I love my job. Yet, if I were you, I would want to know more about this. “Do unto others as you would have them do to you” is a golden rule that applies to all of us, and ironically enough this applies legally in how we – the TDCJ – treat prisoners and their faith. Likewise, I would not pay much attention to a one- or two-page letter with mere *claims* of nefarious behavior, unless it came from the governor.

Suffice it to be said here – in anticipation of clarity later – where do we draw the line? Is the **ten-fold super-dominance of Protestant access sufficient** over all other religions combined including Catholics and Muslims? Or should the dominance be twenty-fold or one-hundred-fifty-fold? Right now, *no one* is thinking about it at all! Not in Texas or the U.S. There has been not a single word on the dominance or even fairness since I came here eighteen-plus years ago. To the contrary, the opposite has been happening in the last few years, for with a fever the message is simply, “Grow, grow, grow; add, add, add.” With no real vision of where we are going and no extra help, except the twenty-five state chaplains I fought for and got for TDCJ in 2007 (no one really thanked me for), that you, Bryan, took five for Parole, which is another topic of constitutional conflict, as the state should not pay for ministers for free-world persons.¹⁷⁹

Brad and Bryan, we should think about this super-dominance deliberately! And the cost?

Starting with a dramatic headline – “ordered” increase in dominance – we know that if other religions in Texas knew the fuller statistics on volunteers, they would question that dominance, and rightly so. For God’s sake, literally, while some may not be intentionally covering the statistics, some have. The hiding of chaplaincy statistics (pastoral care and volunteers) played a role in the zero-budgeting of chaplaincy in January 2011, and the same lack of analysis has delayed for decades the revelation of the *just revealed super-dominance*. That this comes from a chaplain from out of town should reveal more – I am afraid to say – about indifference, to say nothing yet about cover-up. Avoiding the term “dominance” and merely sharing the statistics could be positive, for Baptists and Methodists want to know their numbers. Could help other Baptists, et al, to volunteer too. Still, dominance is what it is, and not appealing when we begin to look at *fairness* and *equality* as a modus operandi of TDCJ’s mission.

In a way the flip-side proves the cover-up too: the valuable and revealing statistics on chaplaincy certainly helped **save it this year!**¹⁸⁰

The most important ethical issue is not about the dominance, it is about how much we *truly* value fairness and the value of faith. Without clarity on those statistics and the costs, the clear Protestant super-dominance increases the favor given to Protestants over all other religions.

Sirs, I am writing this to you, because I am *certain* you did not intend your order to increase the Protestant super-dominance over all religions.

The TDCJ is better than that. In this light, how can we defend fairness? I became a bad guy in the last twelve years for highlighting chaplaincy assets *and* TDCJ’s fairness. This state of affairs exists because there has *not* been any ongoing analysis. Someone should have noticed the increasing dominance years ago. The deliberate indifference is so entrenched to this day that chaplaincy and volunteer data is destroyed after three years, making it impossible to track. Cost assessments and projections of future expansion of dominance are *not* even whispered.

The complexity of religion and the church-state conflicts are often dumbed down. The conference of a title will never replace heavy education and long-time experience. There is so much more to this, so I am including **Barry Lynn’s *First Things First***, a masterpiece of First Amendment defense by an expert that too many faith-based advocates refuse to deal with.

In sum, I grieve the faith-based housing as wrong on many levels, with a hundred **ethical problems** in venues theological, psychological and constitutional, with many cover-ups where

The faith-based housing could increase TDCJ’s *already* ten-fold Protestant dominance to twenty-fold **over all other religions combined** (including Catholics and Muslims).

This treatise is all about the value of faith *and* caring for *all* prisoners equally –

equal protection for all prisoners!

¹⁷⁹ See the letter from former state Representative Jim McReynolds. Really like that fellow.

¹⁸⁰ See www.PreciousHeart.net/Save_Chaplaincy.htm for the remarkable story.

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naiveté has been allowed to run amuck. I pray this is seen as a dedication to and a finer defense of the TDCJ's mission and our long-lived chaplaincy profession. If you will not end all, please

End all but three faith-based houses, to study the three for three-years, excluding the Vance Prison (studying it too);

Three positive reasons to end this are how the TDCJ supports 1) equal protection for all, 2) fair housing per custody, and 3) the First Amendment. The negative reason to end is because of TDCJ's legislated value of the First Amendment is **compromised three-times over**:

1. Compromised by the faith-housing being a wholly Protestant Christian enterprises;
2. Compromised again in that Baptist hegemony within the already huge **ten-fold** Protestant super-dominance will increase further;
3. Compromised again when that **ten-fold** Protestant dominance increases to perhaps **twenty-fold over all of the other religions combined** (including Catholic and Muslims)! *Yeah ... me too ... as I developed this treatise, this came late and shocked even me!*

Doubling that dominance is costly in more ways than staff time. Especially for the chaplains who have to manage it all. Still, no one is counting the cost to this day. That should throw up red flags and nuclear-blast warnings, and that is another reason to collate chaplaincy pastoral care and their religious volunteer data more openly. That can be proven easily with a few phone calls, if one knew the right questions to ask. Because so few in TDCJ today *can* ask the right questions – another **confidential matter** between the both of you and myself – that is why these fifty pages are still the **short survey** of the many ethical and constitutional problems.

Faith in Texas is a vast multi-trillion dollar collection of networks and assets. Protestants outnumber all by a large margin, and Southern Baptists outnumber all Protestants (largest of the thirty-nine other Baptist bodies). It seems simple to many in the agency, but it takes decades to grasp the intramural political struggles. The TDCJ should not give financial advantage to one over another. Finances do not concern the best volunteers, yet it is naïve to think volunteer access has no bearing on finances, and that naiveté is long-overdue for a “look see.”

In sum: that three-fold comprise makes ethics fuzzy when there is not a drop of evidence that the current dominance is making any difference at all. By faith alone, I know a “difference” is made. Beyond what a prisoner is “entitled” to, all else is alleged to reduce recidivism, many “say,” but have not one paragraph of data. Yet that “difference” is harder to determine than three items within the TDCJ's grasp: 1) the actual degree of dominance, 2) the cost of the current dominance, and 3) the projected cost. Funny thing, though, that language on dominance and cost is alien to the *rushed* increase in dominance, throwing normal business ethics out the window.

Within that compromise, ethical problems sprout all over, especially in how chaplains must negotiate the moral problems. The most embarrassing **moral problem** is that the compromise is denied and by official “orders” **all pretend the compromise is not Protestant**. “Hush, hush,” all say, “to stay out of courts!” That should be enough. Since that is not enough, the rest of this proves that compromise of the TDCJ's mission by Protestantism gone wild at the expense of chaplaincy, at the expense of the TDCJ's mission, with a truckload of cover-up and indifference to things considered paramount to the rest of the known world, not the least being cost.

I am **defending TDCJ's honor and the minority faiths** here, instead of the majority to which I belong and owe so much. I have the longest history and am more connected to more persons in the majority than any staff member in TDCJ today and intimately related to the religious, Christian and Baptist history (in and out of prison) – therefore, this defense of the minority should make me more credible. I simply think it is right for me to share this with you. My own Baptist heritage supports this risk of mine. One quote applies here to all of us, written in 1791 by Founding Father John Leland, when religious liberty was threatened and Baptists were often jailed and persecuted for *being* Baptist:

Good men cannot believe what they cannot believe.... as the best of men differ in judgment, there may be some of them in any state: their talents and virtue entitle them to fill the most important posts, yet, because they differ from the established [religious] creed of the state, they cannot – will not fill those

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posts; whereas villains make no scruple to take any oath. If these, and many more evils, attend such establishments ... [Leland went into great detail].¹⁸¹

Leland's words hit home in this dilemma, and I mention his name a couple of more times. The "good men" Leland referred to are your wardens and chaplains, as well as many prisoners. Importantly, Leland's words directly apply to how all prisoners choose the faith-based housing. Please respect what many staff, volunteers and prisoners themselves know – prisoners choose for better *housing not faith*. See the outline below.

Contents of 50-Page Faith-Based Housing Letter

[*contents moved from here, original's position, to beginning of section*]

Administrative Directive 07.30 – "Equitable Opportunities"

Administrative Directive 07.30 is a fine-tuned document in clear language with no smoke and mirrors or doubletalk, spelling out in its first sentence what we ought to do.

[The TDCJ] extends to offenders of all faiths who are supervised or incarcerated within TDCJ operated units or contracted facilities, **reasonable and equitable opportunities** to pursue religious beliefs and participate in religious activities and programs that do not endanger the safe, secure, and orderly operation of the Agency.¹⁸²

That is refreshing. If we just did that, and followed policy, all of us chaplains could rest easy. But, the facts are, Brad and Bryan, we have not for years, are not now, and – dare I say – the "order" to expand the already ten-fold super-dominance is contrary to TDCJ's policy. In a way, this entire treatise is a defense of our own precious A.D. 07.30 *as written*, especially the first sentence, and a profound expostulation on how far we have been pushed away today. With a smattering of a vision on how to return, and, hopefully, touching a funny bone here and there.

Introduction: Professor Byron Johnson – the Faith-based Housing's Best Academic Is Short of Academic Proof and Is Negligent

At the start, let me point out Professor Byron Johnson, director of the Institute for Studies of Religion (ISR) and director of the Program on Prosocial Behavior, who just published *More God, Less Crime: Why Faith Matters and How It Could Matter More* (Templeton Press, 2011; 288p.). Perhaps you have heard of the book, hailed as the most important work to date by several in Texas prison ministry; it is a landmark book. I like the title too. He is a signal professor for this recent and important academic specialization. Yet, I think some read the title and that was all. Johnson was a master key to Prison Fellowship's (PF) justifications a decade ago, or so, but even the integrity of his old statistics was not equally agreed upon. One needs a smattering of concurrence across disciplines for those old statistics to be considered a great discovery. In spite of *More God, Less Crime's* great revelations on faith work in the community, there was little on faith-based housing in prison. I mention this because Johnson is the best the Texas advocates of faith-based housing have – the best – and the only published one of which I am aware. If that book and Johnson's earlier work for PF are ***all that the housing advocates have***, then they do not have enough to truly justify a great state tax-payer expense that has *yet to be calculated*, especially when the difference in the prisoner is still a mystery. The tracking of change is still too complicated.

When prisoners are carefully chosen for an in-prison program – *chosen* being the operative word – the program reflects what Senior Warden Larry Johns once said to me a decade ago, "Let me pick a group of prisoners for a program, and I will guarantee a huge success too." What did the statistics mean to a seasoned warden? If such an obvious weakness in advertised program statistics was so easily pointed out by a non-

¹⁸¹ Abolitionist and Baptist Rev. John Leland, "The Rights of Conscience Inalienable, and Therefore, Religious Opinions Not Cognizable by Law: or, The High-Flying Churchman, Stripped of His Legal Robe, Appears a Yahoo" in Miss L. F. Greene's *The Writings of the Late Elder John Leland* (NY: G. W. Wood, 1845; pp. 177-192), 183, first written in 1791. The chapter is a masterpiece. See the book for free download at www.Books.Google.com/books. One of the most influential in securing our First Amendment, his tombstone reads, "Here lies the body of John Leland, of Cheshire, who labored 67 years to promote piety and vindicate the civil and religious rights of all men."

¹⁸² See www.PreciousHeart.net/AD-07.30-Religious-Programming.pdf, A.D. 07.30, Rev. 6, May 8, 2006. Bold emphasis mine.

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scholar warden, what of the other controls? Only, this is another problem, though a non-scholar, a seasoned senior warden does have a veritable Ph.D. in prison dynamics, and as a whole people like Johnson are *not* tapping that vast experience. Same goes for the state prison chaplains and more – the entire prison staff!

Most researchers today, it appears, have not had any significant time “in prison” with a prisoner, nothing compared to full-time staff. Nor are any truly accessing that experience.

Housing Advocates vs. Equality Advocates. The two sets of advocates are those for faith-based housing and those for prisoner equality, the latter also advocating full respect for First Amendment values. There are a host of ministers on both sides. Because both sets of advocates value faith to high heaven, we can readily condense the two sets into **housing advocates versus equality advocates**. The housing advocates certainly have not addressed the multitude of problems outlined below, many of the problems rather common and self-evident to most TDCJ chaplains and wardens. Even with costs set aside, two other problems arise that are covered-up by most of the housing advocates: the housing advocates do not 1) debate well the constitutional problems or 2) face the equality advocates who oppose faith housing. It is primarily the housing advocates who refuse to justify themselves in academic literature and refuse to engage fellow ministers, and the housing advocates do not have to, for the time being, because they are in the majority.

In this treatise there are several equality advocates who challenge the housing advocates. And herein are a lot psychological, ethical, and pastoral problems, none of which any housing advocates have addressed. When I have asked a few, there was no answer. In one case I was kindly dressed down for “not being loving enough.” I pointed out a serious breach of ethics, and rather than deal with the breach, was told to be “more Christian.” One cannot fight that kind of logic. Guess chaplains should not ask questions at all, and today, most scholars in the U.S. are not asking chaplains either.

Furthermore, there are a handful of Christian chaplains (as I might have been 18 years ago when brand new) who truly believe in the faith-based housing as an extension of their Christian evangelism, because no chaplain will ever be schooled in any of following.

Indeed, it is time for someone to truly calculate the cost, not only of the PF Vance Prison, but for the 30 prisons hosting the faith-based housing. When will we calculate the cost, beyond my *guess* of \$1,000,000 so far for five years of Protestant Christian enterprising called faith-based housing? Though there is *no* question about the Protestant enterprising, I might be high or low on the cost – still, **enormous tax-payer cost** there is!

The faith-based housing and super-dominance **endanger state prison chaplaincy**, for when this gets out, there are those who would like to throw the baby out with the bath water, and toss chaplaincy for its unwitting collaboration in these unconstitutional and religiously biased statewide programs.

TDCJ is *already* supporting a ten-fold Protestant dominance in volunteer access over all other religions combined (including Catholics and Muslims). That is a *guess* to which I will give substance to shortly. Adding the faith-based housing reverses and retards more the long-valued professional chaplaincy principle of proportional programming. Most good prison chaplains manage more Protestant programs simply because there are more Protestant prisoners, and most have between a two- to five-fold dominance in their program set. Some however have a ten- to fifteen-fold Protestant super-dominance on a single prison that is much harder to justify. The real kicker here is that adding the faith-based housing can *double* the current statewide Protestant super-dominance in record time, likely turning that into a twenty-fold Protestant super-duper-dominance in volunteer access over all other religions combined (including Catholics and Muslims). That is hard to justify, even if we do not count the enormous startup and long-term maintenance costs in tax-payer state-time. Not thinking on these things is a violation of trust.

Sadly, it is within the TDCJ’s ability to estimate both the current cost and the cost projections, and it is likewise within the TDCJ’s ability to calculate with a modicum of accuracy the actual degree of Protestant dominance. The TDCJ ought to calculate both the cost and the dominance, but the costs and dominance are not the worst problems, only the most business savvy concerns. The worst problems are with salvaging both TDCJ’s and the prisoner’s integrity.

Without either the monetary cost or the human cost up front, how wise is it to proceed?

Regardless of the actual cost and degree of dominance, I *guess* that Protestants will increase to a twenty-fold dominance in volunteer access over all other religions combined, and there is no end in sight, as far as the current demeanor is being leveled to chaplains. And in the back corridors a whisper is heard, “Volunteers can do it all,” further betraying a degree naïveté rarely seen in the modern world. That also translates into an

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overburden of TDCJ staff time for Protestants that is impossible to justify in a state agency. But, at this time, no one is trying to justify it, for that would require someone to be *thinking* about it first – and that is not happening.

Sadly in need of correction – no scholar anywhere is picking up on this, much less any TDCJ administrator under your executive office. A chaplain from out of town – you know I am afraid! – is revealing how we are busting ethics wide in faith-based housing.

Unconstitutional is the minor issue. To me as one of your chaplains, the worst part is that it is pastorally ill and psychologically deceptive. Nothing is really good about it, except as it forwards Protestant and Baptist enterprising by increasing the super-dominance, and in the process suck away more time from staff chaplains and retard more the chaplaincy profession.

Byron Johnson is partly to blame for this, by accident perhaps, in his avoiding chaplaincy nationwide as the key academic leader and most credentialed PF advocate.

Professor Johnson’s ISR work on religion is outstanding too; see the multitude of first-class reports. Prodigious. See also his “Our Best Hope for Persistent Prisoner Transformation: A Case Study of Out4Life” that is, I suspect, the latest and best, but not truly a *case* study – not even dated! – that debates no critic and gives PF another 100% thumbs up.¹⁸³ Johnson mentioned his *More God, Less Crime*, of course, his earlier work on faith-based housing in the early 1990s and former President Bush’s initiatives. Yet, *how much did the faith-based housing cost then?*

Come now! – *how much DOES it cost now?* Why do we have to fight for this cost?

Why is a lonely chaplain fighting for the cost *after* ten years, albeit intermittently?

Given the hither to unaccounted private and state funds, millions, a question needs to be asked. Are the Vance Prison with the thirty TDCJ faith houses the most expensive Protestant Christian prison programs in U.S. history? How much do they cost?

Now, how much more are we going to spend? Why entertain these things *without* cost?

So far, prison chaplaincy itself has escaped being looped into the “faith-based” literature, but not for good reasons. Chaplaincy is manifold in facilitating all religions first, while allowing the chaplain a modicum of freedom to teach his faith principles without degradation of others. And we provide care to the soul in grief. Throughout all, we have been the experts on religious volunteers, as even the church itself has always been the premier expert on volunteers. No one institution uses volunteers like the religions of the world, and chaplains have been the best public relations officers for volunteers for years, but that is never truly counted; administratively we “supervise,” though the reality is that we facilitate some of Texas best citizens!¹⁸⁴ The reason we chaplains have escaped notice – I suspect – is that we address every day the constitutional concerns as an integral part of the institution and that is, for many, just a distraction to their faith-based mainly Protestant Christian enterprising.

Very relevant here, the Independent Sector’s valuation of volunteer hours is used nationwide and is currently at \$21.36 an hour, and that valuation has been used in TDCJ to boast on millions of dollars.¹⁸⁵ Yet

¹⁸³ See Baylor University’s www.ISReligion.org for its many outstanding reports, nothing like them anywhere on earth. See www.ISReligion.org/wp-content/uploads/ISR_Out4Life_web.pdf for the report “Our Best Hope for Persistent Prisoner Transformation: A Case Study of Out4Life” outlines PF’s Out4Life program, a vision to network reentry resources for the “700,000 prisoners released each year,” and the “Out4Life National Network seeks to link all of these regional and statewide coalitions” (p. 12), and so PF hopes to lead the way. PF hopes to lead the way. Yet this “case study” is not a “case” study at all, nor was it dated, using, interestingly enough, some quotes from Johnson’s *More God, Less Crime* and some older reports. It had some good information, but it was less a true case *study* and more a detailed description of a vast vision; it was an absolutely positive endorsement for PF, very much like the quality and detailed sale brochures for Caterpillar’s top bulldozers. There was no encounter with the critics at all, nor an iota on the *many* problems I am giving to you here. Not that academic, but the latest and best so far.

His landmark “Objective Hope: Assessing the Effectiveness of Faith-Based Organizations, A Review of the Literature” came out in 2002 for the Univ. of Pennsylvania and was reissued by Baylor in 2008 and remains a an unprecedented piece. See www.ISReligion.org/wp-content/uploads/ISR_Objective_Hope.pdf.

¹⁸⁴ See Sarah Jane Rehnborg’s 2001 “Environmental Scan of Volunteerism in Texas” and her 2002 “Investing in Volunteerism” for the University of Texas, both remarkable studies that completely left out prison chaplains as the key recruiters and supervisors for 95% of TDCJ’s volunteers, just as they do across the country.

See both here: www.PreciousHeart.net/chaplaincy/Volunteer_Environmental_Scan_2001.pdf and www.PreciousHeart.net/chaplaincy/Volunteerism_Texas_Report_2002.pdf. Deliberate indifference? Sure.

¹⁸⁵ See www.IndependentSector.org/volunteer_time.

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that those millions in valuation have not been officially connected to the chaplains who have been nurturing, cultivating, managing, and loving “their” volunteers who do 95% of TDCJ’s volunteering. Therein, state chaplains recover their entire operating costs in the volunteer hours alone, and that was *not* used in January when the chaplains were zero-budgeted and is not now being used in the “orders” to essentially double the volunteerism without any administrative help. That is not a minor cover-up. **Money is the issue!**

Follow the money, they say, but there is not even a bread crumb trail, and after 30 years in ministry too many try to hide their expenses. Some want to end state chaplains, because that directly increases their private prison ministry revenues. We will get to that shortly.

I add another crucial element to the cost and constitutional concerns that is totally ignored, nationally and in Texas – the chaplaincy program statistics are ignored as a rule in ALL the U.S. states, especially as chaplaincy statistics relate to cost savings.¹⁸⁶ As the term “reentry” entered our vocabulary in the 1990s, the reentry literature exploded at the turn of the 21st century, and its most significant work to date did not mention state or federal chaplains!¹⁸⁷

Neither does Johnson or PF. A single portion of a faith community should not dominate constitutional concerns, and partisan politics should not play a role in pastoral care. But – as you will see – there are cover-ups, double-speak, and flat out nonsense galore. Some of the debate is almost as simple as this: the housing advocates never address the equality advocates’ concerns.

The dominance of the housing advocates is a concern of many scholars advocating equality. Many more would be interested, pro and con, if the data were laid out full and plain. We in the TDCJ need to be more forthcoming.

Goodness, if Professor Johnson’s work is the latest and the best – and it is – and *none* of the following problems are encountered, or a single critic engaged, then, Brad and Bryan, you *must* consider **canceling all but three faith-based houses to really study** on moral grounds and the need to study the cost of giving so much more super-dominance to Protestants over all other religions. For now we have Johnson *studying* for ten-plus years and he – the *best* – still cannot calculate the cost or mention a single chaplain, the frontline laborers for the First Amendment. Worse, we do not see Johnson as a top academic dealing with any amendment forthrightly. He should not have ignored these for so long. I have *not* read most of the papers his ISR has published. Some are landmark. Yet, of the titles I scanned and the few I have read, no ISR report mentions the scholars below, like Princeton Professor Marci A. Hamilton and the host that contribute to Americans United for Separation of Church and State (AU). Leaving *out* Princeton and Harvard scholars is not the best way to forward a highly disputed intellectual cause that by *all* of our current knowledge is thoroughly Protestant in prison.

Leaving out the cost – well? – *not* conservative, to say the least. In some cases, leaving out the cost is dishonest in order to cover-up something else. It is unbiblical to lay a foundation without counting the cost. How about that? Faith-based building unbiblically. Strange affairs.

I must take offense at Texas Professor Johnson. At my own expense, I have been pulling statistics for ten-plus years and nearly begging the TDCJ to post more prominently Texas chaplains’ hitherto hidden work. Now, after five years with zero statistics and enormous costs *yet to be figured*, a statewide government “order” is issued that essentially doubles the Protestant super-dominance and costing more tax-payer money. And **Johnson is nowhere to be seen!**

Still – no cost analysis? Who thinks this is the right way to do things? Of course, I have the answer. Protestants and many Baptists! Too many do not care to even talk about cost or constitutional concerns – “Yuck,” is the normative and pervasive attitude in most Protestant circles. Too many inside and outside of TDCJ are deliberately working hard to find ways around *counting the cost* and working hard to find ways

¹⁸⁶ See www.PreciousHeart.net/chaplaincy/Chap_Cost_Savings.htm for the only cost analysis of prison chaplaincy in the country, sadly, by a non-accountant chaplain instead of a state or federal chaplaincy program.

¹⁸⁷ The Re-entry Policy Council’s massive 658-page landmark *Report of the Re-entry Policy Council: Charting the Safe and Successful Return of Prisoners to the Community* (NY: Reentry Policy Council, Council of State Governments, January 2005, the results of several grants given in 2002-03) set the bar for many as a public/private partnership funded in part by the US Department of Justice, US Department of Labor, and US Department of Health and Human Services. The result of several cross-country meetings that by-passed Texas and did not encounter state or federal chaplains or really encounter the faith community. So much is written by those who have not worked with prisoners on a day-to-day basis.

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around *constitutional concerns*. Too many are looking and searching like Indian scouts for ways *around* the constitutional issues rather than working *within* the constitution. (One conspiracy theory of mine about these dodgers of constitutional concerns is that some want to trash professional chaplaincy so they can trudge on through unblockaded by chaplains, only it all is too sloppy to be a real conspiracy. The faith-based advocates almost as a rule across the U.S. just have sloppy work.)

More to come, but the greatest problem is with the pastoral care we are losing – the *human* cost – in here partly described, and more I can tell you in private. The chaplains' time is stolen away to support more Protestant dominance, while at the same time budgeting administrative help for chaplains is withheld in direct conflict with the Texas Governor's mandate to reward performance measures. Instead, the chaplains' pastoral care statistics are top secret! Never even collated for any executive decision. It is a cover-up or naïve that any volunteer chapel program costs nothing, and it is a double cover-up or deliberate indifference that the faith houses can be run with volunteers without taxing the staff's time, to say nothing of the chaplains' time.

A real question no one is asking – how much can the TDCJ chaplains do? From the statistics so far, they appear super-human, shining bright beside any group of 112 professionals in the nation, government or private. That is only part of the faith-based housing's problem. It is the division's responsibility to assess workload, but the only assessment in TDCJ history was only partially completed by a chaplain on his own time!¹⁸⁸ That is another book that will never be written.

Brad and Bryan, why are chaplains asked to report so much on their pastoral care and their volunteer hours when none of the data has been used to support the chaplains in the last ten years? If anyone knows, you men *know* that none of the chaplains' pastoral care data and none of the volunteer data that chaplains supervise was *used* in the months preceding January 2011 when we discovered chaplaincy had been zero budgeted.¹⁸⁹

We published the basic data to high heaven and across the state. We were fortunate. Furthermore, the Governor's performance-measure mandates have not been followed for the TDCJ chaplains in decades.¹⁹⁰ And that cover-up is embryonically related here and throughout.

A. Faith-Based Housing Supports Super-Majority

1. Faith Refuge? – Christian Good – Corrupting “Faith” Itself

Note – No Insubordination – I am Covering-up too! I surveyed as many as I could on state time, as I was trying to learn to inform my local committee for faith-based housing at the Lewis Prison in Woodville – of course, with this treatise in mind – but I did *not* debate or discourage any on state time. And I have not talked openly about my own concerns very much locally in my free time, except with a few good friends that shared my views and would also keep this covered up locally. You see, sirs, I have to keep this from my good friends who **LIKE** faith-based housing, Baptists every one, because I will *need* them! I am covering up all *this* because I will need them to help with the faith-based preferred housing. So I am doing a lot of cover-up too – it's the thing to do these days ☺.

I took notes and asked all the chaplains and volunteers I could – please – “send me what you can.” The Lewis Prison plans to follow your orders, *if ordered to*. I have no choice, yet, as a Baptist – lucky me, I suppose – I have more resources than most. At this point, no one really cares about other chaplains that are Methodist or whatever that will have to work three-times as hard. And at this point, I do not think one Muslim chaplain has ... well ... dare I ask? The Jewish and American Indian contract chaplains ... what is their place?

I pray you will consider **cancelling all but three faith houses in order to study them**. Someone needs to study them, and the fact that no one has, well, is that a cover-up too?

I struggled with whether or not to write this. For I run against several good friends, in my town and across the country – many do not think as I regarding the First Amendment. Few have the tempered prison perspective on the pastoral care. This is very difficult to write and defend. Let me explain this difficulty further.

¹⁸⁸ See www.PreciousHeart.net/chaplaincy/Chaplaincy_Audit_2001.pdf.

¹⁸⁹ See www.PreciousHeart.net/Save_Chaplaincy.htm for the remarkable story.

¹⁹⁰ Do I really need to footnote the Governor's mandates too? ☺

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Yes – loads of Christian Good! Certainly, men and women change when they encounter Christ. Christ changed me! I support evangelism. I am a Baptist with the academic prowess to debate all comers. Baptists share loads of theology and philosophy with most Protestants, with the Churches of Christ (who do not consider themselves Protestants), and much with the Catholics, especially a Trinitarian God, the divinity of Christ, Christ's death, burial and resurrection, and second coming. Those key doctrines are not shared by Islam, Judaism, Buddhism, Hinduism, American Indians (except the Christian Indians), and certainly not Wicca or Odinism. Protestant and Catholic Christians share a similar philosophy of life: their living Christ is what changes them, and the others do *not* share that philosophy. Therefore, with the Christ-centered New Testament theology and philosophy of life – *yes*, most definitely – all of us Protestants with many Catholics are thrilled to see the prison support **Christ changing lives**, officially – not written – just with resources the TDCJ cannot share with all. Christians are “right” and believe with the whole heart that other religions are in error in their own minds – Christ is the only way, and that is “faith.” Yes, no matter how you slice the cake, the more Protestant Christian teaching, by whatever name and nearly whatever method, good will be accomplished as prisoners allow God to change them. That is the “faith” most of the TDCJ staffers and volunteers understand and are hoping the prisoners understand and appropriate.

Yes – all religions believe the same about the absoluteness of their faith, but do not have the resources Christians have at this current time. Resources? On the other hand, the Arabs have resources, though no one has approached Aramco for a grant. Aramco could, and likely would, pay to air condition their prison faith house, even carpet it – then, howdy, we would see Muslim conversions!

Given the lunacy of some of the stuff being said, how come no one has contacted Aramco?

The Problem – No End in Sight? – TDCJ Becomes the Protestant Supercharger. Texas cannot be an engine for Protestant Christianity, forcing an ever-increasing ten-fold dominance of one faith up and up and up to – what? – a thirty- or seventy-fold super-whopper-dominance, and remain constitutional. The faith-based push makes TDCJ the supercharger for prison Protestant super-dominance on the Bonneville Salt Flats with everything *wide open* – “just fly ahead,” we are told, or be disciplined, for “We are tracking you!” **There has been no published or even spoken end in sight**, which would never happen anywhere else *except* as it relates to naively administrated religion. It is possible that some *want* this wide-open flying in order for TDCJ chaplaincy to take the blame when it all crashes, and crash it will.

Will I be the crash dummy? Or will honor prevail? At this point in time, it is a worry.

Please, help me preserve TDCJ's and chaplaincy's integrity for the future. And this is *not solely* TDCJ's dilemma. This is with respect to chaplaincy across the U.S.

Surely it is a huge wart when this pushed increase has *not a single* status report on cost or on dominance, the wart cracks *without* any projections or competent business plan, and worst of all the wart pushes up *without any end* to the increase in the super-dominance in sight or mind or even whisper of sweet something. God have mercy, that is state-sponsored and executive-ordered *unlimited increase* in Protestant super-dominance. Really? – no kidding? –

no end in sight, no end planned and no end even thought of ..

That has been the strategy for ten-plus years and has now been pushed into overdrive – nitrous fueled, the chaplains buckled in, without any training on drag strip racing. Some chaplains are already burning out and no one knows or cares.

We chaplains were on the block to be zero-budgeted in January 2011, we fought big time to keep our jobs, and now we are being pushed to double our Protestant programming without a single dime for administrative help. No one finds that strange either. And though volunteers helped save our jobs, the main reason was because the volunteers *love* us and would rather work with us than with whom they would have to work with *without* us – gosh, Brad and Bryan, you all have to know that! Nor has anyone revealed another whole constituency that did *not* help but would if they could have, namely the 100,000-plus mothers and grandmothers we chaplains talk to in helping prisoners during the multiple crises, including deaths and critical illnesses of loved one. But let us stay on the issue of unlimited increase super-dominance for a moment.

Brad and Bryan, I know that both of you did *not* have any part in that *unlimited increase* agenda without any assessment of current dominance and no projection. Yet, the least we can say was that you all were advised

in naïveté. That is not all, even in that unlimited increase, the TDCJ certainly should not favor one denomination within the Protestant dominance as it favoring Baptists.

No end in sight, no administrative help, no performance measure rewards, and none planned.

Nobody noticed all that but one chaplain? How? How long before it gets out?

Clearly, then, by the testimony of staff chaplains, volunteers, and prisoners, the faith-based housing is obviously a place of refuge with more security, more attention, even calculated to be the center of attention of an entire prison's housing, the favored place to go, etc., ad nauseam, and so the prisoner's choosing corrupts the term "faith" itself. This is critical to understanding on many levels psychologically, philosophically, and – not really the state's concern – theologically.

Refuge traded for faith – we are just touching the surface of this **fraudulent exchange**.

Interjection – Cannot Do It without Baptists and David Barton Factor

Lastly, without Baptists, there would be no faith-based preferred housing at all! Nobody really wants to admit this, especially non-Baptists. And there is not even a ghost from Christmas past, present or future to consult. But this treatise ought to be the spur that goads a "look see," for without Baptists, all chaplains would have trouble following your orders to increase the super-dominance. Moreover, if just Baptists were *against* the faith housing, it all would fail. But Baptists, I am proud to say, are ready to tell the world about Christ anywhere they have opportunity.

The Irony – Baptists have historically been the signal champions of religious liberty more than any other denomination in history, and it is a sad irony that so many Baptists have forgotten that heritage and followed the likes of pseudo-historian David Barton to push for Christian domination all across the nation; believe it, Brad and Bryan, Barton's WallBuilding enterprise has some links to this very push of yours, or *behind* those who are pushing you, though Barton is *out of step* with likely 99.9% of the university historians in *all* of the U.S.¹⁹¹

Constitutional? Meeting prisoners' religious needs is constitutional, not meeting the needs of *some* volunteers as a few are trying to do (not viewing it like that, of course). Faith is never something someone *applies* to a prisoner, as some are essentially trying to do without knowing it. naïveté run amuck. It is certainly unconstitutional to help prison ministries increase their funding, whether one knows it or not, which we will get to shortly.

2. What Is Faith – Shall a State Prison Define That? – For All Comers?

What is Faith? Shall a prison system define that? Who will be on the committee to *define* what TDCJ means there? The same persons wanting the faith houses? The chaplains were not asked; they are the most qualified, and I could guarantee no concurrence among your best state chaplains, unless they were under orders to construct a milk-toast "state-sanctioned" version. Sometimes it appears as though the advocates do not want to define faith or any of their terms. Many, too many, when they try to talk about faith in this context, too many try to approach the full inclusiveness of the Unitarian Universalist Association Churches (UUA), without trying to offend the UUA either.¹⁹² All faiths *are* included in the UUA, even atheists! and the good chaplains would supply a room for a group of UUA followers too. But I know that no one is *really* thinking about the UUA, Muslim, or Baptist meaning of faith, not yet.

Surely there is an expectation that the prisoner knows – goodness – he has to choose "faith" to move in, even if no one else really knows what "faith" means to the TDCJ's "faith" houses. If the meaning is not an intentional cover-up, it is a deliberate indifference to defining the meaning – that much is clear. In other words, it is crystal clear that the TDCJ is either 1) intentionally covering up its meaning (unlikely) or 2) is deliberately indifferent to defining its meaning. Lest someone think negatively about the TDCJ here, we have to know that

¹⁹¹ See www.WallBuilders.org – Barton is the most successful Christian pseudo-historian of the 20th century, hailed a pathfinder by some, who clearly twists history to suit his agenda. Barton was hired by the Nat. Republican Committee to hold seminars, appeared several times on Glenn Beck, but he will not debate any university historian.

¹⁹² See www.UUA.org and www.en.wikipedia.org/wiki/Unitarian_Universalist_Association. They are among the smallest minority and far, far away from evangelical Protestantism. And, by the doubletalk today in TDCJ, one would think the "faith-based" terminology is as inclusive as the UUA espouses, though the UUA's inclusiveness offends the absolute truths espoused by all the major religions, especially Christianity, Catholicism, Judaism, Islam, and Hinduism. So, "faith" will be impossible to define, even by an atheist. What a mess.

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being indifferent to defining the meaning of “faith” in faith-based is the national plague; do not blame TDCJ executives or employees for following the national trend. If the term did *not* come for former President Bush’s advisors, I am not sure where it came from, and I do not really care.

That ingrained indifference is the official version which came from a mere following the national trend, and no real meditating at all. The deliberate unofficial version – the reality – is that all the administrators and advocates who made the decision to start faith houses *nearly* mean the Protestant Christian faith, because that is what they believe. As is the national trend, likely listening to heavy-hitting powerbrokers and Barton-WallBuilding lullabies, the TDCJ official/s used “faith-based” to avoid definition and hide their Protestant sectarian evangelism. As unchristian as the devil himself, but too many Christians hide their ulterior agenda and confuse their definitions; consciously or unconsciously, that is an illness that needs checked at the gate of a prison. Which is very hard to do. God knows, we do not need any more problems.

The faith-based housing advocates avoid and hide definition across the country.

I do not suspect that any Muslim, Buddhist, Wiccan, etc., or perhaps even any Catholic was around the TDCJ table when the decision was made on any TDCJ prison to start the first faith-based house, when it was up to the individual prisons, nor around any TDCJ division’s table, or even your executive table as this was being ramped up. Why not? The TDCJ wants a fair representation of input – don’t they?

The TDCJ has not yet defined what they mean by the “faith” in their own faith-based housing, which should give us all pause. If “faith” is important to those who want “faith” houses, the definition ought to crystal clear instead of as foggy and un navigable as a moonless night. Every major religion has a crystal clear definition and a million books on the unfathomable depths of *their* faith, and never shall any two major religions agree. So I see a star in the sky of the moonless night, that at least all in TDCJ know something about their state-sponsored definition, and that is very clearly this: no two major religions agree! But we are still tripping over fallen tree trunks and banging our noses an old oaks – one oak being our precious U.S. First Amendment. It is bad enough that we have thirty-plus “faith” house prisons without a clear definition. A statewide program *without* a definition?

I am trying to save us from a national academic embarrassment!

**3. “Safety” for “Faith” – a Fraudulent Exchange – PART ONE –
The Attraction to the Prisoner Is Simply Better Housing Refuge**

All that we believe and value as a patriot citizen is compromised when a prisoner choses “safety” for “faith” – a fraudulent exchange. To offer “faith” for “safety” is rotten deal and corrupts whatever faith may mean, and there is no cleaning of this exchange. I am going to go into great detail on this, because I am a chaplain and value faith to high heaven. And it is, apparently, very hard for those *outside* of long-term intensive ministry to see this.

What is the attraction of a faith-based house? “Faith”? What is that? If we are appealing to the prisoner’s faith or the prisoner’s *value* of faith – what does that mean? The TDCJ prison system is in absolute control of a prisoner’s life, and the state is trying to appeal to a prisoner’s faith? The TDCJ has not defined “faith” and has not defined “what they want to appeal to” in the faith of the prisoner. There are no other terms yet, other than “faith”; no one has come up with a definition or another term across the nation!

Some dodge this like a rabid dog, truly, I have seen them run time and again. Really – we have not had one single brain-storming session on anything in ten years. In fact, no one has asked your chaplains, most with master’s degrees, one single thing about anything in years pertaining to our profession of how to “be fair” and “support the First Amendment” and how to better counsel, etc. Only closed-end questions are asked. What a waste of resources, and partly to blame for the state of affairs that exists today in this *just-revealed dominance* and one reason for this treatise.

I am following “orders” too, for I *have* been “ordered” to talk and talk about this and report who responds favorably. I hope you all *will* respond favorably. Then I can report that too ☺.

Who else is thinking on these things? Or thinking up these things that cloud the moonless night more? PF is not giving any intellectual help on this whatsoever, except as it supports their own mission. And no there prison ministry is as well financed.

Mystery Method – nothing is more mysterious *in the country* or the state than what the government means by “faith” in the faith-based houses. Thousands of government pages and millions of dollars of government grants have been given across the U.S. in the last ten years for “faith”-based this and that, and not

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one paragraph has been written on the meaning of one single word – faith! This *is* the mystery method gone wild. It might as well be called the “mystery method,” because there is no solving this for prisoners or any staffer or any volunteer.¹⁹³ The TDCJ is better than that, and no government entity should deal in calculated mysteries.

Still, we ought to try to solve as much of the mystery as possible; to grapple with the multiple ethical problems, we need to unpack what we can of the **state mystery on faith**. Nobody else will.

If not us, who? If not now, when? If not Texas, where? Texas is the best and can lead.

Faith Carrot? First out of the mystery magic hat: Is the statewide “order” for faith-based houses trying to appeal to an prisoner’s desire for a better life by holding “faith” out as some kind of special reward? Like a carrot on a stick to a hungry horse that leads a reluctant horse forward, because the rider has no equestrian skills? Or because the horse is stubborn? (No horse whisperer here.) What is the state trying to appeal to? Real mystery there. Let’s have fun. Can we call that the faith carrot? Who has a better definition? None of the advertisers do, not yet.

Oh, can I try? **Is that faith-on-a-stick?** Can we market that? The TDCJ chaplains are already marketing that, on orders from your office. The TDCJ is marketing mystery faith – “Come and get it!”

If a prisoners asks, “What kind?” Our answer is “ordered” to be, “Oh no, you cannot know until you get to the bottom of the Crackerjack box.” Don’t spoil the surprise. Only after a prisoner responds to the mystery flyer, can we give an orientation and say a little, but we have to cover-up what the whole program is about – Protestant Christian evangelism and discipleship.

Seriously, the **state is “holding” faith out** to a prisoner “to choose” housing and that *offends every religion* that values the First Amendment. Loads of academia behind that offense.

Faith Refuge. TDCJ Staff Chaplain Sandra Biles reflected what several staff chaplains have said to me in her letter: “We want to create a safe environment for those who are like-minded to explore who they are and how to create positive change in their lives.”¹⁹⁴ Exactly!—a “safe” environment. All of the faith houses are refuges and safer places. Several TDCJ Chaplains, volunteers, and of course prisoners have said similar to me. No secret there.

Furthermore, at the faith-based orientation for the prisoners, several chaplains tell the prisoners the faith-based housing is based on Christian principles, Protestant Christian principles (the numerous curricula have a Baptist hegemony). We ought to tell prisoners what they are signing up for!

The faith houses are refuges, safer places, and equality of TDCJ mission is out the window under a cover of the TDCJ’s spurious “faith.” To borrow a term: they are “safe houses,” not really “faith” houses in the minds of prisoners. But the TDCJ has to cover-up giving a group of religious prisoners a safer place to live.

A couple of chaplains have shared their house “rules” too, that include, “no cussing” and “no preferred seating” at the television. That is weird. The faith house leaders have to *re-enforce* standard TDCJ rules for prisoners in the faith houses; grapple with this, the faith-house prisoners *need* signs to remind them of TDCJ rules. That might be worth several more pages, but it at least means there is – dare I say – more rule-breaking in the faith house over the standard non-faith cellblock. What is that? Proof of greater cost, at least. Add to the chaplain’s duties cellblock cussing management and television seating management. Who are we kidding?

What Is the Attraction? – Better Housing! Why would any devote Muslim or Buddhist prisoner go to a Christian marathon training program? WHY? The key word here is *devote*. For the *devote* of other faiths, **better housing is the only answer**. We are *not* advertising what the program actually is – *not* up front – like giving the Christian nature of the programs up front because of the often repeated reason to “keep us out of

¹⁹³ Yes, there really is a book out: *The Mystery Method* (St. Martin’s Press, 2007), written by the number one U.S. female pickup artist named Mystery, who first came to light in Neil Strauss’ *The Game—Penetrating the Secret Society of Pickup Artists* (NY: ReganBooks, Imprint of HarperCollins, 2005; 462p.). Be careful here, too, for I did not buy *The Game*; it was delivered to me in a box of prison lockdown leftovers with old Bibles and religious books belonging to our chapel library. The reason: so ironic in this context, because the publisher bound the book in imitation leather and sizing to *look* like a Bible. Here, irony of ironies – the “faith-based” stuff wants to *appear* fair and religion-neutral, when it never is and never will be, and that, my friends, is the mystery method.

¹⁹⁴ Letter from Biles, rec. 11-25-11. Like several, she uses the Institute of Basic Life Principles, www.IBLP.org, as one of the curricula, started by Bill Gothard (Ph.D. from Louisiana Baptist University) with his initial curriculum for the prestigious Wheaton College that boomed into Basic Youth Conflicts seminars in the 70s across the country, and now is providing sources for many denominations. It is a quality Christ-centered curricula.

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court.” I am really getting tired of hearing that in this context, because it is a cover-up for what “we are trying to get away with,” that if gone to court we would have to stop doing.

Can’t we just obey the law and be fair to all? Are we having fun yet?

Another reason we cannot fully advertise a consistent list of programs statewide is because we are dependent upon local volunteers, upon what *they want to teach*, and have to retain a degree of the flux. Good volunteers, mostly retired, need to be able to come and go when they can and do what they can. We have to allow flux. So every prison program has a unique complement of programs with Baptist publications or Baptist-trained authors in hegemony. Does that mean anything? Not on the surface. Only that with the state of Texas *not* defining what they mean by “faith” in its “faith-based” housing, with a different program set in *every* prison, that does certainly mean that the mystery for the prisoner is increased.

Lots of mystery here for the prisoner in the choosing of his house: do I choose regular no-lead house or high-octane faith-based house? And each prison is unique. The only thing consistent across the state in the thirty faith-based prisons for the last five-plus years or so is that they are 95-100% Protestant and not advertised as such.

One lesson the prisoner *is* learning is about how to hide “faith” things, taught to him by the prison system itself. But no one thinks that strange either. That is not all. Teaching a prisoner how to cover-up what he is going through – whew!

The mysteries and cover-ups have no end.

Again, oddly in another twist, we cannot “advertise” that all is Protestant Christian to “keep us out of court.” Odder still, a fad today, many Protestant programs have assumed therapeutic sounding names – to avoid court too? – like “Quest for Manhood,” “Therapon,” 12-Step this and that, which all sounds religiously neutral while all still being thoroughly Protestant Christian missions. Another reason for the name change is simple marketing. A “*Baptist or Methodist Recovery Blank-Blank*” is not going to be bought by a Presbyterian or Pentecostal, so they – the denominational publishers – name their book “Recovery This-That” and leave off “Baptist” so it will be marketed to a wider audience. Nothing intrinsically wrong with that, just good business.

State prisons, however, should not follow suit in disguising Protestant missions with “recovery” titles just to sound more secular. That is a split hair, but still part of the multiple levels of cover-up.

Guess who has one of the largest Protestant publishing franchises in the U.S.? Baptists! And there are several Baptist publishers. The Southern Baptist Convention (SBC) renamed its huge franchise years ago to Lifeway. Neat. You all might not know, and I am not certain, but Baptists likely have more publishing houses and more Baptist books published than all the other Protestant publishers combined. Just a guess there, and, of course, as a Baptist I am biased. And know this, all of the many Baptist publishers publish books from those in the other Protestant denominations.

Still – this is so very serious – Why would a devote Muslim or Buddhist want to come to a faith house, even if he was told all was Christian? Too sad that the largest and best prison system in the country **cannot be upfront to prisoners** about faith programs. “To stay out of court” is a cover up for one’s inability to clarify the legality, at the least; at the worst, “to stay out of court” is a cover-up for doing things one knows would be found illegal if stated plainly. Maybe we can call this mystery maintenance. Do not know what to call it.

Now hear this. We *are* covering that up, on “orders,” all the while the prisoners *know* what is actually going on, all the staffers know, and all the volunteers know. And we still have to silence our lambing mouths and keep what we are doing covered-up. The prisoners are more honest than the staffers are allowed to be! When will this end?

Oddest of all – listen to this – the good TDCJ wants *all* faiths to come into its Protestant Christian marathon faith-based training that it will not advertise. We are not yet halfway through this treatise, and it is already hard to count the number of constitutional irregularities, cover-ups, double-speak, and outright violations. Of course, I am not a lawyer, just a chaplain.

What would a good constitutional attorney say about all this? Why not ask them?¹⁹⁵

¹⁹⁵ Leonard W. Levy’s *The Establishment Clause—Religion and the First Amendment* (1986; 236p.) and *Original Intent and the Framers’ Constitution* (1988, 2000; 525p.), and Bishop Thomas J. Curry’s *Farewell to Christendom—The Future of Church and State in America* (2001; 143p.) and *First Freedoms—Church and State in America to the Passage of the First Amendment* (Oxford, 1986; 276p.). See also, Daniel Dreisbach’s *Thomas Jefferson and the Wall of Separation Between Church and State* (NYU Press, 2003, [continued from previous page ...]

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The reverse is as odd. If we did advertise to prisoners what we were doing, that we were providing special housing for marathon Protestant Christian programming, at great state expense – as we are doing – no lawyer would defend us. It is clearly unconstitutional to dedicate state-funded prison housing specially dedicated to Protestant Christianity with more prisoner protection than for non-Christian housing. Worse, it is against the law to intentionally provide safer housing for one prisoner over another, and also unconstitutional to do so for “faith,” whatever we mean by the term.

Any time a prisoner chooses “safety” for “faith” it is a fraudulent exchange that not only corrupts whatever the prisoner believes by faith, but it hurts us all.

If that sounds strange, and it is, then why not ask for a direction toward clarity and openness? Yet, those are not the worst problems or the end of the moral problems. We need to slap this mystery method around a bit more..

The TDCJ goes to great lengths in the process to ensure the prisoner knows that he “does not have to be a Christian” – signing a TDCJ form acknowledging that, now, he *knows* he does not have to be Christian. Does that sound strange? Surely it does. Singling out Christianity from all the other religions – why? Here, I am tempted to grieve that “singling” out of my faith. This TDCJ acknowledgment form is another proof of TDCJ’s own acknowledgement of the wholly Protestant enterprise. “To stay out of court.”

Brad and Bryan (and reader), I will bet you are getting tired of hearing “to stay out of court” in this context, that even here it is starting to grate your sensitivities with unethical screeches.

Also, the forcing of the prisoner to sign an acknowledgment “that he does not have to be Christian” is another duplicitous proof, and proof enough that a sincere Muslim is *choosing* to go because of the housing, having to personally *endure* the Christian programming – or whatever programming is going to be “done to him” since he is never fully appraised and can never be fully appraised of what is to come.

Even the warden and chaplain cannot reveal the nature of the house up front. Silly, isn’t it?

Of course, the prisoner can opt out anytime. More nonsense.

Those prisoners who do not value or care about “faith” obviously choose for better housing? No other reason. Let me say it like this: the non-sincere and non-devote Muslim or Buddhist chooses for better housing – easy – because they do not even care about their own faith. They certainly are not attracted from the hearsay from other prisoners about the Protestant faith house, because we *cannot* “order” other prisoners to cover-up (they would not obey anyway).

Worse – the Cooter Brown Affect. Moreover and obvious to all – let’s follow this mystery method further – the faith-based free-world volunteer leaders in conscious evangelical zeal and in knowing collusion with the state’s wardens, chaplains, and executive directors are *trying* to get prisoners come into the faith house. And no one thinks that as strange as, say, Cooter Brown’s divided loyalties and drunkenness that kept him from joining *any* side during the Civil War. “Be very careful,” so many intimate, “lest we betray exactly what we are up to.” All the while, everyone *knows* the dear and precious volunteers – doing what they came to do – are working and praying and hoping the prisoner will convert to Christianity. We all know that. Indeed, the non-devote Muslim or Buddhist **are wanted in order to convert them!** Only we have to hide that too. (Shall we count the cover-ups?)

“WANTED!” – All Faiths – to Convert Them!

Multiplied duplicity. Again, a hard turn, but we have to listen: TDCJ wants all volunteers to *want all faiths* to come to the faith-based houses and hides their wholly Protestant nature. Chaplains under executive order are forced to build this up, covering up, and unable to speak plainly. With all these divided loyalties, Cooter Brown would feel right at home.

294p.), Lenni Brenner’s *Jefferson and Madison on the Separation of Church and State* (Barricade Books, 2004, 656p.), Daniel A. Farber’s *The First Amendment* (1998; 298p), and Forrest Church’s *So Help Me God—The Founding Fathers and the First Great Battle Over Church and State* (Harcourt, 2007, 544p.). See Constitution.org, attempting to provide info on whether a particular issue is constitutional or not, a fantastic Library, one of the best in the world. Two mighty think tanks: Cato Institute, Cato.org, defends freedom trying to reverse government expansion, and Americans United for Separation of Church (AU) and State, AU.org, is the nation’s leading advocate.

Just for fun, see Anthony Lewis’ *Freedom for the Thought That We Hate—A Bio of the First Amendment* (NY: Basic Books, 2007; 221p.), because all of this is related to freedom of speech, another huge body of literature.

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So far, we have not been given orders on how to train the volunteers in covering up, which would be a challenge. And, simply, some would refuse to compromise and stop coming. We do not want Cooter Brown volunteering.

Next step, shall we put pressure on the community Catholics and Mormons? Maybe the prison system can ask the local sheriff to go church to church. Of course, that is facetious and ridiculous. But that *is* what TDCJ chaplaincy HQ is doing *right* now with its *demand* that the chaplains “talk, talk” and report the “talk” lest the faith-based houses are not built fast enough. There is likely an aggregate report from all the regional chaplains being compiled and sent somewhere, so some administrator who has – likely – never spent much time with an prisoner or with volunteers can scrutinize the progress of the Protestant faith chaplains “talk-talk” in selling the undefined “faith” house for prisoners to choose what they know not. So the prisoner can enter into what the prison cannot say up front. “Talk, talk” to get the prisoner to come to “cover-up” faith house. All so Protestant marathon studies can be done to, pause, “change behavior” by TDCJ lingo or – by the volunteer’s lingo – the prisoners can be converted from all faiths to Protestant Christianity. Clearly double-speak sponsored by Texas – “ordered” no less, from chaplaincy HQ, to “stay out of court,” and “ordered” to rush this. That means everyone is involved from top to bottom, though I suspect none of you like this or intended this.

There is *nothing* right about this kind of multiplied duplicity! The devil is in the cupboard.

Further, unlike all other major programs in the good TDCJ – this one has no strategic plan. Truly, a full-fledged strategic plan ... what would that look like?

If the prisoner grieves or has regrets – no problem – the prisoner signed a TDCJ form indicating he knew he did not have to be a Christian. Nuts! The TDCJ is *preparing* and *protecting* itself from its own upfront cover-up of its own sponsorship of Protestant Christianity.

Worst – none of this kind of policy making and cover-up is *Christian* at all.

Stop this! The TDCJ is better than that. So are the volunteers just trying to save all.

Of course, the Christian prisoner chooses for better housing too, even a veritable mansion, where, unlike other prison housing, he has much more security and volunteers every ready, even at his bedside, literally, to meet his every need. Next step?—tuck’em in at night? Books on shelves, paintings and signs on the walls. Of course more security than normal, for no volunteer should be on a wing or cellblock without any staff chaplain or correctional officer.

Does Mr. Thaler know that on several prisons volunteers are going onto the wings without the presence of a staff chaplain or an officer? It will be a hard critical incident review if anything happened to a volunteer on a wing with no staff present. Chaplaincy will be the fall guy, again.

Still, **no prisoner purely chooses for faith alone!** Ever. Never will. The whole process has several absurdities. One absurdity is that the TDCJ “faith house” is made *available* for the prisoner “to choose”; yet, what is the prisoner “choosing”? State-sponsored faith that the state will not define up-front is a deliberate cover-up, and the cover-up is covered-up further with a state mandate prohibiting clarification by the chaplains, the very ones hired to clarify faith.

Brad and Bryan, no other state employee is forced to work this kind of nonsense. This psychological gaming is pathetic to those schooled in faith and makes fools out of the naïve trying to administrate it. The contents of the state “faith” house cannot be revealed until *after* the prisoner chooses. The number of cover-ups and double-speak should embarrass us all.

The second absurdity is worse and a key component: the state itself is actually *expecting* the prisoner “to choose” because of “faith.” We should not try to escape or cover-up this **Texas-state expectation; it is the key component.** Both absurdities compound the nonsense: TDCJ makes *available* a faith it deliberately will not define at the same time TDCJ is *expecting* the prisoner to choose faith without any clue of what the prisoner understands about faith. And the chaplains, the avowed experts on faith, are prohibited from clarifying. Dizzying.

Some naïve administrators really do not know that some staff and prisoners – both – have a bad taste in their mouth about “faith” itself, coming from judgmental homes or from abusive ministers or religious demagogues. There are many psychological and ethical problems with this whole program, and most of those are attendant to theological cover-up.

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TDCJ is the chief sponsor of dishonesty on the most important thing that should happen in prison – faith. One does not have to be a psychiatrist to diagnose severe neurotic denial is weighted toward all the staff who have to engage in such games (in part to keep the prisoners from filing lawsuits), and then more denial is exhibited when the cover-up of the non-descript “faith” is actually claimed to be fair to all religions.

The chaplains are the ones made the fools most of all, as the frontline persons, because nobody else is *required* to play these games, not the wardens or executive directors. And if the chaplains do not push the undefined faith house fast enough, they get in trouble! Orders!

If we focus on the prisoner’s perspective, will more sense be uncovered? No. It is not humanly possible for anyone to choose for faith alone, much less a prisoner. Many prisoners cannot even spell it, TDCJ has not defined it, and no two religions or Protestant denominations would define faith the same. So a prisoner caught up in this has the least problems – just choose for preferred housing. Oddly, many prisoners know something about preferred housing already, coming from the “projects” as many have. Prisoners are humans too, and it is naïve to think any prisoner is nobler than any of us. No man or woman – free or not – ever chooses for faith alone, except Jesus. And every religion defines Jesus differently as well, some denying him his role as savior.

Besides, the superman prisoner capable of such a pure choice of “faith” would not need the faith house at all, whatever TDCJ means by the term. And no one to my knowledge has brought into the discussion those religious prisoners (Christian and otherwise) that do certainly believe they are better than everyone, superior to you and all volunteers. Every religion has them, and every prison chapel has them too.

Almost moot at this point – but we cannot screen for faith devotedness for the faith-based housing. Listen to ourselves here again: we cannot screen for *faith devotedness* or screen for *openness to marathon Bible training* for the faith-based house. That is strange, and we could take this strangeness much further, but I will leave this alone to your imagination.

The whole process is an assault on everyone’s intelligence, yours and mine, the volunteers’, and even the prisoners’ intelligence (though he is not *thinking* about much at all). To pretend that a prisoner “chooses for reasons of faith” – goodness, listen to ourselves – we would have to instruct the prisoner on the meaning of “faith,” whatever TDCJ means (deliberately obscure), or whatever a Catholic, Baptist, Lutheran, or Muslim means.

Or are we just *trusting* the prisoner to *know*? If we cannot clear up “faith” and the nonsense above, that is reason enough to end the faith houses! Or at least end all but three, in order to *really* study them and weed out the nonsense, though I doubt we can.

Yet the reality is stranger and actually clearer to the prisoner – yes, clearer to the prisoner who does not play any of these games. The state is essentially saying, with a poster, “Look over there! There is a faith house.” The prisoner responds, “I get programs and access to smiling volunteers that love me. Better protection from predatory prisoners. More attention from the warden.” The warden? Absolutely. Instead of volunteers going out *into the wings and prisoner housing areas* a few times a year during crusades, volunteers are going into housing areas every day! The Warden is watching the faith house more closely than any other, and that costs more money than any other program in the TDCJ (we will get to that in a minute).

Where is the downside? Why *not* choose the faith house? Oh, yes, the prisoner sees all that and *values* faith? No, not at all. Remember, we are *hiding* the meaning of faith and dodging our responsibility to define our terms. All that the prisoner sees is safer housing, and from a distance, all those smiling volunteers going in and out, and warden’s watchful eye. Easy.

The prisoner exchanges faith for housing, faith for safety, taking the faith-on-a-stick, and faith is corrupted further. We will deal with several other version of faith-on-a-stick later.

INTERJECTION – Model Program Shines on Wynne Prison

At the Wynne Prison, the 59-man dorm is the “The Cave of Adullam” (I Sam. 22) with the entrance painted like a cave, with a nine-foot armored warrior on the outside, and beautiful paintings and about twenty two-by-four foot very artistic wooden signs with exquisite calligraphy of various overcoming Bible verses. First-class artwork. The art could be the envy of most of the churches in Texas, as most are in rural areas and most cannot afford that kind of art. It is fantastic, and I suspect the best and most honest in the system.

The Wynne Prison is a model for several programs, including Senior Warden Vernon Pittman’s outstanding and unique John M. Wynne Prison Faith-Based Initiative Scholarship Fund. Wow. Scholarships

are given to the children of prisoners to go to college! I truly hope that catches on and I envy their community support.

If you do end all but three, keep the Wynne Prison, as it seems to model all of the best components and has the most experience volunteer leading it. We were all impressed and wondered at how they are getting past the constitutional violations. One way would be to paint all of the prison wings and cellblocks – which seems to be a great idea.

At the Hightower Prison, the favored “faith” prisoners get to wear their special badges all over the prison – no doubt who is special there.

Goodness, if all of our faith-based prisons could have artwork like that the Wynne Prison, we would be flying high, speaking as a Protestant in the dominant class. When I visited the Wynne Prison with two of my volunteers, my volunteer chaplain was very impressed – she will pay for the paint! I am *not* insubordinate or discouraging her as we study this for the Lewis Prison faith housing. We are doing what we are told to do and getting support.

4. No Insubordination, No Talking Points – and No Black List

As we have been “ordered” by chaplaincy HQ to speak positively about it, which means this treatise might be a little insubordinate in going to you fine gentlemen and furthermore by sending it to a few others interested in this. Yet, maybe not insubordination as this directive to “speak positive” is two-sided too, because – we are told by chaplaincy HQ – if a prison does not have one, we are “ordered” to network and report each month how many we have talked to about the faith-based housing. Just got a TDCJ mainframe email:

This is for our monthly report on development of faith based dorms. How many volunteers, or potential volunteers have you contacted as a step to developing a FBD. And of those how many have been positive in their responses. These numbers should be for the month of November.¹⁹⁶

We are being tracked on our sales of the Protestant Christian faith-based housing, without even any sales strategy charts and talking points. Are we going to be given a quota next? A quota is feared. This is the most unplanned statewide push of a prison program in that I am aware of, perhaps in human history, though I am not sure. No feasibility studies that I am aware of, except the lawsuits won by AU that are prevented from counting here. Another PEP program *without* the marketing ability of a former New York executive.¹⁹⁷

No Black List Yet. Not yet. We have *not* been told what “faith” we are to talk about or what “faith-based” means – but we are to “talk” about it. I have never been ordered to “talk” before. It is easy for me to talk. There were several pages here, but I had to delete them. Here is the very short version, and I hope you can see the unwarranted stress.

“Talk about it,” we have been ordered. In one conversation, it was clear we are to talk to anybody. “Just talk... If there are no results, then we will start asking for the names and phone numbers of those you talked to,” he said. Herein, we are not chaplains anymore, but salesmen and women. Thankfully, there is no black list of who we are to avoid – not yet.

“Just talk” about it and report our “talk” on the faith-based thingy with no definition of “faith” yet. Maybe it is just assumed we are **not to talk** to the ALCU and AU, or worse, just assumed we are *only* to talk to those we *think* are open to it all. This is getting scary.

Worse – we have not been given any talking points on how to sell the TDCJ “faith” yet to those assumed to be open to it. **Worst** – after “talking” and we find the “prospect is not open,” we have no guidelines on how to hard-sell or, perhaps ... well, you get the meaning.

It is clear that we are to “talk,” which is a cover-up for “sell,” only we cannot “sell” the faith-based housing openly, because we have to “stay out of court.” We are being forced to be sales men and women here, without the use of the word “sales.” I am obeying and will have better success than most because of my Baptist

¹⁹⁶ TDCJ Mainframe email dated 11-28-11, 4:24 PM, from chaplaincy HQ.

¹⁹⁷ PEP – Prisoner Entrepreneur Program, whose leader fell in love with a prisoner, and she resigned. Her naiveté was obvious to most, her program lives, and though has a secular purpose was *inspired* by her Christian heart. Reading her story, and in retrospect, one can see her marital difficulty running throughout. Impossible to decipher, yet, it is also a point of concern seen all too often in ministry, where one initiates a work to meet inner psychological needs; the inner needs were the greater reason for the program over the altruistic.

colleagues. But it is also clear – a least now – that your executive order will take the already ten-fold Protestant super-dominance and increase that dominance over all other religions combined (including Catholicism and Islam).

Sirs, I am writing this to you, because I am *certain* you did not intend your order to increase the Protestant super-dominance over all religions.

I would plead with both of you to think about how you would feel if your superiors ordered you “to talk” about faith-based housing and “report how many you talked to” and how many were positive about your talk. This is the worst thing asked of chaplains in TDCJ when attached to so many ethics violations, constitutional infringements and pastoral insensitivities.

5. Moonwalk Key Principle –

“Come One, Come All” to Hush, Hush Christian House

Yes, a moonwalk. Let me explain. Even if a local community of religious leaders wanted faith-based housing, as Virginia’s Prison Fellowship came to Texas first, because it was easier in Texas than in Virginia – more Protestant Christian volunteers to tap! – the same problem for administrators exist. Only now, the problem is greater, morally, for the directive to expand – please be patient here – **corrupts faith further** and makes us all wonder and shake our heads at the key principle: “any prisoner of any religion can volunteer to the faith-based housing.” The more one thinks – which is subtly forbidden – the stranger it all gets. To most of us TDCJ staff, to the good staff of TDCJ, it means we have to do the **moonwalk**, and walk backward while pretending to walk forward. That is, we have to pretend all of this is honest and good, while it makes no real sense. In other words, “Come one, come all,” then, *hush, hush*, and “sign the form” *acknowledging that said prisoner does not have be a Christian* to come, etc., while 99% of *all* of the programming in *all* of the faith-based housing currently operating is Protestant Christianity!

Predominantly Protestant Christian, with a Baptist hegemony!

The phrase “allow all faiths to come” and keep secret what everyone knows, pretending that we are legal, is duplicitous through and through. A real moonwalk, which by the way, Brad and Bryan, is especially hard for your wardens to do – metaphorically speaking – because most all of the wardens I know have *lived* their prison life with an often brutal candor. **It is against your wardens’ nature to moonwalk.** Most of the wardens I know are not morally coordinated enough to strip themselves naked from their decades-long-inculcated candor and *fake it* with a straight face. Their facial muscles have trouble obeying the order to “speak well of” what makes no sense. I say that to the credit of their integrity. You have many super-fine wardens!

Your staff needs your help.

6. All 99% Protestant Christian to Date – Need I Say More?

The “99% Christian” came from my good friend and Catholic Chaplain Richard Lopez, the TDCJ manager in charge of faith-based housing since its inception. Only, now, he is under severe orders to ramp up pressure on the wardens and chaplains to get all TDCJ prisons a faith house.

Richard Lopez came to the Lewis Prison in Woodville for our initial mandatory *staffing* on the faith-based housing; present were the senior warden, two assistant wardens, two majors (security chiefs), chief of classification, my volunteer chaplain, and myself – a serious affair involving *all* of the major administrators and their precious time. Under orders from the executive director’s office, said Richard Lopez, a supremely kind and generous Catholic chaplain. In as kind and professional manner as anyone could with his task, Richard said,

“We are all Christians here, and all of these are 99% Christian.”

“It is open to all faiths. That’s how we have been able to keep out of courts.”

The intent was to soften the blow of the “orders” he was relaying. Richard knows what the wardens and majors were feeling; literally for God’s sake, he has been a chaplain. Richard knew the wardens were not good at moonwalking, so Richard relied on his chaplaincy skills to help the wardens through the intellectually mucky waters. Richard mentioned that it helped the whole prison, outlined the program, and gave handouts. Richard is a good man.

7. One Study on Faith Houses – a Half-Sheet of Intelligible Data? – Justifies a System-wide Rushed Infusion?

Richard mentioned the single study of the Allred Prison and how the faith-based housing decreased prisoner disciplinaries. The little chart itself would not bear scrutiny in any high school class and is nearly unintelligible as a stand-alone document! Worse, all of the faith-based houses have *always* screened out disciplinaries as a first step. So, with the initial screening *out* of disciplinary problems, what was the point to the Allred chart? None. Forgive me here. This is hard to handle and is embarrassing to share with volunteers, some retired military colonels, one retired University of Texas microbiologist, some retired very successful business executives, some 30-year veteran educators. We do *not* want to share this table. TDCJ is better than that. Yet, that is all TDCJ has after five years with thirty-plus faith houses? And no cost analysis yet.

8. No EEO Concerns – Why? – Largest State-Sponsored Protestant Enterprising in History Is Ordered to be Carried Out by a Catholic?

My good friend Richard was not aware of all I am showing you here, and so I am defending Richard here too. I hate to see him involved in this form of duplicity. As a Catholic, he is *forced* to sponsor and lead the TDCJ in 99% Protestant Christian enterprising.

What would the Archbishop of Texas say in response to this treatise?

Richard is a chaplain. Is there an EEO complaint? A Catholic *chaplain* is ordered to facilitate the largest Protestant marathon faith-based prison housing project in U.S. history, perhaps doubling the current ten-fold super-dominance. That would make another headline, greater than the first at the start of this paper, and you all would receive letters from everywhere – I suspect. We better cover-up this too.

On the other hand, if Richard was a mere volunteer coordinator, *as some want to replace chaplains with*, would that coordinator who was not a Christian (but devote in another faith) be in the same kind of moral bind as Richard? Yes.

Yet, Richard did not tell the Lewis Prison senior executives anything new.

All of us knew that already. All the faith-based houses in TDCJ are **99% Christian**, by the manager who has been coordinating them from their inception. I think they are 100% Christian, and that Richard was covering up the 1% to avoid conflict, but I could be wrong. I confirmed the 99-100% with interviews with fellow chaplains, as I am *ordered* to network (thankful for that use of state time, though I write this from home on my time). I talked to about fifteen state staff chaplains, several volunteer chaplains, visited several prisons, took notes, emailed a kitten caboodle and made copies. Yep! All are 95-100% Protestant Christian.

9. Free? – Who Thought It Was Free? – \$1,000,000 Protestant Baby

Free? Another piece of fool's gold. All of the faith-based houses, **by policy**, are designed "to be run" essentially by a **volunteer chaplain**, so they are "free" – free? We are fooling ourselves here, or outright lying – do not know which. Yet, for one hour, the top administrators of the Lewis Prison were *compelled* on state time, and will be *intimately* involved with every step of the 99% Protestant Christian program. The warden *will* be watching this portion of the prison most of all (*read also*: he and his staff), for volunteers run to and fro. The prisoners *know* this very well. Moreover, the heavy-hitting senior staff for five years all across the state repeat these kinds of expensive meetings hundreds of times. The faith-approval process requires many staff, including the Safe Prisons Officer, Gang Intel, Medical, Psych, and lastly the Warden gives final approval. Free? Who thought that?

Not Free! The faith-based houses are **expensive**. The selection and move processes involve loads of state time. The specialty housing becomes, perhaps, the most costly religious program in TDCJ history, the Vance Prison too, where the PF data is still lacking after ten years.

In fact, Brad and Bryan, we all know there are accountants and actuaries that can figure the cost. The Texas LBB managers earn a good living attaching fiscal notes. With meager accounting skills, we can guess. I *guess* the entire state cost of running a single faith-based dorm in one prison is *equal* to the salary of one paid teacher. Though volunteers run the faith houses, loosely speaking, still, the **added administrative costs** are enormous, if not more than a teacher's salary.

Of the nearly two dozen contacted, one chaplain said a full "**fourth of his time**" was needed. Another said, "24/7." A few said "four to five" hours a week, and I suspect they were fudging a little to cover themselves, lest they get caught *saying* they give too much time. At the Wynne Prison, new TDCJ Chaplain

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Page has a twenty-plus-year volunteer chaplain helping, but not many chaplains have such a person. And it is vastly more work for a non-Baptist new chaplain, which discriminates and puts more pressure on a state chaplain if he or she is *not* a Baptist. Splitting hairs, maybe, but the fact of life for some chaplains. And to date, no one cares anything about what is added to chaplains.

Somehow, I hope, this letter touches you. I pray you care.

10. Add Costs of Crusades and Family Programs – Crucial to Fairness Debate

To understand not only the additional hidden costs, we must understand that even without the faith housing contested here, the TDCJ is already giving a vast super-dominance to Protestant Christianity, as we said at the start. This is crucial to this discussion, though taboo for some.

The key example is the TDCJ official Crusade Schedule for 2012 where 158 different *crusades* are scheduled for TDCJ prisons.¹⁹⁸

See www.PreciousHeart.net/Crusade-Schedule.pdf for the schedule

For fifty years or more, crusades are a normal thing for prisons. I am not complaining here, either, for it is nearly a solemn tradition led by a few highly financed ministries, many with political clout. The lead ones include Bill Glass, Mike Barber, Kairos, Rock of Ages, and Prisoners Bible Institute that come to the prison for several days and *saturate* the prison with dozens of volunteers who go from cell to cell evangelizing. Some bring in **over a hundred volunteers** for two days of Protestant saturation. While proselyting is forbidden in prison, by policy, Christian evangelism is not considered proselyting. Hmmm? – scratch your head there. All 158 prisons scheduled for this year involve priority access to the prisons for literally thousands upon **thousands of hours** of Protestant Christians witnessing cell to cell punctuated with huge group meetings. Power athletes, strongmen, showmen, and great preaching. All of them are designed to bring the gospel, and many are saved. I want all the prisoners saved, too.

In the TDCJ, the definition of proselyting *cannot* include the robust cell-to-cell evangelism. Now I want to be crystal clear: I am 100% for, in favor of, and certainly *DO WANT* volunteers “visiting” with prisoners on the cellblock. That helps everyone in prison, prisoners and staff, and I could write a hundred pages on that. Still, it is very, very hard to separate the crusade mentality evangelism from proselyting; this needs to be clarified further, because it is mucky.

The larger question, or largest question is this: Where is equality? There has not been one Muslim crusade. Not one Catholic crusade. Certainly not one Buddhist or Wiccan crusade. Perhaps none of them have ever asked. What if they did? Certainly, there is a policy on equal access. Oh yeah, we noted that at the beginning: Administrative Directive 07.30.¹⁹⁹

Worse, I will be disliked by many for even pointing this out, such is the sense of entitlement that we Protestants have bestowed ... on ourselves. Yes, I am part of the problem for not noticing this for eighteen-plus years, for, regarding crusades, we have *never* had equal access.

For our purposes, the official Crusade Schedule for 2012 is just one instance where TDCJ is *already* giving a vast super-dominance to Protestant evangelism. That is crystal clear! And, of course, we have no solid numbers on these after fifty-plus years, and there are no plans to collate any numbers on these for any kind of collation in the future. Who really cares? At this point, I am losing interest; cannot fight uphill the rest of my life, and my time with TDCJ is coming to an end – I miss the fine people. Regardless, I would bet ten dollars that if we had all of the numbers and hours for just the calendar year 2011, those crusade numbers alone could be equal or two- to three-fold of Protestant super-dominance in access over all of the other religions combined (including the Catholics and Muslims).

These crusade programs are great motivators to the prisoners and win many souls to Christ. I am glad when any soul is won to Christ. There is a load of good being done. I personally do *not* want any crusade stopped, but we should at least change the name. In one Protestant view, if one soul is saved, that is *good*, even with a constitutional infringement. At a few meetings over the last ten years the term “crusade” has been questioned. We all know what “crusade” means, and those of us with a load of church history can fill in the

¹⁹⁸ See www.PreciousHeart.net/TDCJ-Crusade-Schedule.pdf for the list. Notice how some prisons have five and six a year, many times for several days, for perhaps fifty years or more, with no history or statistics there either.

¹⁹⁹ See www.PreciousHeart.net/AD-07.30-Religious-Programming.pdf, A.D. 07.30, Rev. 6, May 8, 2006.

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bloody details. Hand the hat of kindness to our Muslim chaplains for *not* filing EEO complaints there, for we can hardly have a leg to stand on, giving our own A.D. 07.30 and national law.

There are 158 planned for 2012, and several prisons will have five or six in one year, which brings up other questions on how five or six in one prison in one year can be countenanced.

Regardless, in the context of this treatise, this side of entrenched protracted dominance is a very large part of the ethical and moral and even legal obligations of TDCJ to be fair. It is *not* complicated, not really. It is the cover-up of clear constitutional conflicts that is complicated, and the likewise clear *desire* of TDCJ to be fair that is complicated by such gross unfairness – fifty years of it. And in no small part, a degree of cowardice to face the politically super-powerful in the – gosh, dare I say – the limiting of Christian revivals in prison. That is harder for me to say than either of you can imagine, for I have been a part of this for eighteen years now, on the frontline, where one can easily catch a bullet.

Likewise, Brad and Bryan, you must know that every prison in TDCJ *already* has more Protestant Christian programming going on in their chapels. The best of us strive to do proportional scheduling, where we can justify a few more Protestant programs than the other faiths because there are more prisoners that are Protestant per their faith of record. Already, there are more Protestant Christian programs than any other faith in **every prison**, at least three- to six-fold more. And there are a few prisons that do **not do proportional programming** and just let all comers come with such an overload of Protestant programming that – in spirit – the state prison chapel is essentially a Protestant chapel with a ten-fold greater Protestant super-dominance over all other religions (including Catholic and Muslims) in prison. In some of those chapels, the appearance is that of a Protestant Christian chapel *tolerating* other faiths that have to endure the *toleration* for being in the minority.²⁰⁰

On proportional programming, see Appendix 1 for a breakdown of TDCJ prisoners by faith.

Likewise again, the Protestant super-dominance is seen in the rehabilitation and family programs, by whatever name – like marriage seminars, day-with-dad programs, etc. – that are all Protestant Christian programs. I know of no major volunteer rehabilitation program that is *not* a Protestant program, and the TDCJ's current statistical machinery does not allow for any distinction between the purely secular and the religious, much less the Protestant. Let me rephrase that: the TDCJ's current statistical machinery gives the impression that some volunteer rehabilitation programs are *merely* secular, when at heart they are Protestant. Cover-up or indifference – it makes no significant difference, for the data retrieved is not used for anything anyway, much less for logistical support for chaplains, and after three years is destroyed.

Even some of the reporting mechanisms betray a sense of obfuscating the Protestant dominance to *look more secular*. Yet there are **no purely secular volunteer programs in the TDCJ**, and I doubt very seriously there is any 100% secular volunteer program in Texas or the U.S. This is another part of the state and national cover-up of prison ministry programming where it sounds “secular” because religion is not in the title on purpose. More on that later.

Therefore, two huge venues of 100% Protestant Christian programming have been going on for fifty-plus years: the crusades and the rehab-family programs. With either a lot of cover-up or mere deliberate indifference to the blatant conflicts, there is not any serious tracking, no plans for any kind of improvement upon either the cover-up or indifference, or improving support for chaplains in the field.

Let us look a little closer at the Crusade Schedule. TDCJ chaplains and wardens are *required* to have at least one “crusade” a year by written *policy*. The language is outstanding, careful not to mention that 100% of all crusades to date are Protestant Christianity, and revealing to the uttermost the huge logistics – *read*, “state expense” – in bringing these huge ... *crusades* ... to each prison for fifty years and more.

A crusade is a short-term religious program that is scheduled periodically. It may involve from fifteen (15) to one hundred fifty (150) religious special volunteers with extended access throughout the facility to offenders. Extended access means that the religious volunteer is **not limited to the regularly designated religious programming area**. The religious volunteer may have access to offender living

²⁰⁰ Brad and Bryan, if you are reading this carefully, then you are reading this footnote too. There are about ten pages that can point more clearly this one sentence: the TDCJ does *not* endorse or denigrate any religion, and therefore does *not* tolerate any religion, but tries to be fair to all. The term *tolerate* means the superior one is “putting up with” or “allowing” the inferior one space. Not many realize this piece of constitutional literature.

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areas, eating areas, work and recreation areas throughout the duration of the crusade event. The crusade involves multiple program presentations over a period of one to three days.²⁰¹

Furthermore, “The Director of Chaplaincy Support recommends that crusades be scheduled at a frequency rate of not less than two times per year for larger units and not less than one time per year for smaller units.”²⁰²

Now, we must pay attention to this, too, for this policy is signed off by the director of chaplaincy support, my good friend Catholic Chaplain Richard Lopez. The four-pages of the policy might not seem like much to someone on the outside, but it is a long and detailed procedure of what all the TDCJ prisons have to do *before*, *during*, and *after* – see it in this footnote.²⁰³ Translation: oh yes, they are very expensive.

To date anywhere in the U.S. I *guess* no one has counted the cost of any crusade.

Add this piece of ... do not know what to really call it, but another EEO violation. Not only is Catholic Chaplain Richard Lopez ordered to facilitate the largest Protestant Christian faith-based prison housing project in U.S. history, he has also been managing for some time the largest Protestant Crusade Schedule in U.S. history too. Only I am guessing here, because there are no national studies yet, not even by the esteemed Institute for Studies of Religion headed by the most prestigious advocate for faith-based housing in the U.S. – Professor Byron Johnson. Why not calculate the cost?

Is there a ghost in the adding machine? No, I do not think so. Outside of deliberate indifference – my first choice – the other reason is simpler, a simple **lack of courage** to do what we are supposed to do! At this state of overwhelming super-dominance it will be a very tough road to hoe, should we even try to negotiate or convince others to move into a direction of – dare I say – count the cost of a fairer form of proportional programming based upon prisoner need. Not “need” as determined from the Protestant majority. Equality is often a tough sell to the needy.

So even without the faith-based housing contested here, Protestant Christianity has been favored with extraordinary access all across the U.S. for decades. No one has yet calculated the cost anywhere, even in Texas. With chaplains already burdened with care for the whole prison, now the chaplain’s time, wardens’ time, classification chief’s time, all the staff involved in approving a volunteering prisoner, and even extra security for volunteers – that adds up to a

**huge STATE COST for a 99% Protestant Christian program
dedicated to special preferred housing!**

Likely, if we could borrow the LLB staff for a couple months to look backward in time, what would they turn up? The LLB does not do anything during the off years anyway, right? (Little joke there.) Well, for prison chaplaincy the LLB has not anything in fifty years (no joke there).

I think about ten faith houses have been going for five years. Calculating all of the TDCJ’s staff time, including the executive directors’ time devoted to this, and classification, STG, Safe Prison, extra officers, and all of the supervisors and chaplains, I would think it reasonable – *guessing* – Texas has spent over \$1,000,000 on Protestant Christian houses in the last five years. That may be low.

Not all the cost either. Add the costs of the problems. Prisoners can *refuse* anytime. Unlike any other housing assignment, the privileged prisoners in the faith houses *can leave anytime*. Nowhere else in any prison in the country, except the federal country clubs, is a prisoner *allowed* to leave a housing assignment because – catch this – “I don’t want it anymore.” (Look at our wardens grimace here; it is unthinkable to them. They really do not like to moonwalk.)

And more cost.

\$1,000,000 Dollar Baby. If all 100-prisons hurriedly line up, as they are being pressured to do, what will be the cost? At the current pace and within the published schedule of 99% Christian curricula, including the extra expense involved in all startup enterprises, the TDCJ will certainly spend \$1,000,000 this year for expanding the Protestant super-dominance. Just a guess. But there are huge start-up costs for the Protestant faith houses.

²⁰¹ TDCJ Chaplaincy Manual, Crusade, policy 02.02, page 1 of 4. Bold emphasis mine.

²⁰² Ibid.

²⁰³ See www.PreciousHeart.net/TDCJ-Crusade-Policy.pdf.

Add to that the start-up costs of the Baptist Seminary Indenture Program at the Darrington prison and the start-up costs of the David Valentine cell-church obligation, and the ongoing cost of all three – it is not a guess anymore. These three pushes are truly

\$1,000,000 Protestant Babies

Goodness, the Buddhists, Muslims, and Wiccans would love that kind of favor. How do they apply? This is a constitutional problem as full and clear as the summer sunshine, but has been covered-up since the dawn of time. We really do not have to worry about that, though, and that is another can of worms (though some Buddhists would not even harm a worm).

A worse infringement on the First Amendment is the calculated and deliberately conscious indifference by so many state employees (except this chaplain – hope you mark that down). Many in the TDCJ and many volunteers, including some Baptists, *know* that the minority faith groups do not have the resources in volunteers and in curricula funding to participate.

How much is too much favor for Protestants? Without the faith-based housing, cell-church starting, and seminary indenture programs, TDCJ is *already* giving Protestants a ten-fold super-dominance in volunteer access. With the three contested programs, the TDCJ will be giving perhaps – *perhaps* – a twenty-fold Protestant super-whopper-dominance over all other religions combined, including Catholics and Muslims. And the associated tax-payer costs.

Again, all without any cost projections, without any dominance projections, and all without any end in sight. No one thinks this strange, yet there are many who wish I would cover-up this.

The point is simple: the overwhelming super- and super-whopper-dominances and costs, both current and projected, deserve attention in themselves; but when attached to many ethical and constitutional concerns, flags need to be thrown. Bells should be rung.

Calculators need dusting.

So, yes, all are welcome aboard, *knowing* that the other religions cannot afford a boarding pass. It is first-class for Protestants, all others to steerage. The Titanic TDCJ is heading for an iceberg, sirs, and I hope you will steer us clear before chaplaincy sinks or takes the blame for the huge hole that is growing in this ship's integrity. The crash is inevitable – even destined.

11. What About Free-World Ministers and Academics Who Do Not Want Faith Houses?

Some Do Not Want. Too many are not listening to the minority or listening to many members of the majority. Even among Protestants, there are many ministers who do not want the faith-based housing. There are many reasons why the housing advocates refuse to deal with the equality advocates clearly, the three most prominent being 1) the constitutional, 2) the pastoral, and 3) the theological. We focus on the first two, while leaving the third alone as the hardest of all to articulate.²⁰⁴ Here, we shorten ten pages to two long sentences that, should, in themselves be enough to cancel the faith houses.

A Buddhist monk in Houston does NOT want his Buddhist convert in a Lubbock prison *lulled* or even invited – *read* – tempted to go to such a house for better and safer living conditions and be subject to marathon Christian programming. Buddhists, Wiccans – shoot fire – Muslims, Native Americans, and Jews too ... none of them have the desire or resources. Brad and Bryan – none of them want “their” congregant to *leave* their religion, which with the cover-up, is precisely the intent and noble aspirations of every volunteer.

12. Real Faith Houses, Prison Rape, and Faith

Real Faith Houses. The only honest faith-based housing in prison is – dare I say – *to be honest*. Where the *whole* prison is composed of a single religion, including the staff and officers. Have a Buddhist prison. A Muslim prison. A Wiccan prison. An Odinist prison. A Catholic prison. In my mind, the only way to truly approach an honest “faith-based” prison would be for the TDCJ to *try* to this for *all* the religions represented;

²⁰⁴ The theological rationale against faith-based house revolves around how most religions would not want their adherents isolated from the general population. In Christian terms, it goes something like this: you are to be *in* the world and not *of* the world. There is not much of a Catholic or Protestant Christian rationale for a hermit. Though some forms do endorse closed communities, that kind of closed community is not possible in prison.

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and it is an all-or-none venture. If the TDCJ cannot try to implement a single whole prison for every religion, then it should not do it at all. If TDCJ could, then the prison could end the advertised duplicity and intentional cover-up of “all faiths invited” in our thirty-plus Protestant Christian houses. Then we could just be honest and call them, Christian prisons, which is what they are. Then the volunteer’s hope is more honestly earned as they engage the prisoner to accept the absolute truth of Christ and change their life to *the Way, the Truth, and the Life*.

Some have suggested making the whole prison a Christian prison. There is a thought. A real constitutional lawyer would need to look into that. A whole prison made up of Muslim prisoners and officers. Or Buddhists. An entirely Christian prison would actually be harder, given the vast diversity of Christians. Yet, those may have more legal integrity and constitutional coherence.

Logistical Problems Not Fair Across the State. At the Lewis Prison in Woodville, Texas, I have assertively tried to keep our mentor program going for twenty years – really, really believe in that! I “talk” to the volunteers regularly. All faiths are invited with no smoke and mirrors. I am particularly suited, too, for I have coordinated the Tyler County Ministerial Alliance for nearly 15 years, that has Catholic, Church of Christ, white and black Baptists, Pentecostal, Episcopal, Lutheran, and Methodist ministers in it. There are 127 Baptist churches in our county, tens times the number of the next closest Protestant denomination! Only one Catholic Church, one Lutheran, one Methodist, two Pentecostal. We do not compete – *right?* – yet, we are cordial. Most of the churches in our county **do not have the resources** to send *their* curricula.

If fully informed, our alliance members might write their own letter.

Discontent – surely both of you can sense it stir if all was laid bare, and they really knew what was going on. Every pastor, priest, rabbi, imam – whatever, has a sense of propriety regarding those of their own faith, and we all as state employees have a duty to respect it.

See the attached list of faith groups listed by prisoners in TDCJ, Appendix 1. The prisoner faith distribution reflects the religious communities in Texas fairly well.

PREA Honesty. The TDCJ – I am proud to say – had *already* implemented PREA guidelines before it was made a national law, *already* reporting honestly about rape in prison.²⁰⁵ The initial statistics indicated California had the fewest rapes in the country, and Texas led the nation in prisoner rape! The reality was that California covered up while Texas simply told the truth. Texas said it like it was! Yet, how in God’s heaven can we be honest about “rape” in prison and be duplicitous about “faith” in prison?

We must end the duplicity. There is no “faith-based dorm” in Texas, by the meaning that “all faiths are invited ... to avoid court.” All of the faith houses are 95-100% Protestant.

We need clarity, not cover-up “to avoid court.”

Honesty – if it is likely to go court, it probably should not be done.

The ACLU should not have to file a lawsuit to discover the truth. The reality is that there are only Protestant Christian houses, with Baptist hegemony, because Texas is mostly composed of Protestant Christians with the majority of those Protestants being white and black Baptists.

Honest about the Worst – Rape! – Let’s Be Honest about the Best – Faith. If we can be honest about the worst in prison, *rape!*, then we should be as honest about the best in prison, *faith*. As yet, the degree of honesty between the two is huge, where faith is actually the more important of the two and farther reaching. Support the First Amendment and support the overworked prison chaplains striving to protect that amendment, helping prisoners most of all, and end faith-based housing before it gets too entrenched and further embarrasses Texas.

Brad and Bryan, the above ought to be enough. The rest of the story reinforces the need to cancel faith-based housing because of all the inscrutable elements, including the mysterious costs that no one to date is admitting; it is strange to hear TDCJ administrators say “it costs the state nothing” as we mandate state staff to gather together to hear that.

²⁰⁵ PREA – Prison Rape Elimination Act of 2003, with additional provisions in 2003 and 2007, sponsored by a diverse group, including faith groups and Prison Fellowship (PF).

B. Prison Fellowship Hid Costs – When Will We Calculate the Cost?

I am only asking that you **cancel all but three** of the faith-based houses, to really study them. I am aware that you cannot cancel the Vance Prison because it is too politically tied to Texas by Prison Fellowship [PF]. That is why you need to engage in more chaplaincy research, because at present PF is more powerful than the governor. For many, there is the appearance that PF is paying its own way and that you and the TBCJ really have no choice there.²⁰⁶ PF could and would muster more political fuss than any other in this political climate. Yet, we can still count the cost, and we should.

Prison Fellowship (PF) Hid Costs in 2000. Eleven years ago, when I was accumulating data on prison chaplaincy from everywhere, I could *not* get PF to share its detailed budget data on the Vance Prison. A free citizen through open-record requests, I could obtain nearly everything from every entity *except* PF (there are a couple of stories I could share with you about that, too, in private). I was assessing the market value of chaplains by comparing what *everyone* paid their chaplains and religious leaders, as I did with the rest of the country's chaplains and the Texas auditor's evaluations (a nutty story there: a chaplain exposed weak work in the Austin auditor's office, really did).²⁰⁷ PF InnerChange Director Tommie Dorset said he made as much as the warden – much more than the prison chaplain – but Tommie would not, could not give details. I could not obtain PF's InnerChange Freedom Initiative *detailed* budget information for the Vance Prison, but you can see their basic national budget in this footnote, and it is very, very impressive.²⁰⁸ How do they do that? Regardless, PF's national HQ would not share despite the encouragement from TDCJ's attorneys and the Texas AG's office; as a private entity, said their lawyers, PF "did not have to, period," even though TDCJ was housing their program at Texas public expense. PF prevented a cost analysis and prevented the sharing of the details of their expensive program. Yes, PF covered up the details of their expenses.

Therefore, I *guess* the PF InnerChange is the most expensive religious prison program in the country, even in prison history. But who knows? And PF is expanding in Texas, their secret funding initiatives. Surely I am not the only one who finds that strange and offensive.

A new PF-funded faith-based house is run by a PF employee. Next door, a state-prison chaplain told me that she had "stolen" his volunteers. She is likely paid more too, if similar to PF's lead in the Vance Prison. When will we know?

If you two, Brad and Bryan, choose not to cancel all faith-based preferred housing (except the Vance Prison), then at least **cancel all but the three most successful**, by the estimation of anyone of your choice, so that during the three-year moratorium those three prisons can be studied with *real* input from all of the major stakeholders, including the major interest groups, so that we can consult and have meaningful dialogue. With what I am sharing, is there a good reason *not* to study these things more wholesomely?

For once in U.S. history let us determine the whole cost of the PF's star program. Everyone has a vested interest in the cost.

C. "Safety" for "Faith" – a Fraudulent Exchange – PART TWO

Mere Extensions of Protestant Chapels. We do not *need* any faith houses. There is no need! All of us know that *all of the programming* in the faith houses is *already* going on in most of the prison chapels in some

²⁰⁶ Yet, importantly, PF has no hard data most of the scholarly critics accept. Still, PF's work is short and dependent upon Johnson's earlier work, and PF has offered nothing substantial since. Though I truly love PF's general ministries, including its precious Angel Tree program, the absence of hard PF data referred to here is with regard to its Protestant Christian enterprise called a faith-based dorm to which TDCJ is giving financial favor.

²⁰⁷ See www.PreciousHeart.net/chaplaincy/Chap_Market.htm for that market data.

²⁰⁸ See www.DeMossNews.com/pf/additional/innerchange_freedom_initiative_director_bios for InnerChange Freedom Initiative directors biographies, including Dorset's, and their national director. Adjacent to this paper, not entirely moot, is the name of PF's "InnerChange ..." program, as so many are doing, trying to cover the name with a secular pseudo-psychological term, open to all faiths. Evangelically conservative Protestant Christian PF should use "Christ-Change Initiative." PF leads all prison ministries with a \$43m in contributions in 2009, up \$3m from 2008, but down \$8m from their 2005 \$51m total (for 2005-09 PF took in \$234,547,248) according to their 2009 Form 990. They budgeted \$1 million a year for lobbying. Mark Earley earned \$210k, Alan Terwilleger \$170k, Curtis Kemp \$168k, Richard Campbell \$164k, David Lawson \$158k, Patrick Nolan \$137k, Norman Cox \$133k, Timothy Robinson \$130k, and Karen Strong \$130k per in 2009.

PF's 2009 Form 990 > www.GuideStar.org/FinDocuments//2010/620/988/2010-620988294-06ca8c6f-9.pdf.

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form. Grab a hold of this. The main difference in the faith-based houses is in the *housing* itself, making the whole enterprise a simple expansion of the Protestant chapel into the prisoner's living room. This is more faith-catering than anything else, not even respecting the numerous problems mentioned both above and below. The faith-based housing is, after all, only, merely, simply an *extension* of the current Protestant chapel programming. No real invention at all. Only we are taking it all to the prisoner's bedside under the disguise that the "community" will make a difference, only we cannot give "community" to all religions equally, not ever.

Caveat – there is no volunteer (much less a group) with the time to invest in that community to really monitor the group dynamics akin to real therapeutic programs.²⁰⁹ Most have no idea, and those of us who *do know* a bit about group dynamics are also aware of the **danger** of sloppy dynamics. Nothing, nada, not a single thing has been mentioned about group dynamics in all this, and that absence is not merely naïveté run amuck. It is dangerous in more ways than merely psychological. Most of all it is callous to the needs of our precious volunteers. Regardless and simply, no volunteer has the time, and no volunteer today is truly looking at the group dynamics. Many Protestants know nothing of the highly sophisticated psychological sub-discipline of group dynamics. We have a duty to protect the public – it is our *mission* – and there is a huge need to examine this side of the faith houses for the volunteers' sake most of all. But I have not heard a whisper yet, or read a tinkle, and fear ... well, enough said there.

For our purposes, some of the reality is simpler. All of us in prison know why prisoners chose the faith-based houses – better living conditions! No prisoner goes to the faith-house for faith. There is a thousand years of full-time correctional observation and experience that says the prisoners going to the faith-based housing go there for the "housing favor," the extra protection, the privileged status, and the *specialness* afforded the "house of faith" with extra security and extra volunteer access. The wardens and chaplains and officers *must* keep a closer eye. Even the prisoners themselves tell us that, and we should listen! Someone is covering that up too. No one is listening.

Safety for Faith – a Fraudulent Exchange. Irony here – the main reason to cancel the faith-based housing is for faith's sake! Though we are obligated to address the First Amendment concerns and those are the court's concerns, the more important elements are about faith and faith's integrity. Anytime, anywhere a prisoner uses faith for safety or safe housing, that action corrupts faith and is a fraudulent exchange. And herein, the TDCJ is the sponsor for that fraudulent exchange that corrupts faith itself, no matter how any religion defines their faith. That is also a violation of A.D. 07.30, by the way.

All prisoners are entitled to the same protection! If anywhere in the world equal housing should rule, it should be in prison.

Behavior determines custody and housing ... not faith.

Everyone knows that, except those pushing the faith houses. Let us not cover-up what we *know* the prisoner is doing. We need to look at this clearly and not hide from it. Any breach in this principle of fair housing is a violation of First Amendment protections and the Eighth Amendment against cruel and unusual punishment.

Cancel for Faith's Sake. Anytime, anywhere, anyone opts to **use faith for safety** or for special status in prison, that choice corrupts the faith! That is a fraudulent exchange. No person anywhere should have to **buy safety with faith**. That fraudulent exchange was the cause of hundreds of wars and some of the bloodiest religious persecution throughout 5,000 years of recorded human history. Our American history pivots on protecting freedom of religion for all as well as protecting the minority from persecution by the majority. The fraudulent exchange is happening in TDCJ and it needs to stop today, stopped for fraudulence alone, and especially stopped for the numerous other moral and constitutional problems herein outlined. Failing to address this fraudulent exchange is no longer deliberate indifference but a crime topped off with knowingly

²⁰⁹ Group dynamics is a major psychological discipline taking off at the turn of the 20th century, some applying principles to religion even as early as the 1950s: see Paul M. Miller's *Group Dynamics in Evangelism* (Scottsdale, PA: Herald Press, 1958; 202p.). I cut my teeth on Gerard Egan's *The Skilled Helper: A Problem-Management and Opportunity-Development Approach to Helping*, 7th Ed. (Pacific Grove, CA: Brooks/Cole Pub., 2002; 404p.) whose 1st ed. was out in 1974 (I think). Egan's insight into *human care* is similar to Carl Rogers' client-centered approach, and integrating that into the now prolific and endless writings is ponderous.

ordering the doubling of an already ten-fold Protestant super-dominance over all of the other religions combined.

One's own faith in religious freedom is an entitlement, and striving to allow free exercise for all faiths is the goal. And the "order" to initiate faith-based houses in all the prisons undermines what good staff prison chaplains have been striving to do for a hundred years. Our basic chaplaincy services do a great job in trying to facilitate *all* of the prisoners' religious needs. There is no entitlement for an overburden of Protestant Christian programming, much less with the current Baptist hegemony. I admit that as a Baptist myself!

If anything, there is a greater concern today for us to look at how we apportion access. Surely we can and are morally obligated to limit the Protestant dominance below a hundred-fold over all the other religions combined. Or somewhere between ten-fold and a hundred-fold. The starting point will be to articulate better the precise proportion and projections. Kind of like a good business plan, though that would offend many of the housing advocates. Not to mention rattling some in and out of prison who have yet to even *think* of this!

Cancelling the faith-based housing would be a win-win for many staff, volunteers, and exhibit a fairness that is hard to come by in this debate. In the aftermath, only a few volunteers would have to adjust their schedule to fit their service into a more fair prison chapel program. I doubt any current faith-based housing volunteer would be put out completely.

D. Faith-Based Dorms vis-à-vis Stakeholders' Concerns – 100,000-plus Oppose

1. Stakeholders – They Are Many and Diverse

Free-world religious powerbrokers are persuasive. Brad and Bryan, I beg that allow to your executive table of decision the same amount of time to the equality advocates that has been allowed to the housing advocates.

Surely your auspicious office is aware of Americans United for Separation of Church and State (AU) and the ACLU, even though many in the Religious Right hate the ACLU very much.

I also beg you to consider that the case for cancellation by the equality advocates has more of the respected scholarly literature than have the housing advocates. That is not even to mention the lawsuits that AU has **won against faith houses already**. Might I add that the ACLU voice is *still* a significant voice.

I am defending TDCJ here. Like you, I do not want TDCJ choosing sides at all, and it ought not to choose sides. Moreover, none want TDCJ siding with the less scholarly side.

Yet, if cancelled because of the ACLU's prowess alone, the ACLU would take the blame and the burden. We also know the additional acrimony the ACLU would receive from those in the Religious Right for another *attack* on religion. Civil rights – we all love them defended – except for many on the far Religious Right, who only want *their* rights defended.

I say this as a minister, yet the AU or ACLU should not bear the burden alone. Truth is *truth* no matter where it is found, though at times, it takes enormous courage to advocate for the minority. TDCJ is obligated to fairness.

2. Complicated vs. Easy – Equal Protection for All Prisoners by Custody

Complicated – *all the stakeholders should have a say* – This is so complicated on one hand, it is rather sad that one chaplain is tasked with bringing it to light, to your office, though most of this should have been upfront at the start, even in the 1990s as the Vance Prison was being contemplated. All of this is made more complicated when one chooses sides instead of trying to weigh equality more intentionally. The table of decision-making in the TDCJ should welcome all sides interested in the TDCJ's mission and in fair care of the prisoners.

Easy – *protect equally* – Yet, on the other hand, this is very easy, for nearly all of the following can be summed up like this: no person should receive government favor or persecution for their faith, and the government should **protect the freedom of religion for all**, and protect equally. Most important of all, every prisoner is entitled to equal protection within TDCJ's ability.

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A person's religion should have **no bearing** on his or her freedom. All are entitled to the same level of protection in the free world, in the courts, in prison, and in the judicial process.²¹⁰

Yet, so very complicated, even to life-long legal scholars, one cannot fully express or estimate the huge resources expended both *for* and *against* separation of church and state.²¹¹ Surely you know that no group in the U.S. is more dedicated and informed on all sides of the church-state separation issues, and Barry Lynn's books are more important than Professor Johnson's book is to this entire discussion.²¹²

Every prisoner deserves equal protection with TDCJ's ability

How some ardently, unabashedly, and openly forward special housing for those in the faith house is strange and so very against TDCJ's value of fairness. The housing advocates wiggle. The equality advocates not only have more scholarly literature, but they are easier to understand.

Interjecting one item here. With thirty-plus years of experience in Baptist life, I am in good standing with several pastors in the Religious Right and might not be after this. I have degrees from three schools at the heart of this treatise.²¹³ Yet – so important – from the several Religious Right publications that I get, there is *never* any news published on how the ACLU and AU have helped Christians, though to this day, in some people's mind, the ACLU is anathema.

Ignorance has a way and rule in some Religious Right circles.

3. Huge Data Streams – Let's Keep the Social-Religious Treasure Forever

If the statistics at www.PreciousHeart.net/chaplaincy had been culled and published regularly by TDCJ for the last ten years, much of this could have been easier for an independent social researcher. The religious and volunteer data need to be catalogued, published, and kept for time immemorial, instead of trashed every three years. No good reason exists for the three-year retention schedule. Especially since the data has proven invaluable to quench myths and – even this year – to defend TDCJ chaplains successfully.

Save Data. Goodness, if the powers that be truly do value faith – we have every reason to believe they do – then, give the executive order that all of the chaplaincy data be collated similar to how I have done it in the last ten years, order that all of the collations be kept indefinitely, and further order that it all to be collated into annual, five-year, ten-year, and twenty-year rolling increments, including both the religious volunteer data and the staff chaplain pastoral care data.

That would be a treasure for Texas.

I believe the TDCJ wants to **appear academically sound!** To do so, we must begin keeping and collating that which reveals what has been accomplished. These are treasures, reflecting in the pastoral care how chaplains have helped innumerable Texas and U.S. citizens and their loved ones in prison through their most

No person's Faith or lack of Faith should determine their Freedom or Safety.

All Americans are entitled to Equal Protection.

Including Prisoners.

²¹⁰ A working paper by Michael Maness, see www.PreciousHeart.net/chaplaincy for more resources, the rest of the quote being, "Recidivism should not be a factor in religious programming. One of the most potent elements for serious change is also an axiom of most of the world's religions: a man or woman grows best in their faith when they are sincerely searching of their own free will, unencumbered by either government favor or hostility and in the context of true freedom of conscience and freedom of religion."

²¹¹ See www.AU.org for the champs "for" separation" and David Barton's www.WallBuilders.com for those against it. Furthermore, Barton is by all standards of academia short of stuffing as *no* university historian in the USA finds Barton fully credible (that I know of). I myself in other research have *documented* how Barton misrepresents history. Yet, some chaplains are showing Barton's pseudo-history tapes.

²¹² See the Rev. Dr. Barry Lynn and Rev. Welton Gaddy's, *First Freedom First: A Citizen's Guide to Protecting Religious Liberty and the Separation of Church and State* (Beacon Press, 2008; 188p.), Lynn's *Piety & Politics: The Right-Wing Assault on Religious Freedom* (Harmony, 2006; 272p.), and Rob Boston's *Why the Religious Right Is Wrong: About Separation of Church & State* (Prometheus Books, 1994; 257p.). What you will *never* see: a debate between David Barton and Barry Lynn, because Barton *knows* he is duplicitous!

²¹³ B.A. from Criswell College, Dallas, 1985; M.Div. from Southwestern Baptist Theological Seminar (SWBTS), Fort Worth, 1990; and a D.Min. from New Orleans Baptist Theological Seminary, 1997 – all fully CHEA accredited – and, ironically, all having a bearing of influence to this faith-based dorm controversy.

tender, vulnerable, and memorable griefs and bereavements. I cannot help taking offense that such data is *never* used and then trashed after three years.

4. “Faith-Based” Terms Widely Debated

We have already shown how odd it is that the “faith” in faith-based is not yet defined, not in Texas or across the U.S., even in the last twenty years. How can one make a good decision with only one half of the data? No one would want to build a bridge that with only half the data on stresses and daily loads. This is a controversy that *needs* both sides.

The very term “faith-based” is still being defined nationally. There is no concurrence yet, not nationally or in Texas. President Obama is struggling with the faith-based office he inherited from former President Bush. Political hot potato! One must look at the first-rate work of others. The TDCJ wants to be scholarly, I just know it does. You have to see this to believe it.

What does “**Rightly and Fully Informed**” mean in this contest for souls, for funding, for church growth, and – my perspective most of all – what is best for the prisoners over which the TDCJ has absolute control of their time and place to live and worship?

What does “fully informed” mean?

At the minimum, *informed* must include **Barry Lynn**’s prestigious and prodigious work and that of the AU over which he is executive director. I am giving each of you a copy of Lynn’s *First Freedom First* as one resource to this treatise.²¹⁴ Enjoy it.

Brad – you and Barry need to sit down for **lunch together**. I am certain the TDCJ will provide you with funding for a “business” lunch between you, Bryan, Melinda Bozarth, and Barry and a couple of his associates. Shoot fire! I’ll bet Barry himself and the AU would pick up the tab. If you have not met him yet, then let me share with you that he is the best champion of First Amendment rights in the nation, fighting hard, enduring ridicule, and he is as diplomatic as anyone you know.

If you all had had such a lunch a year ago, the hundreds of hours that went into this treatise letter could have spent elsewhere, like fishing. Hey, can I come? ☺

To Be Informed – one must weigh in on several others, like **Rebecca Sager**’s landmark work, *Faith, Politics, and Power: The Politics of Faith-Based Initiatives* (Oxford University Press, 2010; 264p.).

See Princeton Professor of Public Affairs and Yeshiva University Paul R. Verkuil Chair in Public Law at the Benjamin N. Cardozo School of Law **Marci A. Hamilton**’s *God vs. the Gavel: Religion and the Rule of Law and Justice Denied: What America Must Do to Protect Its Children* (Cambridge University Press, 2005; 428p.), and see Hamilton’s 2007 article in the *The American Prospect* where she took apart George Mason University Robinson Professor of Public Affairs **Hugh Heclo**’s *Christianity and American Democracy: Alexis de Tocqueville Lectures on American Politics* (Harvard University Press, 2007; 299p.).²¹⁵

Battle of the Titans – it is going on across the country. What does TDCJ have? Even PF’s data, the little they allow the public, has documented problems. Though I have not tried today, in 2000 PF would NOT allow a Texas citizen to see their detailed budget data. What can we do?

The TDCJ could *save* money in buying one of those landmark books for all chaplains.

What about TDCJ chaplains? What books have been given to them? None. Ever, except donations for the prison chapel library. It has been ten years since the *last* suggestion of a book. The last book suggested to chaplains with a PowerPoint presentation at an annual gathering was the 97-page lightweight management poof *Who Moved My Cheese?: An Amazing Way to Deal with Change in Your Work and in Your Life* (G. P. Putnam’s Sons, 1998; 97p.). Wow. Needed that. There are *bibliographies* on pastoral care and other *bibliographies* on suicide that are longer than *Who Moved My Cheese?* Indeed, the cheese has been stolen, and the mouse is dying of lethargy saturated to his furry tail with indifference and indolence all across this nation regarding things so-called “faith-based” in so many stupors it breaks the heart.

²¹⁴ See the Rev. Dr. Barry Lynn and Rev. Welton Gaddy’s, *First Freedom First: A Citizen’s Guide to Protecting Religious Liberty and the Separation of Church and State* (Beacon Press, 2008; 188p.), Lynn’s *Piety & Politics: The Right-Wing Assault on Religious Freedom* (Harmony, 2006; 272p.), and www.AU.org.

²¹⁵ See Hamilton’s *The American Prospect* review: www.Prospect.org/article/faith-based-history.

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Pastoral Care Interjection. Brad and Bryan, we staff chaplains counsel men in their most *vulnerable* and *painful* times of their lives – death of their mother most of all – and we have not heard from one expert in the country in ten years! When we did meet once a year, in addition to a few prison ministry leaders, there were a few on the fringe who shared a little here and there on grief. While we refer to psych when needed, you all **know** that there is comfort and encouragement that can *only* come from a compassionate chaplain. Yet, there are nationally recognized psychiatrists and psychologists we could learn from. Better yet, there are hundreds of top-shelf experts on pastoral care in Texas seminaries and universities. Never, ever – we have *never* had a pastoral care expert from **any of the many major Christian universities or seminaries** in Texas in my eighteen-plus years. And Professor Johnson does not count here.

5. Money – Tax-Payer Money for Protestant and Baptist Publications?

The TDCJ Chaplaincy, I was recently told, received \$10,000 from Baptist Mark Hollis and his Prisoner Discippler’s Fellowship to help purchase discipleship material. However, Mark wanted to use some of that money to buy *Quest for Manhood* material for a private prison. He was denied, though Mark could get the material from a supplier cheaper than TDCJ could make its own prison printing house at the Hobby Prison. That is hard to digest. In other words, it costs TDCJ more money to make the Christian books with free labor from prisoners than what TDCJ could buy from a free-world vendor. Who thinks that is a step forward?

So TDCJ is printing Baptist and Protestant Christian discipleship material! Tax payers are paying for Baptist-Protestant Christian discipleship materials. That is hard to digest too.

Let’s Save Money! – on the meaning of “faith-based” and the money involved – please – allow me one paragraph not far off the topic. More time and money is spent on how to process a 25-cent prayer bead (Catholic or Muslim) that could be given away from donated stock like tooth brushes or razors. Why does the warden’s time need to be taken in approving such? If the chaplains cannot be trusted to give out prayer beads properly, then ... I do not know what to say here. At present, it cost the state about \$75 for each 25-cent prayer bead in administrative time. Sirs, literally thousands of dollars could be saved with one rule: each prisoner is allowed only one religious medallion and one prayer bead, given from the chaplain (or replaced, skip property officer time too), and let the biannual and random shakedowns throw the book at the prisoners for violations. We, the TDCJ, do not need any expensive paperwork trail for a 25-cent prayer bead, any more than we need paperwork for TDCJ toothbrushes, razors, state-issue shoelaces and commissary aspirin – all of the latter items being much more dangerous!

We have lost some ground in chaplaincy, and it is costing the state more money uselessly. And chaplains’ precious time is stolen. There is a better way, and the chaplains need relief.

Furthermore, as interested as TDCJ is in fairness, I must say it is IMPOSSIBLE for non-Baptist chaplains to equal a Baptist chaplain’s network. In my own Tyler County, there are 127 Baptist churches, ten-fold the number of Churches of Christ and Pentecostal, and – well – a hundred-plus of times most of the other churches. There are only two Pentecostal and only *one* Catholic, Methodist, Episcopal, Lutheran church, and so forth.

It would be an EEO violation to “order” chaplains to attend a free-world Satanic, Wiccan, Buddhist, Islam, or Baptist worship services not of their faith to “recruit” them. Yet, state chaplains are threatened if progress is *not* made.

Moreover, there is an “order” with a subtle “threat” that, if we cannot find enough willing volunteers quickly enough, then “you will teach them.” In religion, in the *history* of the world, **if the “teaching” is not from the heart it is crooked.** We have been *threatened* that we will teach the *Quest for Manhood* and teach Carol Vance’s discipleship if we have no volunteer to teach it. That is a *violation of all things good.*

Chaplains are being demoralized, which hurts how they care for prisoners in the prisoners’ most vulnerable hours. There has not been one *cut* in our chaplaincy bureaucracy in my eighteen years, just a never-ending increase.

6. Spend Money on the Chaplaincy Profession

Help prison chaplains do pastoral care! The TDCJ can afford to give a book or two once or twice a year to help chaplains with the delicate pastoral care. There are literally thousands of worthy and sectarian neutral publications.²¹⁶

See the huge statistics on TDCJ chaplains, especially their pastoral care, of which, from hundreds of open-records requests in the last ten years, not a single line of pastoral care was published for the TBCJ, or even to you two, of which I am aware.²¹⁷ In view of the data, chaplaincy is a star of the division when only about 112 TDCJ Chaplains did 17,209 death-critically-ill notifications and the associated counseling, supervised on an average 10,668 volunteers per month and becomes a blazing star when added to that they supervised 491,287 volunteer hours and 3,436,748 volunteer prisoner contacts in 2004.²¹⁸ Wow – that would make worthy headlines, but it has never been said like that in any publication in TDCJ history, never said as it actually is, lashing chaplains solidly and clearly and unmistakably to the volunteers they have recruited, trained, nurtured and loved.

When in January we were chopped off, you saw their appreciation just a little. Another whole spectrum of constituents could have been tapped – the mothers and grandmothers behind the 17,209 death-critical-illness messages. I empty a box of tissue each month from the tears of prisoners, the most rewarding part of a chaplain’s job (at least to me).

E. Faith-Based Housing Conclusion >

No Positive Point Except the Support of Protestant Christianity

The TDCJ is bound by law and ethics to be fair, and cannot be – literally *cannot* even come close to being fair on *any* level within the current Protestant super-dominance. The faith-based housing and the Seminary Indenture are – I *guess* – will double Protestant super-dominance without even a study of that dominance projection and without even a cost projection. Just subtle threats from chaplaincy HQ that chaplains “will take care of it” or “else,” unfunded mandates, though chaplains have not been given the logistical support to handle that increase in Protestant super-dominance. The resources do not exist for other religions to participate in any meaningful way! We all know this is another proof of open complicity to the huge Protestant super-dominance over all the other religions combined (including Catholics and Muslims).

The fact that we all know this super-dominance makes the doubling of super-dominance stranger still in that we are being *rushed*. A state prison is *rushing* to double or triple its already overwhelming Protestant super-dominance! That is a *rush* to super-whopper-dominance! It is funny in a very sad way when we think of our policy and terms of fairness to other religions.

And the volunteers – the super-stupid idea that a Protestant volunteer is going to go out of their way to support sacrilege is just ... mind sapping! No Baptist volunteer is going to network with Wiccans and Buddhists. In the faith house, where prisoners *sign* a release, if they can help it, the volunteer does not want a Wiccan teaching “their boys” in a mandatory program. Listen to ourselves here. Of course, the prisoners can go their religious services, but chaplaincy HQ is “telling” us that Wiccans and Buddhists can teach the obligatory faith-based housing classes if they want to. So “faith” – already abysmally obscure – will be thoroughly confusing in the “come-one come-all faith house” of teaching. That is how chaplaincy HQ is able to “stay out of court,” with the *claim* that any religion can *teach* in the faith house. The reality is simpler and

²¹⁶ See for a list of 3,700 **periodicals** (sectarian and not) www.PreciousHeart.net/chaplaincy/Serials.htm put together about ten years ago. See www.PreciousHeart.net/chaplaincy/Chaplaincy_Bibliography.htm for a few hundred **books** directly related to chaplain pastoral care. Texas has many religious universities.

See www.PreciousHeart.net/Main_Archives/Links_Folder/SUPER_List_Restorative_Justice.htm for a long list of **books** on Restorative Justice and 900-plus web sites.

²¹⁷ I have asked. See the stats here www.PreciousHeart.net/FY2010_Chaplaincy_Monthly_Stats.xls, which are performance measures second to known in Texas, and from which no significant decision has been made in the last 15 years to really improve TDCJ chaplains’ serve. We need more chaplains, and, of course, more of us unit senior chaplains should be Chaplain IIIs, indeed, Texas should have instead three, five to seven pay groups – another topic.

²¹⁸ See for 2010 www.PreciousHeart.net/FY2010_Chaplaincy_Monthly_Stats.xls, and then for 2004 see www.PreciousHeart.net/chaplaincy/FY2004_Chaplaincy.htm.

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stupider – no, no fault to chaplaincy HQ – there are not enough resources around the state for “the others” to really compete with the overwhelming Protestant resources.

Let’s get back on track and defend your office and defend the honor of TDCJ.

This should become the scarier, especially if any of the senior executives are also members of a Baptist church, or even a Protestant. While you may have not known this, because the statistics are never published anywhere, except as this chaplain has been shining a bright light on your good chaplains – still, how can we escape culpability?

I know both of you are honorable and bear no animosity to any other religion. But other religious leaders will have trouble believing that you were **NOT consciously supporting the rushed** buildup to a twenty-fold super-dominance of Protestant Christianity over all the other religions combined (including Catholics and Muslims). I mean, Richard and chaplaincy HQ have been clear that the “orders” are coming from your executive offices.

I believe this affects the good honor of TDCJ. Among the many problems articulated, I hope I have fairly well proven an ominously board and categorical conclusion:

There Is NO Positive Point Whatsoever to Faith-Based Housing in Texas Prisons
except as the housing is a means to hurriedly *double* the already
overwhelming Protestant super-dominance with a Baptist Hegemony!

This is just the tip of the iceberg. The few academic resources mentioned represent a whole field of controversy that, apparently, is not being taken seriously. Whether your crew knew the scope or not, those resources included only a few of many scholars at the top of American academia. Those who have convinced you have yet to give a *single* serious piece of work.

Many want some of these questions answered. How much does it all cost? Just what is the Protestant super-dominance *now* at this time over all other religions including Catholicism and Islam?

F. Baptist Hegemony – We Love Missions

I am a Southern Baptist and am proud of what we do. We are a missionary people and take the gospel to others. The title “Southern” will likely be dropped within this decade. By whatever name, the Southern Baptist Convention (SBC) is the largest of all Protestant groups by far, and the SBC is most influential in Texas prisons. Where there is at least a ten-fold super-dominance of Protestant access over all of the other religions combined (including Catholics and Muslims), it will not come as a surprise that SBC Baptists likely make up a full third of that Protestant super-dominance. We just do not know. This is not a cover-up or even indifference, not yet. This Baptist hegemony just came to light a few weeks ago as I began to truly understand the importance of my own faith work, and then went to town and tried to articulate all of this.

Putting on the thinking cap, from inside prison ministry for two decades, another astounding revelation appears. It is possible that without Baptists (SBC and others) it would be impossible to have faith houses period. We do not have to worry about that now, and it sure is good for me that I am a Baptist chaplain, though other chaplains will suffer more. Yet that makes the Baptist domination within the Protestant super-dominance a greater concern for fairness.

Let’s look closer at the Baptist Hegemony within the ten-fold Protestant super-dominance, and this just comes from my experience with a little online research. There is much more.

1. Emmett Solomon’s Restorative Justice Ministries Network

See www.RJMN.net. Former TDCJ Director of Chaplains Emmett Solomon retired and has run his RJMN office out of the First Baptist Church, Huntsville. His network is the largest in Texas as he advocates for prisoners and legal reform. He was doing reentry work before the term became vogue. He influences too many to name, and many look to him as the wise old expert on restorative justice and prison ministry. One cannot quantify his influence. A large volume could be and should be written on this man’s long lifetime of advocacy. Thanks Emmett.

2. Baptist Frank Graham’s Chapel of Hope

See www.ChapelOfHope.org. My good friend Frank Graham has done the impossible and nearly single-handedly reversed the near plague of indifference that allowed TDCJ to neglect for *decades* chapel buildings

in the older prisons. Literally, the roofs were allowed to fall in and bats moved into the belfries. That decades-long indifference would qualify as criminal neglect, if those chapels were children. Frank reversed that with dogged determination and roadwork of networking throughout the state. Then again, when the chaplains were threatened in January of 2011, he rallied many, including House Corrections Chair Jerry Madden. We might not have saved chaplains without his help. A hefty volume should be written on this man's work. Thanks Frank.

3. Several Baptist Mega-Churches and Publishing Houses

I cannot recall all, though we should recognize all. Several prison ministries work out of these mega-churches in Dallas, Austin, and Houston. Funding much.

Furthermore, the SBC's Lifeway franchise is, I believe, the largest Christian bookstore chain in the world. There are perhaps more Baptist publishers than any other Protestant group, but I do not know. Most of the Protestant curricula is Southern Baptist or from Baptist educated ministers. The *Quest for Manhood* material we have been *ordered* to use originated from Baptist educated ministers. And their promo video catered to Baptists most of all, yes, as every Protestant publisher markets to Baptists. Good-good for the bottom line, those Baptists!

Strange. It is strange that the TDCJ has *four* Protestant Bible study books being published by its own prison printshop, with billing cycles, and that has *not been seen* as a constitutional problem for decades. How is the Texas printing of Protestant Christian books constitutional?

4. Several Statewide-National Ministries like Texas Baptist Men

These statewide ministries contain innumerable Baptists, like Texas Baptist Men, Coalition of Prison Evangelists, Mike Barber Ministries, Bill Glass Ministries, Kairos, and Prison Fellowship. Baptist Paul Carlin has a veritable monopoly at the Eastham Prison. The actual proportion would be interesting to know, but such statistics would not be worth any great expense to obtain, unless we could convince the ministries themselves to help.

5. Baptist David Valentine Split His Church and Leads Church Starting

The Rev. David Valentine was pastor of FBC Huntsville and led much prison ministry, even hiring as I understand, one of the first fulltime prison ministers by a single church devoted to ministering inside of the prison. The Walls State Prison is across the street from FBC Huntsville. Valentine led a split of the historic FBC and started Covenant Fellowship with mostly the younger parents. It was painful to FBC and painful to this day. For personal reasons that affect me deeply, I had to delete the many pages here that would have distracted from the general purpose.

Suffice here to be said that splitting a church is just about the worse thing anyone can do or participate in. I initially outlined so much here, that it became evident that I myself have too many problems with his splitting that I cannot resolve here and that would certainly distract.

In spite of all, Valentine has been appointed to a TDCJ board on reentry, and in that capacity is leading a program to teach prisoners on Baptist church starting. That is enormously influential as Valentine crisscrosses the state as a veritable ambassador for TDCJ and even an intermediary for prisoners to be assigned to a church. No one is counting the cost there either.

I cannot see a significant church-state conflict with Valentine teaching prisoners church-starting principles in a single prison where the prisoners from that prison volunteer to attend, just like any Bible study or rehab or other program. Though because of Valentine's crime and the nature of program itself, there are innumerable pastoral problems.

Yet, it should be obvious to all that it is thoroughly unconstitutional for Valentine to be center stage at mandatory meetings of chaplains and staff, and doubly unconstitutional that the TDCJ's chaplaincy HQ is a **logistical aid to him**, utilizing tax-payer dollars to – what? – pay for training prisoners to start Baptist churches! Texas tax payers would do a backflip if they found out about that, and go haywire if they knew a church-splitter was teaching the prisoners. Really, are you kidding me? Tax-payers are paying for the training of prisoners to start Baptist churches through the statewide logistical support.

It is also unethical that his splitting of a church is kept secret by all parties. Pastors need to know that before they sign on, for it is the greatest crime a pastor can commit.

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The worst part of his cell-church program is how it **obligates the prisoner to the host church** to start a cell church ... *before* ... the prisoner is even settled. That is outrageous and warrants ten more pages. On Baptist hegemony, that is super-extraordinary were a person is allowed such state resources for Protestant free-world church starting, even mandating Methodist and Muslim state chaplains to hear his program. Is the TDCJ *really* helping grow free-world Baptist churches now? Moreover, it is clear as the summer sun that it is a super-conflict when Valentine is allowed the role of a veritable ambassador as he *networks* with Protestant churches *for* TDCJ as he goes about the state, “TDCJ is behind this,” he says to Baptist churches across the state! Since I began this a few weeks ago and have stopped looking into this two weeks before Christmas 2011, I have discovered other things better left to private meetings on this weird super-advantage to Valentine.

Lastly, Valentine is networking through the prestigious Union Baptist Association in Houston, *claiming* to network through them to fourteen other denominations. Yet – get a hold of this – he has not ever been active in the Huntsville Ministerial Alliance made up of about sixty denominations. If he will not work with other denominations in his own home town, how does he expect us to believe he will network when out of town?

Valentine has gotten attention that is impossible to understand, pastorally, and has to keep his church-splitting a secret. And TDCJ is helping him keep it a secret.

That is extraordinary Baptist hegemony in TDCJ that has likely never been seen before.

Regardless, I cannot remain objective here, because of my own deep-seated personal problems with Valentine and his program, and so shall end my comments here.

6. Baptist Seminary Indenture Program

The TDCJ is partnering with the Southwestern Baptist Theological Seminary (SWBTS) in Fort Worth to allow that seminary to give schooling to prisoners for a four-year CHEA accredited bachelor’s degree. Only, there is a catch! To get the degree, prisoners in Texas have to have ten years still on their books before they see parole. So after their four years in school, they will be **obligated to the state for six more years of spiritual indenture**. TDCJ supports *one single* Baptist seminary with thousands of dollars of state-compensated logistics, including *all* of the state chaplains and *all* of the prison wardens (who interview, review, send for review and sign off on) and nearly a full-time chaplaincy HQ staffer managing it all. That it is a violation of the Texas Constitution, Article 1, to expend such a vast sum *directly* going to the support of “seminary” program – literally, for the Texas constitution uses the word “seminary” to be utterly clear.²¹⁹ There is nothing constitutional about the program. To accomplish that, Baptist hegemony won big.

This super-charges the Protestant super-dominance and expands Baptist hegemony.

How did that Seminary happen? Does anyone still value the First Amendment *and* the Texas Constitution? Baptist hegemony played an overwhelming role. That is very ironic because Baptists have been champions of freedom of religion – second to none – and Patterson knew that very well. Patterson has read John Leland.

Because of the trip to Louisiana’s Angola Prison, some top legislators thought it a good idea to bring Angola’s prisoner preacher program to Texas. The New Orleans Baptist Theological Seminary (NOBTS) trained prisoner preachers in Angola, and its president is Paige Patterson’s brother in law. Brother in law! That is close to home.

I have not been to Louisiana’s Angola, but just from the videos of its preacher program, one does not have to be a rocket scientist to see the blatant church-state conflicts throughout it all. Warden Cain uses his desire to see “moral” improvement to hope over and walk around church-state conflicts, and it worked for him. And you can bet there is a Protestant super-dominance there, excuse me, a **Baptist super-dominance** there after five years of trained Baptist prisoners preaching while serving life terms. It is good being a Baptist. But I

²¹⁹ Texas Constitution, Article 1, BILL OF RIGHTS: Sec. 6. FREEDOM OF WORSHIP. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship. Sec. 7. APPROPRIATIONS FOR SECTARIAN PURPOSES. No money shall be appropriated, or drawn from the Treasury for the benefit of any sect, or religious society, **theological or religious seminary**; nor shall property belonging to the State be appropriated for any such purposes.

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would also bet you that the *humanity* and *good spirit* of Warden Cain played as much if not larger in the decrease of violence. But, as far as I am aware, no one is studying anything there either.

How is TDCJ coping with the constitutional conflicts? With a few less-than obvious workarounds in language and a bogus policy **identical to the faith-based housing** – “all faiths can come.” Somehow that flat and dull phrase is pumped up to mean something not resident in the words. “All faiths can come” is nonsense in this context. How anyone thinks that weans the state from its obligations to *both* the First Amendment *and* the Texas constitution is just plain weird thinking. There are two HUGE VIOLATIONS: 1) Texas is sponsoring at great tax-payer expense a world-class Baptist seminary training to prisoners, and 2) Texas is obligating the prisoner to six years of spiritual indenture to the state.

“Sir, are you drunk?” the state trooper asked.

“No,” slurred the driver, who then passed out and dropped his bottle of whisky.

“Maybe the driver needed a nap” would make more sense as an excuse to defend the driver than “all faiths can come” makes constitutional sense. This not a seminary professor coming into a prison on his own time to teach prisoners the Bible. This is the state of Texas 1) *helping* the Baptist seminary with huge statewide logistical support worth tens of thousands of tax-payer money and then, worst of all, 2) *obligating* that prisoner for six more years of spiritual indenture to the state.

You have got to be kidding. Let me tell you more, because this is directly related to the faith housing advocates’ cause.

When I interviewed the five prisoners at my prison on orders from Huntsville, my first words were, “This is a free fully accredited bachelor’s degree. What else do you need to know?” Then I proceeded to follow orders and outline the program. Thank God I was a Baptist. Shoot fire, I have a master’s degree from SWBTS and a doctor’s degree from NOBTS. I am for the prisoners learning from the best.

When I went to SWBTS, to me it was the best in the world. I was there when Russell Dilday was president, and during that time Patterson was fighting Dilday. A year after I left, Patterson got Dilday *fired*. Patterson has Dilday’s job now. Is everyone listening? Dilday was *not* fired for splitting the seminary faculty or for moral failure, but for criticizing Patterson’s now legendary “takeover” of the SBC; see Dilday’s side in this note, along with the only thing Patterson has written on his own takeover.²²⁰

From the prisoner’s perspective, unless he is a raving idiot, there is no downside. Just like the faith-based housing, this is a no brainer. Nevertheless, when a two of the prisoners found out it was a Bible training program, they opted out. For one prisoner who had been active in our prison church for years, I gave a letter of recommendation and he is in the program now. I hope he does well, no matter what happens to the program.

Now hear this! See the chart at the right of the religions of those chosen for the flight in January 2012. Again, I only thought about this after several weeks of working on this treatise. Looking back in time several months, when all of us chaplains interviews a few hundred prisoners, there was not even a thought about their pastors, rabbis, imams, or spiritual leaders. Such did not even cross my mind.

But now – this is so serious it begs for redress.

We never once *asked* if a Methodist or Pentecostal or Catholic chaplain had any qualms about *helping* choose prisoners for the Baptist seminary program. Of course, what chaplains think and feel have not mattered in any of this. It is TDCJ’s loss that no one is wanting to hear from experts. But that is *not* the worst EEO or moral problem.

Baptist Seminary Prison Inmates to Interview Mainframe Inter-agency Email 12-07-11 - 10:10 AM -	
Faith of Record	
Christian	12
Roman Catholic	5
Baptist	4
Blank	4
Muslim	3
Messianic Jewish	3
Jewish	1
Lutheran	1
Protestant Church of NA	1
Pentecostal	1
Church of Christ	1
Assembly of God	1
Native American	1
Total	38

²²⁰ Russell H. Dilday, president of Southwestern Baptist Theological Seminary 1978-1994, *Columns—Glimpses of a Seminary under Assault* (Macon, GA: Smyth & Helwys, 2004; 346p) and his *Higher Ground—A Call for Christian Civility* (Smyth & Helwys, 2007; 148p). Paige Patterson, “Anatomy of a Reformation—the Southern Baptist Convention, 1978-1994,” Paper presented at the 46th National Conference of the Evangelical Theological Society, Lisle, IL, Nov. 17, 1994 (Portland, OR: Theological Research Exchange Network, 1998; ETS-4661; 17p.).

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Here is the worst, even a crime similar to splitting a church. From the first interview months ago, and all the collating and scrutiny of the initial hundreds, chaplaincy HQ in consultation with SWBTS professors and staffers, chose thirty-eight for the January 2012 flight. One of them was from my prison and he was a Roman Catholic.

Now I have *another* moral conflict and all of TDCJ does too. Does the Catholic Archbishop in Texas know that we are offering an intensive alluring four-year Baptist program to *their* Catholic congregants? Worse, it does not *matter* what faith the prisoner is, which is an utter disrespect to the prisoner too; for, remember the flat excuse, “All faiths can come.” My mother is a Catholic and I am friends with the local parish priest, and I am *not* to talk to the priest who comes to our prison about our offering an alluring Baptist degree program to his congregant. My local Church of Christ and Lutheran pastors would feel the same. What about our Muslim volunteers? I am forty miles from the Alabama-Coushatta reservation, and no one is even *thinking* about our offering an Native American prisoner a four-year fully accredited Baptist bachelor’s degree in Bible studies as a conflict with the prisoner’s faith. We disrespect all religions when we avoid their pastors and rabbis and spiritual leaders. We – I myself – did not even think about until *this* week! Shame on us! No one is thinking about it today.

Only this Baptist chaplain, late in the game? I, too, am part of the problem.

No one finds this a huge moral conflict. **The moral conflict is the worst part of all.**

Still, constitutionally, one has to ask: Have Baptists taken over the legislature too? If the legislators who sponsored this are Baptist too, then, goodness, need I say more? If they are Baptist or even merely Protestant, are the sponsoring legislators guilty of some kind of abuse of office? Yes, it is some kind of neglect, foggy as it is. Yet, I truly do *not* believe any legislator intentionally planned to expand their own Baptist or Protestant faith, and the main reason I believe that is because I am a Baptist, and no good Christian would do that. Even I myself have come late to see this, so entrenched in my own Protestant world as I am.

But, still, from the view of another religion, what would they think? Someone *not* of the Christian faith will view all of the data, if all the data could be placed on the table, and that non-Christian will see something amiss, even crooked. No, no one wants their own congregant subjected that kind of intensive Bible by *true* experts.

Put the shoe on the other foot, a very good exercise to do from time to time. Would you want your son or daughter, living in prison in a foreign country, to choose faith for safety or be tempted with an alluring degree in Islam? If he was in prison, he likely was weak in his faith to start, and that means he will be all the more open to Islamic suggestion and teaching. It is a common joke, that those who teach in prison *do certainly* have a captive audience.

Does anyone know how many seminaries there are in Texas? And not one other seminary was contacted. Even to this day. Fairness? Nowhere to be seen. The multiple alliances it took to bring this Baptist seminary training together should say volumes about Baptist hegemony.

Critical to this hegemony is the enormous influence of President Paige Patterson has in Texas. Brad and Bryan, I will bet a five-dollar bill that both of you do *not* know just how controversial Patterson is. Patterson is a very smart man, for I studied under him for eight years. Yet, he is the most controversial president, by far, over all the seminary and university presidents in Texas. Let me tell you more.

Hear the rest of the story, just a couple of paragraphs that shook religion around the world, for the SBC is a worldwide enterprise. Patterson led the “take-over” of the SBC and, subsequently, the **largest division of Baptists** in Baptist history. Hear this! – Texas is Baptist country more than any other state and the controversy is *still* reverberating (see the footnote at the end of this paragraph). Baylor University’s (BU) regents and lawyers led BU to separate from the Baptist General Convention of Texas (BGCT) to *save* Baylor from being taken over by Patterson’s juggernaut. There have been many volumes written on this “takeover” alone.²²¹ The

²²¹ Jerry Sutton, *The Baptist Reformation—The Conservative Resurgence in the Southern Baptist Convention* (Nashville: Broadman & Holman, 2000, 542p).

Compare Fishers Humphreys, *The Way We Were—How Southern Baptist Theology Has Changed and What It Means to Us All* (Smyth & Helwys, 2002); Grady Cothen & James Dunn, *Soul Freedom—Baptist Battle Cry* (Smyth & Helwys, 2000); Rob James and Gary Leazer, *The Fundamentalist Takeover of the Southern Baptist Convention* (Impact Media, 1999); Paul Pressler, *A Hill on Which to Die—One Southern Baptist’s Journey* (Broadman & Holman, 1999); Walter Shurden & Randy Shepley, *Going for the Jugular—*
[continued from previous page ...]

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“takeover” was one of the most religious upsetting events since the Protestant Reformation in the 1500s, and continues to be felt to this day in Texas.

Furthermore, Patterson has not stopped dividing people. Patterson contributed to the SBC’s withdraw from the widely acclaimed Catholic-Protestant dialogue, that included many of the major Protestant denominations.²²² Patterson has threatened to lead a withdrawal from the Evangelical Theological Society, the largest group of conservative Protestant scholars in the world.²²³ Patterson fired a tenured *female* professor from SWBTS, largely because she was female, and he and his group support the subordination of women in general. Do we really want to go there? Sure we do. He led the SBC to change its legendary Statement of Faith, specifically restricting the role of women in the 2000 *Baptist Faith and Message* from the landmark original and long-lived 1963 *Baptist Faith and Message*.²²⁴

Brad and Bryan, Patterson is not interested in working with other denominations. This is critical. Patterson is a divider of people. Think about the other person that TDCJ is credentialing, David Valentine, who also has a master’s degree from Patterson’s seminary, and Valentine *split* his historic church. Patterson nationally, and Valentine in TDCJ’s own home town. Dividing people to this day. Think the two are related? Baptists *train* fighters. Look at this treatise, for I am one! Only I was trained in a different *school* under the more diplomatic Dilday where genuine respect for other faiths was taught without any doctrinal compromise.

I am fighting for TDCJ’s integrity and mission to fairly protect the prisoners.

Patterson is the most controversial president of all the seminary and university presidents in Texas today. The conflicts with the Texas and U.S. constitutions are blatant, and so what a remarkable feat it was to bypass those conflicts so easily.

Let me put this into perspective. Do either of you think a Buddhist or Muslim seminary would have gotten off first base (there *are* such seminaries)? They would not have gone passed Bill Pierce’s office, much less reached your office. A legislator would not have even *seen* them for such a program. Now then, where were we?

Mark it down. These last two indicate a Baptist hegemony of unprecedented proportions. Usually the TDCJ stays away from controversy, having enough with high profile offenders, numerous advocacy groups, and the feared escapes. Herein, TDCJ is endorsing the training of prisoners to be Baptist preachers on the **outside and inside** of the TDCJ, on the outside through Valentine’s cell-church obligation and on the inside through Patterson’s Seminary indenture! And *ordering* faith-based houses in *all* prisons, with – dare I say – likely more Baptists than any other single group. Or, I do say with a challenge, perhaps there are more Baptists in all the faith-based housing than *all* the other Protestants combined.

But who knows? Brad and Bryan – we both know that *no* one is even *thinking* about it.

So then, what can we say? With all six of these and many more yet to be counted – and some more info I will only share in private – we can certainly conclude it is very likely that at this very present hour in the TDCJ that Southern Baptists not only have a hegemony, but are likely more numerous in volunteer access than *all the other Protestants combined*.

But, I am sorry to ask again, who really *knows*? Right now, other than us three, is there just one other employee in TDCJ that really cares about all this super-dominance and hegemony? Wrong question. Darn. I am just writing now. Is there just one other person in TDCJ that even *knows* about it? They have to know about it to care about it. Just one?

The TDCJ’s legislated mission and policy cares about both dominance and fairness.

Documentary History of the SBC Holy War (Mercer, 1996); David Morgan, *The New Crusades, the New Holy Land—Conflict in the Southern Baptist Convention, 1969-1991* (Univ. of Alabama Press, 1996); Nancy Tatom Ammerman, *Baptist Battles—Social Change and Religious Conflict in the Southern Baptist Convention* (Rutgers Univ. Press, 1990), Ellen M. Rosenberg, *The Southern Baptists—A Subculture in Transition* (Univ. Tennessee, 1989).

²²² See www.TMD.edu/tmsj/tmsj6a.pdf for more on the departure itself.

²²³ See www.ETS.org.

²²⁴ See www.TexasBaptists.org/files/2010/08/bfmcomp.pdf for a comparison between the statements, nearly 90% identical and moot changes in many portions especially to a novice, and in the 2000 adding the Article XVIII, The Family, taking special care to add the hot-button issue, “A wife is to submit herself graciously to the servant leadership of her husband.... She ... has the God-given responsibility to respect her husband and to serve as his helper in managing the household and nurturing the next generation.” While many support that, or a variation, it was that statement that helped Patterson fire a tenured female professor from SWBTS.

G. Cover-up to the Tenth Power!

How much cover-up is TDCJ going to continue? No, I will not list all and thought about no listing these too. Even in a variety of fashions of *cover-up*, these stand out. Will we continue to cover-up the Protestant dominance. Cover-up Baptist hegemony. Cover-up the Protestant nature of all the faith-based housing. Cover-up the Baptist agenda in a seminary program. Cover-up the Baptist nature of the prisoner cell-church starting. Cover-up the chaplaincy statistics on pastoral care. Cover-up that chaplains supervising 95% of TDCJ's volunteers. Cover-up the obligation to a church an ex-offender will have through Valentine's setup. Cover-up the huge state expense already being given to Protestant super-dominance. Cover-up any kind of projection of dominance and the doubling of state expense for that dominance. Cover-up how every other religion *loses* converts to the Protestant seminary *and* faith houses. Cover-up the chaplains' role as defenders of the First Amendment by "ordering" them to hurriedly double the Protestant super-dominance. Cover-up that all of this is against the TDCJ's own policy. Cover-up any bad feeling anyone has about it all. Cover-up, cover-up ... there are others, ad nauseam.

Worse of all – cover-up the fact that so much cover-up is going on.

And many want me to shut my mouth and NOT tell both of you all this.

Brad and Bryan, in spite of my own research and postings of chaplaincy data, do you all realize that the *lack* of the division's collating of chaplaincy and volunteer data contributes to this. If one of the other religions like Islam or Buddhism were to file a lawsuit, and knew the right questions to ask, what could they prove? That Protestants purposely kept the data in the dark to allow their super-dominance a more free hidden reign? And if any of you or Madeline are part of a Baptist church, it could be a harder turn. I *know* no one is purposefully hiding data, for I know there is little long-term interest in the data. But from the disenfranchised perspective, after my own postings for ten-plus years and after successful use of chaplaincy's extraordinary work measures, and still no one is collating and analyzing – a Muslim, Buddhist, Hindu, etc., could claim the reason the statistics are hard to come by today is Baptist hegemony and to maintain super-dominance. And rightly so.

That could be construed as certain deliberate indifference to the minority, as well as a cover-up of both data and costs to forward Protestant super-dominance. That could stand up in court, if anyone was interested in court.

Furthermore, with no research anywhere in the country on how super-prison ministries are funded, like PF, then a whole new research area is created right here, first in the nation, perhaps. Brad and Bryan, if you did not think of it by now, then after this it just has to be drilled in – PF, Bill Glass, Paul Carlin, Kairos are FUNDED by donations from ... ??? ... the volunteers that have such an outstanding time coming to prison. But not solely. Most of us know that the smaller ministries make no money at all. But there remains an ominous and highly reasonable question that is hard to escape. How is the TDCJ helping with that private funding? We no data, just a guess. There is no other prison system in the world that is allowing volunteers at this scale and even "ordering" a speedy increase to the multiplied Protestant super-dominance.

Conclusion – End the Faith-Based Housing for the Good of the Prisoner's Faith

We know the TDCJ is not complicit in the increase in revenue of million-dollar Protestant prison ministries. **Not intentionally.** But those who are not Protestant might find that hard to believe if all was laid bare. To find that out would require cooperation with the ministries and a far more sophisticated volunteer accounting system than currently exists in TDCJ. And we really do not need more expensive tracking. But the data from chaplaincy and their volunteers, in its current tracking, could with minimal tweaking allow for a current break down of the degree of Protestant dominance, and a reasonable extrapolation of volunteer groups.

What is clear? The multiplied Protestant super-dominance is rapidly increasing – as we have been repeatedly told – on "orders" from your office to speed up production of these faith houses, covering up their total Protestant programming in an environment that already has a Protestant super-dominance of ten-fold over all the other religions combined (including Catholicism and Islam). It is also clear that for ten-plus years data has been suppressed, and it will be impossible to keep that suppression from appearing like a cover-up should any other religion want to press this. All of us know there is no cover-up, only suppression by lazy indifference. But a religious leader in the minority could say, and say with conviction, "The overwhelming super-dominance

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was calculated, as the executive directors, directors, managers, chaplains, and others suppressed the data to keep the super-dominance from the public.”

And on the funding – it would take courage to investigate that. While the Baptist seminary, my alma mater, is not looking for a profit, there are *many* local prison ministries that *could* profit by enterprising in the faith houses, even being pushed by the TDCJ. Moreover, even unconsciously, you have to know that financing is on David Valentine’s mind, and his networking with churches far and away from his crime in Huntsville is *preparing* him to accept a call from a church that will give him a handsome raise. Baptist churches are among the wealthiest and pay their pastors well – you might have known that. After Valentine’s cell-church initiative fails, either now by order from your office, or after his naïve plan fails on its own – as so many of his fly-by-the-seat-of-his-pants puffs have failed – he will have his résumé out.

Follow the money. Brad, you know more about money than, likely, any employee in this agency, except perhaps a few of your accounting gurus, and you know the potential of some of this. If it has not been brought to you before, like this, then you also have to know that the reason is less from a cover-up and more from a degree of naïveté. What a pickle!

Another reason for the dilemma is that for the ten years **no one is talking to the chaplains**, most with masters degrees, a few us with doctorates. Instead, we just get “orders” and more forms for data that no one is using. More fuss is made over prayer beads instead of supremely serious items that have the potential to question the honor of all of us. Last week, us chaplains were received a mainframe email saying that a PowerPoint presentation on prayers beads and such was going to be sent to us. Wow ... that will help.

Follow the money. Help us chaplains to help you! Of all people, we want to help.

Brad and Bryan, I would like to chat with you about our gentle profession of chaplaincy, proportional allocation of volunteers, statistic gathering, and focusing on prisoner religious needs instead of a volunteer’s need as the prison’s modus operandi regarding things religious. I would like to pull the chaplaincy star out from underneath the rug. I only have a few years left to help, and after that the knowledge and experience that brought this to you will disappear forever. Not really tooting my own horn, just getting too old, but crying over the sadness of it all – both of you likely know that there are no three persons in the agency that could have written any ten pages here. We are far and away from where we should be on these critical issues: our TDCJ’s fairness should be obvious to all.

Moreover, I am proud to be a Baptist, for we are doing great things in Texas and around the world. Please do not hold this against the best of them, though I certainly will take hit from a few for this. And know this, I can help end the seminary program perhaps easier than any, with your authority, because Paige Patterson really does not like me, as we have had a tough row together over the last two decades on some national theological issues. He knows me well, knows how serious I am, and he will not have much to do with me.

The best Baptists support religious freedom with a passion, are not threatened by the religion or beliefs of others, and support fairness, justice, and missions with all their hearts.

Thanks for allowing chaplaincy to be salvaged in this legislative session, though I am sure the person responsible for zero budgeting it did not know of the broad base of support. It was not right that chaplaincy was lumped as an addendum with RIO and others that hardly compare in scope and contribution. The most common reason for zero-budgeting, by a few important uninformed persons, was “volunteers can do it all,” without a hint that *some staff person* would still have to supervise the volunteers’ schedules, problems, and the religious needs of the prisoners, and so no real savings. Savings was not the real reason, and we chaplains and thousands of concerned Texas citizens may never be apprised of the real reasons. Though, truly, reasons and who did what should be on the table of plain-spoken truth as well.

Some simply want to view us chaplains a volunteer coordinators – just “order” them to “get more” – and as such we have often been treated in the last few years. Yet, your wardens know! The good wardens love us, not simply because we love and respect them, but because we advocate and protect your wardens too. Though we are volunteer coordinators too, and we do it better than a mere coordinator ever could, the higher calling is a facilitator of the First Amendment by networking to meet prisoner needs within a diverse religious team. It is obvious that chaplaincy supervises 95% of volunteers, though that is downplayed a lot of the time (another book could be written here).

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No other single line item of the same cost to the state and similarly slated for zero budgeting with zero advance warning has ever encountered such widespread support for salvaging, *ever*, than what we accomplished in January-March 2011.²²⁵

What I pray you will consider is that the *main* argument I strove for most of all was for the pastoral care, the summit of which is in death and critical illness notifications, and the pastoral care that branches out to include all of the unique problems that unique prisoners face, including cellmate trouble, gangs, staff, family, and so many other problems including divorce, grief, loneliness, inferiority ... the list has no end. Note – one last time – the statistics on TDCJ’s chaplains’ pastoral care (to my knowledge) have not been reported to anyone outside of the division, and that comes from reviewing several years of divisional reports, some years ago. Worse, in the last five-to-six years, we have not had an ability to get together and share notes, sort of speak. We have not been afforded the opportunity to hear from the avant garde developments in pastoral care, be that as simple the sharing of a professional article or a book review or more profoundly from any of the experts from the hundreds of religious seminaries and universities across the nation. Texas has many, not the least of which is SWBTS in Fort Worth, Perkins Theological at SMU in Dallas, Dallas Theological, Houston Theological, and Truett Theological at Baylor, among others.

Sheese, prisoners in Texas are getting seminary professors and chaplains are not. Did you know some seminaries and universities allow a little travel so the professors can help others?

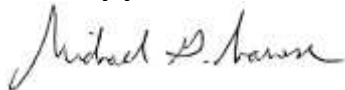
Let me give you just one example to capture your attention. I came across this by accident, as I am the managing editor for *Testamentum Imperium*, an international theological journal with nearly two hundred contributors so far from all over the world, from university presidents, major publishing house editors, and fully tenured professors.²²⁶ Dr. Karen Mason is Professor of Pastoral Counseling at the prestigious Gordon-Conwell Theological Seminary, a member of the American Association of Suicidology and – importantly – was recently awarded a Lilly Theological Research Grant for her collaboration in the project “Protestant Clergy Referral of Suicidal Persons” and has been awarded another Lilly grant “Clergy Engagement in Suicide Intervention and Aftercare” with another professor. Professor Mason sent in this article, “Does Suicide Exempt the Deceased from the Hope of Future Redemption,” which is an excellent article and placed first in the 2011 volume of nearly fifty articles promised.²²⁷ We chaplains *need* to read articles just like that and more.

Isn’t that important to state prison chaplains? The TDCJ has been looking at suicide with training upon training for several years now, and with good reason.

Please, end the faith-based housing initiative, the Baptist Seminary Indenture Program and Valentine’s Cell-Church Obligation. At least end all but three of the faith houses to *really* study them. That will put a hold on unfair increase in the already overwhelming Protestant super-dominance over all the other religions combined in TDCJ including Catholicism and Islam. At the same time, you will provide relief to many of *your* staff.

There is more I can share in private. Thank you for your time.

Sincerely yours,



²²⁵ See www.PreciousHeart.net/Save_Chaplaincy.htm for the remarkable story.

²²⁶ See www.PreciousHeart.net/ti.

²²⁷ See the article here: www.PreciousHeart.net/ti/2011/001_Mason_Suicide_Hope.pdf.

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Enclosures: one each for Brad and Bryan

- ✓ Lynn and Gaddy's *First Freedom First: A Citizen's Guide to Protecting Religious Liberty and the Separation of Church and State*
- ✓ Maness' *Ocean Devotions – From the Hold of C. H. Spurgeon, the Master of Mariner Metaphors*
- ✓ cd with pdf of this treatise, **code** to open on the cd
– for sharing somewhat confidentially

cc:

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Appendix 1 – Prisoners by Faith in TDCJ, 2010

TDCJ Faith Percentages FY2010						
TDCJ Population in FY2010 >		9/15/2009		8/15/2010		09 to 10
code	Faiths of Prisoners in TDCJ	160,832	%	160,711	%	Change
*	Christian*	131,209	81.6%	131,120	81.6%	0.006%
*	Non-Catholic Christian* - minus A01	97,734	60.8%	97,624	60.7%	-0.023%
B00-11	Baptist* - all	37,347	23.2%	37,348	23.2%	0.018%
A01	Catholic*	33,475	20.8%	33,506	20.8%	0.035%
M00-7	Muslim - all	7,034	4.37%	7,018	4.37%	-0.007%
T00	Native Am.	4,135	2.57%	4,121	2.56%	-0.007%
P00-14	Pentacostal*	3,945	2.45%	3,972	2.47%	0.019%
H06	Jehovah Witness	1,865	1.16%	1,880	1.43%	0.274%
N00-8	Methodist* - all	1,649	1.03%	1,684	1.05%	0.023%
❖	Pagan❖ - all	1,801	1.120%	1,563	0.973%	-0.147%
C08	Church of Christ	1,250	0.777%	1,259	0.783%	0.006%
W10	Jewish	828	0.515%	839	0.522%	0.007%
D-01	Disciples*	791	0.492%	794	0.494%	0.002%
R33	Wicca❖	774	0.481%	768	0.478%	-0.003%
W1-4	Buddhist - all	781	0.486%	794	0.494%	0.008%
L01-3	Lutheran*	497	0.309%	498	0.310%	0.001%
R02	Odinist Asatru❖	378	0.235%	378	0.235%	0.000%
M04-5	Nation of Islam	330	0.205%	332	0.207%	0.001%
R03	Athiest	229	0.142%	246	0.153%	0.011%
R23	Satanist❖	215	0.134%	217	0.135%	0.001%
R01	Agnostic	181	0.113%	177	0.110%	-0.002%
E00	Episcopal	176	0.109%	175	0.133%	0.024%
R17	Neo-Pagan❖	127	0.079%	126	0.078%	-0.001%
R21	Rastafarian	100	0.062%	102	0.063%	0.001%
W08	Hinduism	59	0.037%	59	0.045%	0.008%
R07-8	Druid❖ - all	32	0.0199%	29	0.0180%	-0.002%
R24	Scientology	16	0.0099%	16	0.0100%	0.000%
U00	Unitarian	15	0.0093%	15	0.0093%	0.000%
R11	Hare Krishna Iskcon	14	0.0087%	13	0.0081%	-0.001%
R37	Rosicrucian	14	0.0087%	13	0.0081%	-0.001%
R27	Thelema	12	0.0075%	12	0.0075%	0.000%
R34	Voodoo❖	11	0.0068%	12	0.0075%	0.001%
S01	Salvation Army*	11	0.0068%	11	0.0068%	0.000%
R22	Santeria❖	11	0.0068%	9	0.0056%	-0.001%
R38	Evolutionist	1	0.0006%	1	0.0006%	0.000%
Z01	None	8,134	5.06%	8,133	5.06%	0.003%
	Unclassified	2,836	1.76%	2,804	1.74%	-0.019%
During Entire FY2010, Total Average Change >						0.006%

* Christian by most Catholic and/or Protestant definitions
 ❖ Pagan by most general definition by Pagans themselves
 Selection for categories and groupings by author, not TDCJ

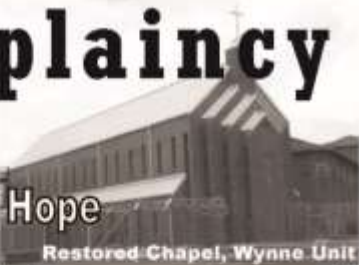
For full list, see www.PreciousHeart.net/FY2010_Chaplaincy_Faiths.xls, based on official open-record requests.

Appendix 2 – Saved Texas Chaplaincy, 2010

Save Texas Chaplaincy It Saves Money

and Challenges, Cares, and Gives Hope

Chaplaincy Savings and Superlatives Seem without End



Restored Chapel, Wynne Unit

Total Cost Recovery — How Many Times Over?

- 1. First Amendment Rights Must be Managed**
Religion will *always* be in prison, and the time pulled from staff for managing could cost as much as a Chaplain's salary. TDCJ's sophisticated Chaplaincy policy and trained Chaplains help fairness and avoid the dominance of sectarian interests.
- 2. Litigation Savings Alone Recovers Cost**
Sophisticated Chaplaincy policy exists from 100+ years of legal battles — the staff pulled to handle this would consume more time than the cost of an up-to-date Chaplain. Inmates sue.
- 3. Volunteers will ALWAYS be Coordinated by Staff**
The Chaplains coordinate 17,000+ religious volunteers for 400k+ hours a year, which means \$10+ million savings by the Independent Sector — statistics habitually hidden on prison Chaplaincy nationwide — Total Cost Recovery in this venue alone!
- 4. Recidivism—Religion Changes People**
If a single prisoner is kept from returning, a Chaplain's entire salary is covered. Yet, inestimable, the FAITH of the Chaplains, Volunteers, and most Legislators testify, whether Christianity, Catholicism, Islam, Judaism, and whatever, Religion CHANGES people, and herein the COST savings alone to Recidivism covers the cost of Chaplains TEN-FOLD, if not a HUNDRED-FOLD!
- 5. Literature Consumables Equal Salary**
The donated literature consumables and Bibles used by offenders that Chaplains facilitate tally to more than their annual salary.

and people die — who is *supposed* to be there?

The hurting side of prison — the precious families — notifications of death and critical illness will take place and that should not be a sloppy affair. More than money, the inmates and their law-abiding families need staff Chaplains sensitive to the heart.

The Threat —

For the first time in Texas history, House Bill 1 eliminates the Texas Prison Chaplaincy Program, a legislative process kicked off with a prayer. We must not let this happen.

Whatever else happens in the Senate and House, we have come together to Save Texas Prison Chaplaincy.

What this is NOT —

Chaplaincy is NOT funding for sectarian religion; it is funding for the defense of the First Amendment. NOT funding for play time in the Chapel, but serious faith observance. Chaplaincy is NOT about denigrating any faith in particular, but is about networking with and facilitating fine Religious Volunteers throughout Texas.

What this IS about —

Cost Savings, with a heart. Full of savings and superlatives — in 2004 staff Chaplains facilitated over 400,000 volunteer hours, 82,000+ programs 1.5M attending, and 26,000+ death/illness messages. The 17,000+ Religious Volunteers, 150,000+ inmates and 1,000,000+ law-abiding family members deserve a caring professional who understands deep religious conviction!

With such Cost Savings — Is there a MORE productive program in ALL of Texas?
See the web site for FACTS!

Will You Help? KEY — CONNECT with your Texas Representative and Senator — by visit, phone, letter, email, facebook. For links to Legislators, Resources, and Facts: www.PreciousHeart.net/Save_Chaplaincy.htm

TIME — We don't have much time ... only 1-2 months. Get with your Legislator!

Sponsored by Friends of TDCJ Mission, Chaplaincy, Michael G. Maness LLC, Frank Graham's www.ChapelOfHope.org

Those who CONNECT help a lot ... those who help others CONNECT help more ...

See more at www.PreciousHeart.net/Save_Chaplaincy.htm.

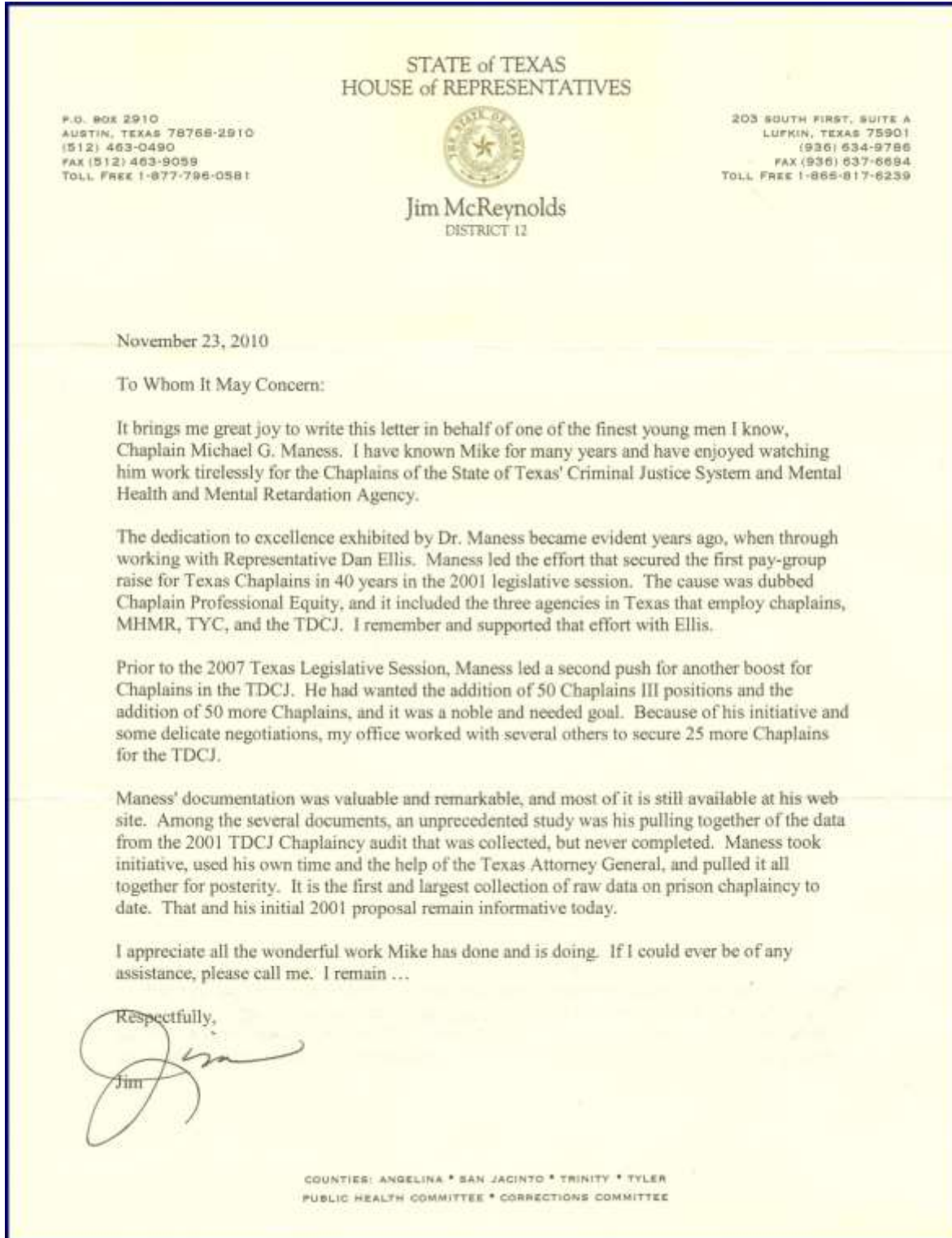
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TAB 20. 50-page Faith-Based Housing Letter
State Employees Are Supposed to be Treated Equally



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Appendix 3 – State Representative Jim McReynolds, 2010



TAB 20. 50-page Faith-Based Housing Letter
State Employees Are Supposed to be Treated Equally



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Tab 21.

TAB 21. Primer on Texas' Values, Mission, and Policies: Summed to Justice and Equality

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Summary of Texas' TDCJ High Ideals on Justice and Equality.

Justice and Equality were sold wholesale at Polunsky to cover up years of security violations for reasons yet to be determined by OIG's Sherlock Holmes, the most Critically Important mystery being how Chaplain Collier enchanted so many wardens and directors for years. In sum, see Article 1, section 3 on equality, section 8 on libel, section 22 on treason; Title 4, chapter 73 on libel especially impeaching a person's "honesty, integrity, virtue, or reputation"; PD-01 intro on "fair to all"; PD-12 on EEO's *general* words of "treated fairly and equitably" and "free of all forms" of discrimination, not merely those specified in protected classes; PD-22's clear reference to "highest standard of conduct" before the rules and zero tolerance for all forms of "retaliation"; PD-23 encourages employees to exercise their "rights and responsibilities as a citizen" specifying the "political process" and in no manner excluding another "rights" like an employee *writing* the TDCJ director or any other in the state about honest ethical concerns affecting tax-payer institutions; PD-32 "prohibits retaliation against" me for reporting a "violation of the lay by TDCJ" to authorities, especially in "good faith," a directive filled with things affecting me in subtle ways; PD-79 repeats the "zero tolerance for all forms of employment discrimination"; and Gov. Code 556.007 on Termination of Employment provides for – what? – immediate *termination* of *any* employee who causes another employee – like me, Maness – to

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be “discharged, demoted, or otherwise discriminated against for providing,” hear this, “public information” (the latter under 556.006(b)).²²⁸

TDCJ is a *Texas* institution, which is made up of people who *are* Texas. Kind of obvious, but not really appreciated by some wardens, dynamics aside (mentioned in the pre-letter to Livingston), the authority for all prisons starts with the Texas Constitution, which is general and non-negotiable. And from the constitution we go to the Texas legal codes, ever evolving from legislature to the next, and those are translated into TDCJ directives. Within the basic directives and *beneath* those directives, there are a host of policies developed for day-to-day operations. Justice and equality are bedrock, perhaps the easiest to understand, but in this Book of Secrets it is so very hard to understand how justice and equality went so far astray.

1. Texas Constitution – Article 1. Bill of Rights

First of all, TDCJ is a “Texas” department, belonging to the people of Texas, with *all* of its policies *under* the Texas Constitution, and most all of TDCJ’s major policies stemming from portions of the vast constitution. See Tab 21 for more on Texas Constitution and a few *small* portions of the vast array of sophisticated Personnel Directives (PDs). The following is a **clipped** from the Texas Bill of Rights, the *most precious* values to all Texans, with just a few sentences here to illustrate concretely that Equality and Justice are paramount, because the following hoard is all about how I, Michael Maness, with other employees, were *not* treated equally or with common-sense justice:



That the general, great and essential principles of liberty and free government may be recognized and established, we declare: **Sec. 3. EQUAL RIGHTS.**

All free men, when they form a social compact, have equal rights, and no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services.

Sec. 6. FREEDOM OF WORSHIP. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship. **Sec. 7. APPROPRIATIONS FOR SECTARIAN PURPOSES.**

No money shall be appropriated, or drawn from the Treasury for the benefit of any sect, or religious society, theological or religious seminary; nor shall property belonging to the State be appropriated for any such purposes. **Sec. 8. FREEDOM OF SPEECH AND PRESS; LIBEL.**

Every person shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever be passed curtailing the liberty of speech or of the press. In prosecutions for the publication of papers, investigating the conduct of officers, or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence. And in all indictments for libels, the jury shall have the right to determine the law and the facts, under the direction of the court, as in other cases. **Sec. 22. TREASON.** Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort; and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or on confession in open court.

CIVIL PRACTICE AND REMEDIES CODE
TITLE 4. LIABILITY IN TORT – CHAPTER 73. LIBEL

Sec. 73.001. ELEMENTS OF LIBEL. A libel is a defamation expressed in written or other graphic form that tends to blacken the memory of the dead or that tends to injure a living person's reputation and thereby expose the person to public hatred, contempt or ridicule, or financial injury or to impeach any person's honesty, integrity, virtue, or reputation or to publish the natural defects of anyone and thereby

²²⁸ There is quite a lot on the history of the USA and Texas: Larry Schweikart and Michael Allen, *A Patriot’s History of the United States—From Columbus’s Great Discovery to the War on Terror* (NY: Penguin, 2004; updated Sentinel, 2007, 932p.).

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expose the person to public hatred, ridicule, or financial injury. Acts 1985, 69th Leg., ch. 959, Sec. 1, eff. Sept. 1, 1985.

2. Policy and Law – Important to Equality and Justice!

Texas officially supports equality and justice – everyone knows that. Yet, the story below is about wardens and directors covering up policy violations on a huge scale, doing what they damn well please, at times at the expense of good-hearted and honest employees, like myself.

So, a short look the foundation of and sophistication of TDCJ’s policy and directives will reveal how much *common sense* has been codified. Within these walls, anyone with common sense, and some with little sense, too, can see how far afield several had strayed. See Tab 22 for a few personnel directives.

TDCJ is clear on *paper* about what it values, the most important being “directives” signed off by Brad Livingston himself. Equality and justice are the operative *words*, high values betrayed over and over again. Though 1,000s of TDCJ employees are written disciplinaries, several directors and wardens and one Chaplain David Collier were immune, though guilty of **specific policies** documented herein, 100s of times, perhaps 1,000s of times if you include the daily repeat of the same violations for five years. This includes Michael Upshaw and Richard Alford in what they knew and allowed for five years as the top officers – no question about that here – but also includes 1,000s more violations multiplied by their asst. wardens and majors who willingly compromised their integrity and loyalty!

Because of this hoard of violations including violations of the highest orders of equality and justice, the mysterious favor and protection of Chaplain Collier will need OIG’s best Sherlock Holmes to determine. Listen, we are talking about violations of chaplaincy policy, volunteer policy, security manual, safety and fire, and so much more. As these were being violated, subordinates were cajoled, coerced, or intimidated to continue their cover up of violations *prior* to July 2012. And if that were not bad enough, Alford, Upshaw, and – sadly enough – Stephens, too, conspired to *continue* the cover up and also cover up my exposure of it all. And in early 2013, they conspired to manipulate an avoidance of OIG.

Pretty damn nasty, all that has been. Let us briefly survey the vast policies of TDCJ.

3. Security Operations Manual

If I remember right, the printed copy of this comprises two three-inch volumes, but – as all employees know and you might guess – the wardens and majors are the *masters* of this “manual” and we all *look* to the wardens and majors for *security* leadership most of all. While all employees who work *inside* the prison with daily contact with and supervision of prisoners go through an annual TDCJ security 40-hour inservice, still – I *must* emphasize – it is the wardens who are the experts. Not “*supposed* to be” experts, but *are* the experts. In the following, when I show how *wardens* have violated security policies, those are violations of greater infamy.

Now then, pay attention to this. All of the department manuals, including the Chaplaincy Manual’s 100-plus policies, *all* operate *under* the Executive and Administrative Directives and *under* the Security Operations Manual. Security is job *one*, and “security” does not even play second fiddle to standard Texas and US fire and safety regulations, for, in an example, should there be a hostage situation, the safety of the hostages will take priority over all – even if one has to cause a fire.

4. Chaplaincy Manual (08-2012)

As mentioned above in the frontal matter under Abbreviations and Definitions, we gave you documents online, including these TDCJ Chaplaincy Manuals:

All start with www.PreciousHeart.net ...

[/chaplaincy/Chaplaincy-Manual-2012.pdf](#) > the entire Chaplaincy Manual 2012, 14 chapters, 167 policies and attachments in 224 pgs: herein is the whole Chaplaincy Department manual, in a searchable PDF, with a host of operational policies, most of which were being violated for *years* prior to July 2012, and, though I made some progress in bringing things into compliance (Tab 2, Item 2), the worst violations I was unable to correct by Oct. 2012.

[/chaplaincy/Chaplaincy-Manual-2012-FORMS.pdf](#) > the forms given in August 2012.

[/chaplaincy/Chaplaincy-Manual-2012-APPENDIXES.pdf](#) > Chaplaincy Appendices, including over a dozen Executive Directives relating to TDCJ chaplaincy operations.

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[/chaplaincy/Volunteer Services Plan.pdf](#) > entire TDCJ Volunteer Services Manual.

5. Chaplaincy Manual Appendix – Directives, Updates, and Volunteer Manual (2010) in 200 pgs

[PreciousHeart.net/chaplaincy/Chaplaincy-Manual-2012-APPENDIXES.pdf](#) – the appendix contained all of the following Executive Directives and Administrative Directives, most of which are the backbone to the Chaplaincy Manual above, these few below giving just a hint of 100s of such directives in the vast sophisticated array of directives that provide the backbone for other manuals for other departments.

ED-07.29r2 “Religious Policy Statement”

ED-02.40r4 “News Media Relations”

ED-02.01r4 “TDCJ Ethics Policy”

AD-01.82r4 “Lines of Authority for Dual Supervision Positions”

AD-03.02r1 “Impermissible Offender Conduct” which tries in a general way to cover specific actions *not* covered in other directives like the Security Operations Manual, Chemical Control, Tool Control, etc..

AD-03.29r7 “TDCJ Procedures to be Followed in Cases of Offender Death

AD-03.83r6 “TDCJ Offenders Who Refuse to Comply with Grooming Standards

AD-04.18r5 “Offender Jobs: Assignments, Job Descriptions ... Work Programs and Supervision”

AD-06.10r1 “Notification Regarding Seriously/Critically Ill Offenders”

AD-07.30r6 “Procedures for Religious Programming”

AD-11.02r4 “Attorney General Representation ...”

AD-07.35r6 “Administration of Volunteer Services”

AD-11.03r3 “Lawsuits Against TDCJ Employees”

AD-07.38r2 “Administration of Mentor Services”

AD-14.31r4 “Accountability for TDCJ Property”

BR-152.71 “Acceptance of Gifts Related to Buildings for Religious and Programmatic Purposes”

Deletion of Computer Equipment

Religious Practice Committee Decisions

Instructions to Access Agency Policies (06-02)

RPD-02.03-Request-for-Information

Religious Devotional Item Update

Suggested Religious Vendors

6. Volunteer Services Manual 2010, 34 pgs –

[PreciousHeart.net/chaplaincy/Volunteer Services Plan.pdf](#) – 34 pages of refined rules to help volunteers in service to their agency and to the prisoners within it.

7. Policies Not Listed

A few of the written policies that were being violated for years prior to July 2012 and even through October 2012 include these, the actual names of which might vary as policies evolve, and I just cannot remember all: Security Operations, Chemical Control (AD-03.16, see Tab 10, Item 7), Key Control, Tool Control, Computer Supervision, Prisoner Work Areas, Fire Codes, Electrical Code, and – importantly, the entire Maintenance Regulations. The coding above, “AD-03” refer a huge “set” of several policies on volunteers, “AD-07” on volunteers, “AD-11” on legal, etc., and so those few above given to the Chaplains on a CD with their own updated manual at their August 2012 were just a few. Most of these can be gotten from TDCJ, if one wants, but how these were violated will be shown below in utter clarity.

8. Violations in the Polunsky Prison Chaplaincy – Look at Wardens First

It would take another 100 pages to delineate the number of **specific violations** that went on for years with the wardens’ full knowledge, with violations now extending to at least two division directors, Stephens and Upshaw. From the 75-plus TDCJ Polunsky *Chaplaincy* Documents here, and *because* of the several wardens’ knowing tolerance, the many violations of policy by Chaplain Collier are less severe than the violations by several wardens and directors in knowingly allowing Collier’s department so many dangerous violations. For example, the signal and premier violation was when the wardens allowed prisoners unsupervised access to computers in the dark for a *single* day, a host of violations occurred, including the written directives on prisoner supervision, computer access, privilege, shake downs, prisoner work area, inventory control, employee personal property, and others. For a single day! But the craziness went on for years, and we will detail every conceivable angle. And when did Polunsky get its million-dollar cameras, where the wardens could *see all every day*. When we add that – hold your breath – within the DARK Prisoners’ Computer Control Center there was a live phone line, the staff restroom, a portal with steel ladder to the roof

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in the AND that the prisoners freely *reconfigured, adapted,* and “*repaired*” their own computers for years – nearly every written security policy was violated every day for years!

Now when you look at Tab 13 on the inventories and see that kind of electronics that were approved by the wardens, oh, come now, even a non-security high schooler could see it: yes, the wardens not only *knew*, they signed off on the prisoner supply train and – just as the volunteers “praised God for” – gave approval for the *unsupervised* prisoner Computer Maintenance Shop.

9. Incorruptible Witnesses to Wardens’ Culpability – Volunteer Chaplains!

No matter how much Chaplain Collier actually knew, and he *knew* a lot, my observation, Michael Maness’ observation was that Collier really did not care about policy much, nor did he care much about the truth (mirroring what my *three* chaplain predecessors felt in their recorded interviews, Disk 1, Tracks 1-3). When I had asked a few times, he had not read most of the policies. He was totally unaware of the policy on shaking down a prisoner’s work area! Need I say more? Ask me what I did? Know that I have said this in several ways in previous letters, including the Oct. 29, 2012, 21-page letter. How many more times? Let me scream it from the top of the Texas Capitol, then, “Hear ye, hear ye, hear ye, one and all!” Several *incorruptible* witnesses exist *today* to the wardens (plural) support of Chaplain Collier’s policy-violating department – several of the Polunsky Prison’s volunteer chaplains. And, sadly, but Polunsky’s current Staff Chaplain Jose Vitela, too, knows, as he has been strung along to safeguard the wardens, in a not too clever ruse; for, you see, Vitela *knew* all about what was going prior to July 2012 as a volunteer chaplain and that – until I started the exposure – Vitela had no idea, none whatsoever, of the hoard of violations. Therefore, as part of the cover up, Vitela was *placed* back at Polunsky by Upshaw and Alford, including Marvin Dunbar and Vance Drum (either wittingly or unwittingly), so as to *continue* the cover up of the *years* of violations prior to July 2012, and cover up the seriousness to date. And Chaplain Collier gets a *clean* evaluation by Alford 30 days after my exposure!

10. Personnel Directives

www.TDCJ.state.tx.us/divisions/hr/hr-policy/policy00.html.

PD 01 – Main Personal Policy

www.TDCJ.state.tx.us/divisions/hr/hr-policy/pd-01.pdf, a selection.

The TDCJ shall develop human resources policies and procedures that are consistent and fair to all TDCJ employees. Nothing in these guidelines and procedures limits the executive director’s authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the TDCJ and **do not** create any legally enforceable interest or limit the executive director’s, deputy executive director’s, or division directors’ authority to terminate an employee at will. Discussion, B. All division directors, wardens or department heads, and supervisors within the TDCJ are responsible for supporting the TDCJ’s personnel directives.

D. It is an employee’s responsibility to be knowledgeable, or seek clarification, of personnel directives and procedures. Being unaware of any human resources policy or procedure is not a defense for a rule violation or grounds for a grievance.

PD 12 – Equal Employment Opportunity

www.TDCJ.state.tx.us/divisions/hr/hr-policy/pd-12.pdf – Discussion – first two paragraphs

The TDCJ is committed to ensuring that all applicants and employees are treated fairly and equitably in all matters affecting employment with the TDCJ. The TDCJ is also committed to providing a work environment free of all forms of employment discrimination and recruiting a diverse TDCJ workforce.

Decisions relating to recruiting, hiring, position transfers, and promotions shall be based solely on an individual’s qualifications and ability to perform the essential functions of the position. The TDCJ shall not tolerate any artificial barriers denying applicants or employees equal opportunity in any phase of these employment-related processes.

PD-22 – General Rules of Conduct and Disciplinary Guidelines

www.TDCJ.state.tx.us/divisions/hr/hr-policy/pd-22.pdf

POLICY: Employees are representatives of the TDCJ and are expected to adhere to the highest standards of conduct while on-duty or off-duty, including adherence to the rules of conduct described in the Listing of

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Employee General Rules of Conduct and Disciplinary Violations (Attachment A). Employees who allegedly commit a rule violation shall be subject to disciplinary action in accordance with the procedures within this directive. The TDCJ promotes equal employment opportunity through an employee disciplinary system designed to impose disciplinary actions without regard to race, color, religion, sex, national origin, age, disability or genetic information. The TDCJ has zero tolerance for all forms of employment discrimination in the disciplinary process, and harassment or retaliation is prohibited. No employee or other individual shall be subjected to harassment or retaliation for acting as a representative or witness or for reporting employment discrimination in the disciplinary process.

PD 23 – Employee Political Activity

www.TDCJ.state.tx.us/divisions/hr/hr-policy/pd-23.pdf

A TDCJ employee is encouraged to exercise the employee’s rights and responsibilities as a citizen in the political process through various activities. These activities may include voting, participating as a voter registrar, contributing personal money to the employee’s preferred candidates or political parties, and actively engaging in campaigning or fund raising and endorsements.

PD 32 – Whistleblower Act

www.TDCJ.state.tx.us/divisions/hr/hr-policy/pd-32.pdf

AUTHORITY: Texas Government Code §§ 554.001-.010

The TDCJ prohibits retaliation against employees who report a violation of the law by the TDCJ to the appropriate law enforcement authority. Chapter 554 of the Texas Government Code, known as the Texas Whistleblower Act, protects a public employee from retaliation by a public employer when, in good faith, the employee reports a violation of law by the employer or another public employee to an appropriate law enforcement authority.

General Provisions

A. An employee who in good faith reports any violation of law by the TDCJ or by another public employee to an appropriate law enforcement authority shall not be suspended, separated from employment, have any adverse personnel action taken against the employee, or be retaliated against in any form based on the employee’s reporting of the violation. In addition, an employee shall not be impeded in any manner from filing a suit under Texas Government Code § 554.007, or be subjected to retaliation for filing such a suit.

B. All managers and supervisors within the TDCJ are responsible for observing and supporting this directive. All employment-related decisions made within the TDCJ, including decisions relating to compensation, promotion, demotion, transfer, work assignment, and performance evaluation, shall be made without regard to whether an employee has in good faith reported a violation of law by the TDCJ or another public employee to an appropriate law enforcement authority.

PD 52 – Performance Evaluation

www.TDCJ.state.tx.us/divisions/hr/hr-policy/pd-52.pdf

PD 79 – Employee Transfers and Reassignments

www.TDCJ.state.tx.us/divisions/hr/hr-policy/pd-79.pdf

AUTHORITY: Texas Government Code § 493.007

POLICY: The TDCJ shall promote equal employment opportunity through a process designed to transfer and reassign employees without regard to race, color, religion, sex (gender), national origin, age, disability, genetic information, or Uniformed Services status. The TDCJ has zero tolerance for all forms of employment discrimination. No employee shall be subjected to harassment or retaliation for opposing or reporting employment discrimination.

DEFINITIONS: “Administrative Reassignment” is a lateral transfer or voluntary demotion initiated and approved by TDCJ management upon determination that such an action is in the TDCJ’s best interest. The employee shall meet the minimum qualifications of the position to which the employee is being reassigned, be able to perform the essential functions of the position, and be otherwise eligible for placement in the position (e.g., no nepotism violation).

B. Employees on Disciplinary Probation or Pending Disciplinary Action

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1. An employee serving disciplinary probation may be administratively reassigned, granted a CO emergency transfer, or be eligible for any employee-requested transfer or reassignment that would result in a voluntary demotion.

2. An employee serving disciplinary probation is not eligible for an employee-requested transfer or reassignment that would result in a lateral transfer or promotion until the employee has successfully completed the disciplinary probation period.

Texas Government Code § 556.007. TERMINATION OF EMPLOYMENT.

www.statutes.legis.state.tx.us/Docs/GV/htm/GV.556.htm

A state employee who causes an employee to be discharged, demoted, or otherwise discriminated against for providing information under Section 556.006 (b) or who violates Section 556.004 (c) or (d) is subject to immediate termination of employment.

Sec. 556.006. LEGISLATIVE LOBBYING. (a) A state agency may not use appropriated money to attempt to influence the passage or defeat of a legislative measure.

(b) This section does not prohibit a state officer or employee from using state resources to provide public information or to provide information responsive to a request.

Added by Acts 1997, 75th Leg., ch. 1035, Sec. 86, eff. June 19, 1997. Amended by Acts 1999, 76th Leg., ch. 1498, Sec. 1, eff. Sept. 1, 1999.

Sec. 556.007. TERMINATION OF EMPLOYMENT. A state employee who causes an employee to be discharged, demoted, or otherwise discriminated against for providing information under Section 556.006(b) or who violates Section 556.004(c) or (d) is subject to immediate termination of employment.

Added by Acts 1999, 76th Leg., ch. 1498, Sec. 1, eff. Sept. 1, 1999.

Sec. 556.009. NOTICE OF PROHIBITIONS. (a) A state agency shall provide each officer and employee of the agency a copy of Sections 556.004, 556.005, 556.006, 556.007, and 556.008 and require a signed receipt on delivery. A new copy and receipt are required if one of those provisions is changed.

(b) A state agency shall maintain receipts collected from current officers and employees under this section in a manner accessible for public inspection.



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Tab 22.

TAB 22. 100,000 Mothers' 1% Certainty Amendment

Revolutionize Entire Prison System in Texas and USA

This is added simply for the sake of justice. If anyone read this Book of Secrets this far, this too will be of enormous interest. Given the conspiracy against justice and equality above by some very powerful TDCJ bureaucrats, for no more perceivable reason than to keep the bureaucracy *away* from accountability and all too often *inside* the hands of those with little interest in expertise and the pursuit of equality, justice, and – in a word – *away* from the true pursuit of excellence, then I have reason to believe that this work of activism of mine *also* contributed to my demise. It is clear from above that to silence and censor me by wardens and directors resulted in some strange affairs, to put it mildly. While I have absolutely no proof, knowing the tight knit community of *some* “wardens-directors” and their spirit de corps, this work on 100,000 mothers might also have contributed to the above. That will never be found out, and – truly – that could be a false fear of my own. I am just a man with my own fears and shortcomings too.

Still, having talked with 5,000-plus mothers, grandmothers, and aunts that represent most of those who helped raise most of the 150,000 prisoners, herein is a perspective on justice and injustice that revolutionize the entire prison system. I cannot conceive of why the following has been nearly completely ignored. Except for Rep. James White, I have had no one really respond substantially.

See the links below for more:



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Major Web Pages

www.PreciousHeart.net/Mother

PreciousHeart.net/100000-Moms.pdf

facebook.com/100000MothersParoleOption

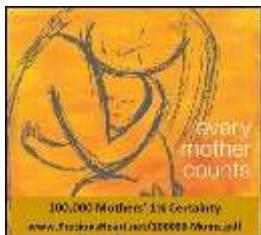
[**BPP FY2009 FULL Report >**](#)

www.TDCJ.state.tx.us/bpp/publications/AR%20FY%202009.pdf

[**BPP FY2009 FULL Report Alternative Site**](#)

www.PreciousHeart.net/PBB-FY2009-Full-Report.pdf





Revised April 7, 2013

100,000 Mothers' 1% Certainty Parole Texas Constitutional Amendment

Solution to Two Huge Injustices while Improving TDCJ's Mission and Reentry Categorically²²⁹

Honorable Legislators of the Great State of Texas:

James V. Bennett directed the Federal Bureau of Prison (FOB) from 1937 to 1964 during the most formative time in prison reform in world history, and most of the prison reforms across the country stemmed from Bennett's innovations. In chapter one of his seminal autobiography of his prison directorate, he summarizes the *problem* of prison:

Society appears unable to plan the progress of correction, because it makes conflicting and contradictory demands. Society expects men to be punished severely for their crimes, so that others will be deterred from committing them. Yet society also wants men to be rehabilitated while in prison, so they might return to useful positions in the community. To oversimplify: society wants men to be taught to use liberty wisely while deprived of it.²³⁰

The following is not merely on the contribution to the over-costing of the TDCJ prisons, it addresses two injustices regarding Certainty in Parole and Staff Experience Access: here is how, 1) adding 1% of Certainty to the current 100% of Uncertainty to the freedom of parole eligible offenders; and 2) Staff Experience Access to over 100,000 years of in-prison *daily face-to-face* experience *with* offenders. In addressing these **two injustices together**, these will also concomitantly and simultaneously introduce unprecedented vitality and management control fostering both positive prisoner behavior and rehabilitation and contributing to the hope in prisoners, in their families, and to the morale of prison staff. Yes, 100,000 mothers want certainty, if at least 1% of Certainty among the current 100% of Uncertainty.

100,000 Mothers' Parole Option

Each Individual Prison by nominations from Department Heads, Supervisors, and Officers in mutual consultation **grants parole to 1% of their Parole Eligible Offenders** for five years – herein called the 100,000 Mothers' Parole Option.

All about Clarity in Justice for All Texans

This would free about 1,500 beds each year, above the current releases, 1% of TDCJ's 150,000 offenders, and, ironically is nearly 1% of the of the Board of Pardon and Parole's (BPP) 110,000+ denials each year. That saves an additional \$10's of millions with one small law or change in the constitution. The rationale is simple: 1) the injustice of 100% Uncertainty is grave, 2) *no one* knows the prisoners better than the Prison Staff, and 3) the *no one* cares for the prisoners like their mothers and grandmothers.

Give Texas Moms "1% Certainty" via the Prison Staff's choice of 1% based on behavior.

Here's how. If an prisoner in a 2,000-man prison *knows* that the Prison Staff *will* be paroling 20 eligible prisoners next year, there are at least

²²⁹ First published as "Warden's Parole Option" in 2-15-2007; presented again to the 82nd Legislature, House Committee on Corrections and others on 4-13-11, with attached data on Board of Pardons and Paroles in relation to HB 3365/3340 first sponsored by Rep. James White, herein, revised March 30, 2013.

²³⁰ James V. Bennett, *I Chose Prison* (NY: Alfred A. Knopf, 1970; 1st Edition): 11.

Seven Benefits for Texas, TDCJ, Justice and Family Values

1. Texas' Family Values LIFTED. A constant source of natural *human* frustration exists among prisoners and their free family members when they can *never* be certain about parole. That lack of certainty on freedom is in many ways unconstitutional. Furthermore, the recent points system introduced a scintilla of clarity in the process only, still leaving the actual predictability of freedom for a parole eligible offender **completely dark**. What is clear is that there has been no progress to close the distance between *knowing* the offender and a detached BPP. There is no possible way for any BPP member to *know* the prisoner in a fashion anywhere close to Prison Staffers; it is a human crime that TDCJ employees who have *supervised* a given prisoner for the last ten (10) years or more and that *supervision* be totally absent in the parole process. That is common **human** knowledge. Adding 1% of Certainty would allow HOPE in the prisoner and HOPE in the prisoner's family to flow like a river and affect the *prisoner's* behavior. Additionally, this would become a true resource of up-beat morale for the staff who would become part of – integral – to an prisoner's freedom. It has been said, "It takes a Village to raise a child," and it about time to use that in prison.

Imagine — the local prison employees *possessing* a 1% voice in an prisoner's freedom based upon behavior. This Village Valuing of Behavior would revolutionize prison and lift family values. There is no appreciable argument against it!

2. Security and Prisoner Work Ethic. If an prisoner *knows* that by law and in reality and in actual practice his *behavior* in prison, even his *attitude* toward the Prison Staff will directly affect his parole, such would improve both his productivity and relationships categorically, in turn, positively impacting facility security, even *how* prisoners walk to chow.

3. Reduce Recidivism. We have a problem. The huge recidivism rate is directly linked to the PBB's choices, and the BPP are *not* decreasing recidivism with *their* choices; worse, *no fault of themselves*, because of the 100% of Uncertainty about decisions, there will *never* be a way to track recidivism effectiveness, much less efficiency. What use is a point system discretion that cannot be tracked? That does *not* improve recidivism? Can the quality of their discretion be measured *outside* the recidivism rate? No! Whatever talent or paperwork they possess, even each BPP member would freely admit, none of them are any smarter or any more educated – they are just men and women like us all. Yet, the 1% Certainty Model would be tractable *because* of the certainty. Yet the crux is that the esteemed BPP cannot and will never have a more finely tuned intuition than the Prison Staff regarding an prisoner – that, too, is absolutely certain. More to the crux, the BPP member almost never has a single hour's experience face to face. With *no* face-to-face experience, the BPP member's choice is nearly *totally* inhuman.

The **Mothers' Option** can prove its reduction in recidivism with clarity, based upon a good *relationship* and the character that the prisoner himself maintains for *years*.

4. Cost Near Nothing. Since most of the TDCJ's prisons have parole officers staffed on the unit, there would be little initial cost in identifying the Parole Eligible offenders.

5. Common Sense Corrects Obvious Malady. TDCJ staff and prisoners face a ubiquitous *human* malady and source of nonsense when an prisoner trustee serves 120-170% of his time (sum of flat, good, and work time) and works like a champion for *years* but whose parole is set-off and postponed two, three, and four times. For what reason? – only God knows the full contents of gray area other than the BPP member's written sentence of rationale! The prisoner or his family is not even appraised of the *odds* of freedom, not even up to the honor and openness of the Texas lottery *odds* of winning. And Prison Staff – nothing whatsoever, though, as human beings, the staff has *supervised* the prisoner for years, an inherently inhuman adventure. **Freedom should not be 100% UNCERTAIN; there SHOULD be at least 1% Certainty decided upon in-prison behavior.** Common Sense is introduced when an prisoner becomes Parole Eligible in a 2,000-man prison, and 1% will be freed every year, that is a *clear* chance – 20/2,000 or 1/100 *every* year – of parole *simply* because the Prison Staff says "yes" based upon behavior.

6. Reentry Reality Training Corrects Prime Prison Failure. An prisoner who *believes* his actions and his *prison* relationships actually contribute to his parole release is more likely to believe the same when in free society, for that is closer to the way the free world actually works. Therein, Bennett's prime failure is

TAB 22. 100,000 Mothers' 1% Certainty Amendment

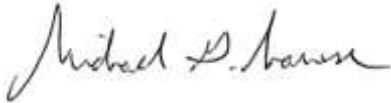
Because Mothers Are Worth It and More

addressed: the prisoner is “taught to use liberty wisely” while being “deprived of it.” The *only way* that Bennett’s prime failure of prison can be addressed is with **1% Certainty in parole given by Prison Staff** among eligible offenders. Currently, there is no reality training where 100% of the choice rests with distant PBB member, who, even with the highest honor cannot truly *know* the offender. The current system demolishes reality training and sows despair, but the Mother’s Option fosters reality and reaps hope.

7. Appendix 1: Texas Double Jeopardy and Chart 1: PBB 10-Minute Decisions, I detail the Double Jeopardy that a BPP member commits when encountering past crimes in parole decisions; thousands of hours of criminal investigation, arraignment, and the court drama between prosecutor and defense attorney, and finally the judge and jury’s decision are in reality *second guessed* by an average of 10 minutes consideration by a BPP member – a super-human responsibility Texas has unfairly placed in the hands of the BPP. Hear this – our precious Jury System is too valuable to be set aside.

What a novel insight – the prisoner who *truly tries* hard gets a better chance at freedom! Better chance than the sloth. The Texas Lottery ought not to be the only thing with clear odds of winning. The **100,000 Mothers’ Option** of granting 1% of Certainty in Parole to Eligible Offenders by Prison Staff is valuable to Texas civilization, prison management, prisoner rehabilitation, and most precious of all in facilitating family values – even smart on crime. When the distance is shortened between those who decide freedom and who *know* the prisoner and the prisoners being freed, therein, **TEAM** truly means *T*ogether *E*veryone *A*chieves *M*ore. If not us, Texans, then who? If not here, where? If not now, when?

Most sincerely yours,



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PreciousHeart.net/100000-Moms.pdf ~ facebook.com/100000MothersParoleOption

Appendix 1: Double Jeopardy and 100,000 Texas Mothers for Justice

by Michael Glenn Maness

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Introduction – Not by Intention

This was exceedingly hard to put together, and became a corollary or auxiliary document in support of the more straightforward 100,000 Mothers' Parole Option that I initiated in 2007. Since then, as best I could, a piece here, a piece there, I have tried to continue to clarify. That effort resulted in a revised version posted in March 2013.²³¹

It will take some real miracle if this is to take off, but, it seems to me, the need to clarify this is so very obvious.

I came to this not by intention, but as the result of years of struggle with another dilemma. After 20 years as senior chaplain of a large prison, as all staffers inside the gate hear perpetually, one prisoner after another will say, at their parole time draws near, “I see parole, I hope I make it” — meaning he will see the unit parole officer to see if the TDCJ Board of Pardons and Paroles (BPP) has granted him parole. For chaplains, this is doubled, as we talk to the family members and connect the family with the prisoners in death and critical illness. Therein, we not only hear the prisoner tell his mother (or family), mostly his mother though, that he is “doing everything he can to come home”—meaning, I am obeying the rules and trying to be a good fellow *in* prison; the point to be taken deep in the heart here is that the truth of what the prisoner is saying is *only* known by the Prison Staff of the prison. Moreover, chaplains hear the mothers encouraging, cajoling, begging, and even sometimes scolding the prisoner to “do everything you can,” “obey the rules,” “do what the officials tell you,” “stay out trouble,” and of course, “come home, we need you.” Yes, there are at least 100,000 mothers and grandmothers and often mother figures (aunts and sisters) of prisoners who want their sons to do right, and there are more mothers who are friends of the mothers of prisoners who want the same.

I. Mothers Wonder at Mystery

Over 100,000 good citizen Texas mothers and grandmothers wonder at the mystery of parole, and every one of them hope their sons will come home as good citizens. Should freedom be mysterious? The chances of winning the Texas lottery are published regularly, even on every single lottery ticket, millions of them. How can winning the Lottery be figured to greater precision than Texas parole? Why? No one, not even the governor can figure out when *any* Texas prisoner will make parole. In the best of worlds, the 163,575 votes cast by the Texas Board of Pardons and Paroles (BPP) in their own FY2009 equal an average of 10.1 minutes of consideration per vote (see Chart 1: BPP 10-Minute Decisions).

If the Governor did call – for a friend of a friend – and that call influenced one vote over what a BPP member would have normally done, a kind of moral crime would have taken place. Lady Justice's blindfold was jerked up a bit by “politics.” That in itself is not so bad or truly abhorrent, for the Governor ought to have some influence. But if the governor did do such, by the awesome power of his office, for any prisoner (and not all prisoners), that is not true justice, especially if the governor did not *personally* know the prisoner. Yet

²³¹ See www.PreciousHeart.net/100000-Moms.pdf.

TAB 22. 100,000 Mothers' 1% Certainty Amendment

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our case is built upon a greater source of influence vastly closer to the prisoner, even humanly intimate, when one thinks of Prison Staff *knowing* a prisoner for *years*.

Even the wide margin of percentages between approvals and denials in all of the BPP's fiscal year reports among the twenty officers and commissioners further illustrate with clarity that there is no clarity or consistency, just a load of decisions made with super-charged speed, even uncanny speed, if not inhumane speed. With such arbitrariness and no certain guidelines that anyone can understand, Lady Justice and the value of freedom take a backseat to a documented whimsy that confounds the mind.

And over 100,000 good mothers' hearts hurt, and for those hearts there is no appeal. If the absolute obscurity of the process – the darkness itself – was made public, widely public, even its total absence of even **1% of Certainty**, would that help? Sure it would. But the reality is that the absolute obscurity and absence of certainty are nearly state secrets, even protected by law, and purposed to remain as much a secret process as possible! Even the purchase of a high-priced high-profile highly successful lawyer will not insure that mother of a better chance at winning the Texas lottery of parole freedom.

The huge legal industry kicks Lady Justice in the shin, and 100,000 mothers are in the dark.

There is a more intelligent and tractable way.

II. Front End of Justice System DOES Not Equal Rear End

The front end of Texas criminal justice is NOT very mysterious (neither should the rear end be mysterious). At the FRONT, one is innocent until proven guilty, and a lengthy and expensive process insures due process, which can be complicated, but the verdict and punishment are crystal clear. No mystery. “Don't Mess with Texas” is designed and marketed to be clear. Texas as a rule prides itself in clarity and fairness.

Should the rear end of prison life be as clear? Of course it should be – should be clearer – but it is not. Some prisoners work like champs, others loaf along, and some remain rascally criminals. Some remain evil, mean and wicked. There is no amount of paperwork that can truly distinguish the champ from the wise rascal.

Without changing the parole system itself, not yet, I have been busy trying to rally support for a novel approach that used to be an ancient practice. The only people who true know the prisoners are the Prison Staff. Allow **1% of Certainty** in authority by the Prison Staff to grant parole to eligible prisoners. First called the Warden's Parole Option, and Maness hopes for popular reasons that the revised 100,000 Mothers' Parole Option will gain advocacy.²³²

I have talked with at least 2,000 mothers in my 20 years as a chaplain, and, inevitably, the hope of coming home arises in chats over death and critical illnesses. Same for all chaplains, and often with other staff who talk with mothers. More than any, mothers want their prisoner children to be good men, and most of the mothers respect the job of the state. The mothers desire their children to avoid trouble *in prison*. Maness believes that every mother would relish the clarity and simplicity of even a small amount of certainty to parole, and for seven-plus years has been advocating for some authority to be given to each prison's Prison Staff to determine at least 1% of parole-eligible prisoners to be set free, based solely upon the prisoner's behavior.

There is no better way to improve TDCJ's mission.

At first, this sounds strange to allow the Prison Staff (department heads, officers, staff) to *make* decisions on parole, but it only sounds strange because of the entrenched apparatus that we call the BPP.²³³ The good officers and commissioners of the BPP do their best, but the apparatus itself has been ill, so ill, that from time to time it takes a literal act of the Texas congress to fix a broken cog in the gearing. Usually that broken cog only comes to light after repeated public pressure by advocacy groups that, in themselves, take *years* to form and *years* more in lobbying before the “parole Leviathan” can be nudged a single foot forward in clarity, much less certainty, regarding all this. Recollecting these “fixes” would consume a large book (and someone needs to write it). The BPP apparatus is like an old Dodge truck that gets *adjusted* and repaired, and repaired again, but never overhauled. When people point out in a clear fashion that the truck gets poor gas mileage and can barely pull its own weight up the hill of justice, the only thing that the Texas congress can do, it seems, is just push the truck along and make a new law that puts Duct Tape “fixes” on a truck lumbering forward.

²³² See www.PreciousHeart.net/100000-Moms.pdf.

²³³ As hard as that was, where is the history of that decision? Has anyone been tracking it? The esteemed BPP members don't have the time to track it.

III. BPP Fix – Points System Still Dark – and Super Human Tasks!

For instance, one of those recent Duct Tape “fixes” happened when the Texas legislature *mandated* that the BPP come up with a system that helps explain how the BPP members make decisions. This is the 20th century, and it took a law to make the BPP create out of thin air a points system that only vaguely gives a small hint as to how the BPP *may* possibly have on the whim of their wisdom leaned toward the decision they made. Vague, still, with 100% obscurity to the public and to 100,000 mothers. I think mothers are important here! Freedom needs *some* certainty – a *value* I presume all Texans cherish. Don’t blame the BPP for that – no sir! It is the law, the governor, and the Texas Constitution that empowers the BPP, so do NOT blame the BPP for doing what they have been tasked with doing. Only know this, the BPP members and commissioners are NOT super human, though, as we will make abundantly clear, what the law and Texas Constitution has thus far tasked them with doing – in fuller ramifications – is indeed SUPER HUMAN, and often – no fault of themselves – all too often inhuman.

Freedom and Lady Justice are more valuable than that.

The BPP itself was charged with “fixing” itself in that regard, which is like a doctor operating on himself, even with Duct Taping his own abdomen. Along with so many other adjustments, that self-operating adds an incomprehensible mystery to the whole BPP apparatus that borders on criminal mischief itself. Surely, we are not just supposed to “make stuff up” as we go along, and tell the 100,000 mothers, “Just trust us, we know what we are doing.”

Again, not the good BPP members themselves, but the “apparatus” has grown to the point that it is choking from its own weight. And the BPP are human beings being asked to and even charged into doing super-human tasks! The BPP is charged with doing the IMPOSSIBLE! And when and if the Double Jeopardy is clarified below, then the BPP is charged by the Texas Constitution with also breaking the law of Double Jeopardy, that actually has a legal precedent dating *before* the state of Texas was a sparkle in Sam Houston’s eye!

One example is clear from the BPP’s FY2009 report. If my math is correct, then in a perfect world, the 163,575 votes that BPP gave in that year turns out be the result of 10.1 minutes of consideration for each vote. That is, in a perfect world, where each BPP member was fully conscientious and gave a perfectly fair assessment and devoted all of their six working hours each day all year round – and no travel – the most time a member *could* give to a prisoner’s case is **ten minutes**. Just ten minutes, that is all, to determine whether a man has met some vague guidelines on freedom *after* he has served his court-mandated time for parole. We will deal with that “court-mandated time” in a moment, but those figures presume a perfect world, locked in a closet with a folder—only ten minutes! See Chart 1: BPP 10-Minute Decisions, which is public knowledge from their own annual reports.²³⁴

This is *not* a perfect world. We know the BPP members are educated and that the basic qualifications are minimal. There is no requirement that a BPP member need have an advanced degree in anything. Most do not. Many come from areas with no legal or criminal justice experience. The BPP officers are appointed by the governor with good intentions, and the commissioners are hired by the BPP. Good citizens given a good job with enormous responsibilities. None are geniuses, we can assume – can be certain – for if geniuses, they would not be on the BPP, but in the industry of their genius making 10x to 100x their salary. And, be assured, having more fun; for making 163,575 decisions is NO SMALL effort for any group no matter how large. But for twenty persons? – *really?* The BPP folks – they admit themselves – are no better than most of the other good citizens in Texas.

We also know, all of us with certainty, that thousands upon thousands of Texans qualify and would relish the BPP job, even covet the job. The salary and benefits are generous. Nothing wrong with that (except as we shall detail the super-human demands, and then, perhaps, they are not getting enough). We also know and must accept that it is the Governor’s prerogative to appoint the officers; there is no surprise that political affiliations play a role in appointments. In other words, the BPP officers are just good folks like the rest of us, most of which simply knew a friend of a friend of one of the Governor’s many consultants, and – though no one has researched it – perhaps none of the BPP officers had a personal relationship with the Governor prior to appointment. Furthermore, the BPP officers do the same as was done for them, likely, in hiring the twelve

²³⁴ BPP FY2009 FULL Report: www.TDCJ.state.tx.us/bpp/publications/AR%20FY%202009.pdf, alternative site: www.PreciousHeart.net/PBB-FY2009-Full-Report.pdf.

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BPP commissioners. What does that mean? It means the selection of the eight BPP officers is the simplest part of the entire BPP process, as a process of trust in the governor and his associates serving Texas.

Therefore, in this *imperfect* world, it would be normal for anyone of us who has to push themselves through hundreds of folders a month to get tired and—dare I say—simply *run* many of the folders saying, “Yes, yes, no, yes, no, no, yes, no, ad nauseam, ahhummmm, let me think about this one, then yes, no, no, yes, etc.” That is HUMAN for such a tedious task, and, sadly, there is no indication that it is otherwise after decades of concern.

In this imperfect world and presuming the best of all the BPP officers and commissioners, it is also clear that most of the 163,575 votes did not even get ten minutes worth of consideration. The average of one officer was only seven minutes. Moreover, in the FY2009 report, among its numerous charts, there was not a single indication of how much time any of the members spent face-to-face with the prisoner they were considering to release. Even though part of the job description in the report was to interview prisoners, there was no indication that any BPP member actually saw one single prisoner face-to-face. It is a given – another certainty – that most of the 165,000+ decisions (approved or denied) were made with not even 30 seconds of face-to-face *time* with the prisoner.

How is that justice? It is super-human demands on our good BPP members, for sure.

IV. Leading Up to Double Jeopardy – “Paper” More Important

While leading up to the Double Jeopardy, know this. Throughout Texas, the greatest mystery of all is repeated every day in 100,000 mothers’ minds and hearts especially, and less frequently repeated in the minds of others too, including other family members and even TDCJ staff: how on God’s earth can a BPP member make a good decision without even seeing the man face to face?

Herein, “paper” has indeed, in fact, been more important than the “human person” in the BPP member’s decision. Remember, no fault of themselves!

Ain’t nobody got time for that, to “see” all, except – hear this clearly – the good Prison Staff who have not only SEEN, but have essentially *lived* day to day and face to face with the prisoner for, in some cases, DECADES! Denying that resource is a human crime, corollary to the crime of *solely* using a sheet of paper to determine parole without even 15 seconds face to face. Has that been made clear enough yet?

Mothers want some certainty and less mystery. They deserve it too, because as good citizens themselves, many of them, are just as qualified to be BPP members.

Compounding all of this, and a knocking in the engine of the apparatus that Maness hopes will get more public attention, it is a skipping of justice that we know with greater certainty the chances of a person winning the Texas lottery than we do with a man’s chance of “winning” parole. From the prisoner’s and his mother’s perspective, and from Texas’ perspective, should parole ever – *ever* – be looked at as “winning” by chance? No! Never! Freedom should *never* be by chance, but the reality is that *chance* is the only thing that makes current sense. A person (prisoner, family, Texan) ought to know what it takes to *make parole* with some certainty.

When *less* than ten minutes is given for each vote, and likely in too many cases less than five minutes, Lady Justice gets another kick in the shin. That is, and therefore, the old Dodge truck’s rattling gets worse as its whole mechanical history comes to light.

Texas’ 100,000+ mothers want, deserve, and demand better. All Texans do.

We value freedom too much to retain such intractable mystery any longer, to say nothing of the shin kicking of our precious Lady Justice. There is more.

For lack of a better term, and perhaps this is the only term, Double Jeopardy is illegal. Once convicted and sentenced, one cannot be charged with the same crime twice. One conviction-with-sentence is enough justice. Yet the BPP in its most recent *refinement* has clarified how it has, as an institutional apparatus, being committing Double Jeopardy for decades, likely from the beginning. I am surprised every advocacy group has not latched onto this, and perhaps they will.

V. Double Jeopardy in Parole Needs Help

Here is how Double Jeopardy goes. The front end of justice begins with a crime, a victim, evidence, and due process. Skipping probation and focusing upon criminals, those who have offenses that lead to two or more years for a felony, we Texans spend billions dollars and millions of hours of time. At the front end –

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First Step – a single criminal gets thousands and sometimes a million dollars worth of attention and thousands of hours of time, from evidence collection, victim bills, insurance claims, police investigations, arrest, arraignment, grand jury, and the whole drama of defense and prosecution. In the Second Step of the front end – the MOST PRECIOUS – a judge and jury spend many *more* hours in court, sometimes days, before a verdict is given. Then a judge or jury sets punishment and off the criminal goes to the hoosegow, the penitentiary, the pen, the big house – to prison. The most precious part of the front end is the Judge and Jury!

Here is the crucial point on the front end, not given much thought today, but as common as the Texas sunrise—the punishment *includes* parole!

I cannot overstate this, and it needs some drilling. For as soon as we can drill this properly, every prisoner advocacy group in Texas ought to come on board. But the most important group is also the most reticent and often left out of consideration: the 100,000+ mothers. I say this, because it was the mothers that brought this issue to my attention, though indirectly and unconsciously, by virtue of their compassion. It is rather sad that a prison chaplain is bringing this issue of Double Jeopardy to light, instead of the legislators and BPP, and not quite as sad, but better late than never if the advocacy groups will really help.

So let me state this clearly. Everyone knows that punishment *includes* parole in Texas. When the judge and especially the jury (of similar qualification as any BPP member) are considering punishment, they are also considering parole. The prosecutor under manifold pressures upon his time and “cost” to the court *throughout* Texas and the U.S. makes Plea Bargains as a *common* practice that *include* parole eligibility in a powerful selling point!

Who does *not* know this? Parole eligibility is a factor for ALL, prosecutor, defense, judge, and most importantly the jury – and every plea bargain in between.

Let's be clear. When a judge or jury is deciding upon punishment, they know that a five-year sentence is five years with the “possibility of parole” in two years. If the prisoner does good in prison, he will have a chance of parole, and that is part of the judge and jury's consideration. The thought processes of the human mind here are not hard to discern. Depending upon hundreds and often thousands of additional hours of work by dozens of people prior to the trial, that become evidence for the trial, and then upon hundreds and sometimes thousands of hours of work during the trial by many people – how much work is given? The “cost” of this is often calculated by economists, too, but who has yet to calculate the more important part?—the time it takes to do all of these *prior* to the most precious part, the judge and jury's decision. That time *is* the justice system's heart, most precious within the mind and heart of the jury who struggle between “punishment” and “mercy” to weigh in the “balance of justice” whether to give 2, 5, 10, 20, or 45 years *time-to-serve*. And a good portion of that TIME is rattled around parole eligibility, if even in a plea bargain and legal drama lawyers so nobly battle.

But **our focus** is on a smaller and critical and precious part of our great free government – the MOST precious part – in that the **judge and jury themselves** spend dozens and sometimes hundreds of hours to render punishment that in Texas *includes* parole. No whim of a dictator for the USA. No whim or wimp for Texas. Truly, “Don't Mess with Texas” is some kind of decisiveness that we take pride in, implying with great advertising and sharp-looking Texas State Troopers ready to enforce – *some things are certain in Texas*. How about 1% in parole?

Yet, Lady Justice buckles with another kick to the shin when Double Jeopardy has been going on for decades and is even spelled out on the internet at the Texas BPP web site. The BPP points system that attempts to help to explain how the BPP members decide the “risk factor” of prisoners is a Double Jeopardy system at its heart of hearts. Again, no fault of the good BPP members themselves, for they did NOT create their board. Worse, the points system was a methodology that the Texas legislature *forced* upon the BPP by public demand to decrease the hitherto fore absolute intractability of the mystery of who wins the lottery ticket of freedom in parole. Prior to the points system, the decision was solely in the minds of good and rather innocent BPP members for decades.

Now with the points system, we can see that one prisoner is a higher risk than another based upon what? Yes, Double Jeopardy in essence. Yes, based upon five minutes of consideration of what the prisoner has *already* been tried for, and some other *paperwork*! Double Jeopardy for decades, lately forced into greater light by the Texas legislature, as the BPP was forced to “fix” or Duct Taping its own mystery; their “clarifying” in their points system is as much a mystery as before, and no real fix at all.

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We still have no clarity, no certainty, only 100% uncertainty prior to a BPP decision.

Yet, even today with the points system, we have only the reason for denial, and still no resolution to the mystery of how a prisoner will make or earn or be granted parole. Not the governor or any person in Texas can figure out how a person is going to make parole or not, not even up to the clarity that we have in the chances of winning the Texas Lottery. And the fixing of the entire apparatus is not going to happen in this article either. What is so crucial to justice is that we must see that the current BPP is committing Double Jeopardy. They are second guessing the judge and jury that spent hundreds (or thousands) of hours analyzing as part of a sophisticated trial process (costing billions) that gave a specific punishment that *included* parole – and second guessing all within five minutes of consideration – super-human demands no person should be forced to do.

Let's clarify more. When any BPP member uses the crime committed in determining parole, they commit Double Jeopardy. Yet, every BPP decision includes not only the crime committed, but also the how serious the crime was. At first blush, one might think that normal, and it has been the norm. The BPP are made up of us normal folks after all. But the current apparatus is broken here. No BPP member has the super-human ability to review *any crime* well in ten minutes, much less *go backwards in time ten or fifteen years* and revisit the hundreds of hours of court time that a judge and jury went through to arrive at the punishment that *included* parole.

The punishment would have been different if there was no parole in Texas.

Said in another way, a man with a small criminal history assaults and robs a victim, and the jury spends hours in trial and is given instructions by a judge. The judge and jury debate and decide punishment according to the laws of Texas, and determine the man will serve five years, being eligible for parole in three years. That same jury would only sentence the man to three or four years if no parole was available. The availability of parole is a crucial part of the punishment by a jury, and – hear this – the jury NEVER includes ANY of the future BPP options and NONE of the vast treatment options that come and go like a sea gulls over the ocean coast. It is IMPORTANT to note that the judge and – most precious – the jury *never* takes into consideration the future BPP process in JUDGMENT. In the judge and jury's mind, the verdict is *meant* to punish the man for a time in prison with simple parole options; if he does good in prison, he can go home on parole. The clarity at the Front End is not at the Rear End.

There needs to be far more certainty, if Lady Justice is to stand tall – even 1% Certainty that can be obtained with Prison Staff choosing, not by suggestion, nor by recommendation, but by *deciding* among 100s of prisoners which ones go home.

Indeed, 100,000 mothers agree that their children needed punishment. The jury did too, and meted it out with the understanding that if the prisoner did well in prison, he would not have to serve his whole sentence. Even the good BPP will agree: it is not the BPP's job to second guess the original jury's determination. Yet, that is what the BPP is tasked with doing; its points system clarifies its own committing of Double Jeopardy. The BPP are NOT super-human enough to evaluate ALL the judge and jury looked at *years prior* in 10 minutes!

In truth, a harder pill to swallow is this: any consideration at all of the original crime in determining parole eligibility is a form of Double Jeopardy. Worse, the BPP cannot do it! Worst of all, the BPP were not there in the precious jury's shoes. I say precious, because the focal point and preciousness of our entire legal system is and ought to be the jury—freedom is a jury's duty most of all, not the BPP's duty.

If we can truly evolve, the BPP will have challenge enough to evaluate its 165,000 decisions based upon the prisoner's in-prison behavior. Expecting the BPP to evaluate BOTH the original crime, often decades ago, second guessing the judge and jury is not only impossible, but even far and away from the task of “parole” itself, meaning in itself, “release from prison” at the least from good *in-prison* conduct. That is what *normal* Texas citizens understand, anyway, and 100,000 mothers most of all. But looking back at the crime is more complicated than looking at the in-prison conduct, and even after all – to do both and look back at the crime in Double Jeopardy AND to consider in-prison behavior AND do all WITHOUT even a face-to-face encounter of five minutes – that is too super-human for any person.

When a man reaches his parole eligibility, the only consideration that should go into the five or ten minutes is *only* and *solely* how he has spent his time in prison. Nothing of his crime before he was sentenced should play a role in the BPP's decision, because any such consideration performs Double Jeopardy and cheapens the precious jury determination.

TAB 22. 100,000 Mothers' 1% Certainty Amendment

Because Mothers Are Worth It and More

By God's witness, such Double Jeopardy should not take place within five minutes. Such BPP decisions in each of the 163,575 votes disrespect the original judge and jury's punishment in a big way. That cheapens our entire justice system.

One method – ideally – would be for the BPP to make determinations on a case folder based solely on how the prisoner acted in prison, with absolutely no knowledge of his original crime. Lady Justice would be truly blind there, and no offense to the original judge or jury would take place. Whatever, we must respect and even protect the original judge and jury's verdict on punishment that *includes* parole. If a man did good in prison, he would go free; if he was bad, he would stay in prison. That is a bit simpler and does not take into consideration some rehabilitation options. But we must reconsider the apparatus.

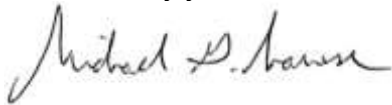
True justice in parole *must* include the Prison Staff in a *definitive* and *decisive* way in parole based upon their huge irreplaceable experience of prisoner behavior! As mentioned, when a prisoners *knows* his actions in prison affect his release, reality and more is congruent, and so much more – revolution in prison effectiveness is on the horizon.

The entire apparatus needs an overhaul, and that is another subject altogether.

Without junking the old Dodge truck, or even affecting the current BPP apparatus, there is a way to bring alongside the truck a new vehicle of justice that will accomplish the BPP mission with little clutter and smog. That is, with no Double Jeopardy and with much more time to consider the prisoner's person, each Prison Staff in each facility in TDCJ has literally 500 to 1,000 years of correctional experience. When a prisoner has spent ten years in a single prison, literally hundreds of employees have observed the prisoner for those ten years. That is a resource too rich to fail to utilize. We must utilize it.

By accessing Prison Staff and decreasing Double Jeopardy, we advance justice and add value to our cherished adjudication valuing to high heaven the original judge and jury's hard-wrought verdict and punishment. We must value the jury's decision that included parole in Texas.

Most sincerely yours,



Dr. Michael G. Maness ~ Maness3@att.net

www.PreciousHeart.net/Mother

PreciousHeart.net/100000-Moms.pdf ~ facebook.com/100000MothersParoleOption

[BPP FY2009 FULL Report](http://BPP.FY2009.FULL.Report) > www.TDCJ.state.tx.us/bpp/publications/AR%20FY%202009.pdf

[BPP FY2009 FULL Report Alternative Site](http://BPP.FY2009.FULL.Report.Alternative.Site) > www.PreciousHeart.net/PBB-FY2009-Full-Report.pdf

given how some things may change over the years.

Chart 1: BPP 10-Minute Decisions

Chart #2: PBB 10-Minute Decisions

Texas Board of Pardons and Paroles FY2009 Report - pages 18 & 22
in a perfect world - fantastic work measures

Seven Officers and Thirteen Commissioners	
Approved for Parole	51,187
Denied for Parole	110,328
FY2011 Total Decisions Made	161,515



Perfect World Time Calculations	
Weeks in a year	52.0 weeks
Minus 6 (3 vacation, 3 Holidays)	46.0 work weeks
Times 5 days a Week - total work days	230.0 work days per year
Times 6 hours per day (minus 2 for lunch & breaks), equals	1,380.0 work hours per year
Equals Work Minutes Per Year	82,800.0 work minutes per year

AVERAGE	FY2009 Total Number of Votes	163,575
	Divided by 20 Officers and Commissioners	8,178 votes per Officer/Commissioner per year
	Divided by 46 working weeks equals	178 votes per week (46 week period)
	or	35 votes per DAY
	82,800 minutes divided by 8,178 votes, equals	10.1 minutes consideration per vote

1	One cast 10,628 votes in FY2009, which equals	231 votes per week (46 week period)
	or	46 votes per day
	82,800 minutes divided by 10,628 votes, equals	7.7 minutes consideration per vote

2	One cast 2,555 votes in FY2009, which equals	55.5 votes per week (46 week period)
	or	11.1 votes per day
	82,800 minutes divided by 2,555 votes, equals	32.4 minutes consideration per vote

3	One cast 1,102 votes in FY2009, which equals	23.9 votes per week (46 week period)
	or	4.7 votes per day
	82,800 minutes divided by 1,102 votes, equals	75.1 minutes consideration per vote
<i>Highest approval rate - nearly double the approval rate of ALL the others!</i>		
<i>Time spent per case made a huge difference in approval rate ...</i>		

One Conclusion: variety of percentages of approvals & denials in FY2009 illustrates the intractable mystery ...
First Observation: in a perfect world, ONE hour of consideration per vote would take 118.5 work years
Second Observation: EVERY prison in TDCJ has 500+ work years of experience, some 1,000+ work years
Third Observation: 100 prisons' 75,000 work years *could* equal 632 hours per vote for FY2009!

www.PreciousHeart.net/Mother

PreciousHeart.net/100000-Moms.pdf ~ facebook.com/100000MothersParoleOption

[BPP FY2009 FULL Report > www.TDCJ.state.tx.us/bpp/publications/AR%20FY%202009.pdf](http://www.TDCJ.state.tx.us/bpp/publications/AR%20FY%202009.pdf)

[BPP FY2009 FULL Report alternative site > www.PreciousHeart.net/PBB-FY2009-Full-Report.pdf](http://www.PreciousHeart.net/PBB-FY2009-Full-Report.pdf)



TAB 22. 100,000 Mothers' 1% Certainty Amendment
Because Mothers Are Worth It and More



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Tab 23.

TAB 23. Conclusion on Character Counting – What the World Thinks

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Character Lists Introduction

“Honesty, Integrity, Professionalism” are values painted in murals throughout TDCJ and at strategically public places inside Texas prisons. These are character traits assumed to be a part of a good employee, a good person. They are not mere *reminders*, but are painted tributes, for good people exemplify these traits. A lot of work has been done on “character,” and in my book on *Character Counts* and its web site there are a host of studies and more.

Thirty *lists* of character traits from organizations: www.PreciousHeart.net/fm/Character.pdf.

Bibliography on books on “character”: www.PreciousHeart.net/fm/FMbib_Character.htm.

Premier organization is Character Counts: www.JosephsonInstitute.org and its www.CharacterCounts.org.

There are many best sellers on good versus bad leadership. Ten-plus years ago Covey’s best seller *Seven Habits of Highly Effective People* was taught by several certified staffers in TDCJ. I took it too.

Few actually study character. Just as few ice skaters never study the physics of skating. Other than how one’s faith pushes one toward heavenly ideals, and in one’s faith, too, good people just *live* a good and honest life. Even those who study good character might not be as good of models of good character, like, for example, my grandfather and other “senior” men and women who have *accomplished* a good character, and like biblical Nathaniel, whom all knew as a man “without guile.”

Today, *character* can mean a lot of things. For the most part *character* means the total collection of virtues or vices that make up a person.²³⁵ We intuitively know the difference between the *bad* or *good* character, the good citizen and the criminal, even the sane and insane, mature and immature, moral and immoral. Likewise, we know that birds of a feather flock together: people with like *character* tend to associate

²³⁵ On “character”: *Webster’s New Twentieth Century Dictionary of the English Language*, Unabridged, 2nd Ed. (Collins World, 1975): “5. a distinctive trait, quality, or attribute. 6. essential quality; nature; kind or sort. 7. an individual’s pattern of behavior or personality; moral constitution. 8. moral strength; self-discipline, fortitude, etc.”

TAB 23. Conclusion on Character Counting – What the World Thinks

All Pivots upon Character Counting

together. And with that, we know that unique personalities and temperaments are found among those with similar *character* where such is a near synonym for *reputation*.

In my book *Character Counts*, I dealt with character on many fronts and from several angles.²³⁶

Most organizations isolate a few top traits they want to shine the light upon, remind, encourage, and instill in their staff and leaders, just as TDCJ has above. The U.S. Navy’s “Honor, Courage, Commitment” are simple to repeat, and they are an “adventure” to pursue; within each is an assumed host of other traits, like “honor” including within it honesty, truth, justice and so forth. Ben Franklin’s 13 Virtues and the Boy Scouts of America’s 12 Character Traits interlock and weave in between Covey’s 7 Habits, William Bennett’s 10 Virtues, Bill Gothard’s 49 Virtues, New Zealand’s 8 Cornerstone Values, Maslow’s 16 Points of Self-Actualizations, Buscaglia’s 10 Most Essential Words, Kounzes and Posner’s *outstanding* 10 Leadership Commitments, and so many more.²³⁷ Now TDCJ’s and the Navy’s *three* assume a lot, and can be memorized with ease, even chanted with ease. The Navy’s three seem better than TDCJ’s, for one reason that TDCJ’s honesty and integrity go together. And I think courage is integral to the distinguished officers and rank in TDCJ. And in the light of this book, let’s take the Navy’s “Honor, Courage, and Commitment,” and note that it takes many kinds of “courage” to face convicted felons with “honor” every day.

In concluding this Book of Secrets and its massive exposure of unethical, dishonorable, and even treasonous behavior by several wardens that should have been *models* of the best of the best, we give two of the top leaders on Character Counts itself, the first is the hands down as the most influential, the second containing the most clinically comprehensive.

1. Character List 1: Character Counts’ 6 Pillars for Ethical Decisions

In the USA, the Josephson Institute of Ethics has led the way for youth. Its Character Counts programs in schools across the country host the largest celebrations in the world, over 4,000,000 youth participating in 2006.²³⁸ The “Character Counts Week” has been proclaimed by every U.S. president since 1994 and by several governors and state legislatures. The most successful in the U.S., and many others have spawned from this set of programs. In July 27, 2007, 2,124,391 youth, 5,397 groups in 32 countries are currently involved, and in 2005 2,000,000 kids participated, in 2006 4,000,000, and in 2008 there were 13,500 celebrations in 56 countries with over 5,000,000 children. Here are their six Pillars for Ethical Decisions.

1. **Trustworthiness** - Be honest • Be reliable — do what you say you’ll do • Have the courage to do the right thing • Be loyal — stand by your family, friends and country
2. **Respect** - Treat others with respect; follow the Golden Rule • Be tolerant of differences • Use good manners, not bad language • Be considerate of the feelings of others • Don’t threaten, hit or hurt anyone • Deal peacefully with anger, insults and disagreements
3. **Responsibility** - Do what you are supposed to do • Persevere: keep on trying! • Always do your best • Use self-control • Be self-disciplined • Think before you act — consider the consequences • Be accountable for your choices
4. **Fairness** - Play by the rules • Take turns and share • Be open-minded; listen to others
5. **Caring** - Be kind, compassionate, show you care, gratitude • Forgive others • Help needy
6. **Citizenship** - Cooperate, Get in community affairs • Stay informed; vote • Be a good neighbor • Obey laws and rules • Respect authority • Protect the environment

2. Character List 2: Peterson & Seligman’s 6 Character Strengths & 24 Virtues

In 2004, Christopher Peterson and Martin E. P. Seligman’s neatly woven and hefty *Character Strengths and Virtues—A Handbook and Classification* is a magnum opus that lifts the bar for the development of a

²³⁶ See www.PreciousHeart.net/fm for the book and a host of online resources .

²³⁷ See www.PreciousHeart.net/fm/Character.pdf for 30 lists from 30 top organizations, with links.

²³⁸ See www.JosephsonInstitute.org and www.CharacterCounts.org, the latter ranking top at Google.com. Joseph & Edna Josephson Institute of Ethics is a public-benefit, nonprofit membership organization founded by Michael Josephson in honor of his parents to improve the ethical quality of society by advocating principled reasoning and ethical decision making. Since 1987, over 100,000 including high-ranking public executives, congressional staff, editors, judges, and lawyers, and police officers have been trained, and many schools and institutions have initiated Character Counts programs on this model.

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whole new genre in positive psychology.²³⁹ For Christian theologians, herein psychology has proved the *value* of values and of noble behavior as good for the soul and society. The bibliography has more technical journals relating to character than another work to date (that I am aware of), having appeared to have surveyed the best literature on the subject from around the world, leaving out no psychological nook or cranny. Not just in trying to find out what is going haywire in a person’s emotional health, Peterson and Seligman’s work built upon the mammoth work in diagnostic classification.²⁴⁰ It promises a new way of looking at people, *looking* for character strengths and how to develop them, instead of what is going wrong. A true landmark in the literature. Character counts a lot, and here is the *clinical* proof!

1. **Wisdom & Knowledge** - strengths to acquire and use knowledge

Creativity: Originality, Ingenuity

Curiosity: Interest, Novelty-seeking, Openness to Experience

Open-mindedness: Judgment, Critical Thinking: examining all sides, not jumping

Love of Learning: Ability to master new skills

Perspective: Wisdom: ability to look at world in ways that make sense



Character Strengths and Virtues

2. **Courage** - strengths of will to meet goals in opposition, external or internal

Bravery: Valor: not shrinking from threat, challenge, difficulty, or pain; speaking up for what is right even in opposition; acting on convictions

Persistence: Perseverance, Industriousness: finish what one starts even in obstacles

Integrity: Authenticity, Honesty: speaking the truth—but more, with genuineness and ability to be sincere; responsible for one’s own feelings and actions

Vitality: Zest, Enthusiasm, Vigor, Energy: approaching life with excitement, not halfway; living life as an adventure; feeling alive

3. **Humanity** - interpersonal strengths involve tending & befriending others

Love: valuing close relations, especially those reciprocated; being close to people

Kindness: Generosity, Nurturance, Care, Compassion, Altruistic Love, Niceness

Social Intelligence: Emotional Intelligence, Personal Intelligence: aware of motives, feelings of others and self; knowing how to fit in and what makes others tick

4. **Justice** - civic strengths that underlie healthy community life

Citizenship: Social Responsibility, Loyalty, Teamwork

Fairness: treat all the same with justice, not letting feelings bias, fair chance

Leadership: encouraging group keeping good relations

5. **Temperance** - strengths that protect against excess

Forgiveness & Mercy

Humility & Modesty: not seeking spotlight, no more important than others

Prudence: careful with choices, not taking undue risks

Self-regulation: Self-control: disciplined, controlling appetites & emotions

6. **Transcendence** - strengths connect to larger world & provide meaning

Appreciation of Beauty & Excellence: Awe, Wonder, Elevation

Gratitude

Hope: Optimism, Future-mindedness, Future Orientation: expecting best & working

Humor: Playfulness: liking to laugh, bring smiles, seeing light side

Spirituality: Religiousness, Faith, Purpose: having coherent world beliefs; having beliefs on meaning of life that shape conduct and provide comfort

3. **Two Lists in Perspective**

From the US Navy’s three, to Josephson’s six pillars in “Character Counts,” and to Peterson and Seligman’s six Strengths – one sees an odd wheel of practicality. The Navy’s three are certainly three

²³⁹ Peterson and Seligman, *Character Strengths and Virtues* (Oxford Univ. Press, 2004; 816p.).

²⁴⁰ American Psychiatric Association (APA) *Diagnostic Statistical Manual of Mental Disorders DSM-IV-TR* (APA, 2000; 943p.), modern psychology’s bible for disorders. See also, *Desk Reference to the Diagnostic Criteria From DSM-IV-TR* (APA, 2000; 370p.) and APA’s web site www.Psych.org, publishing wing www.APPI.org, and American Psychological Association’s site, www.APA.org.

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uniquely useful values. Josephson's six pillars are also six uniquely useful pillars, with a "pillar" rightly implying that the "pillar" of Trustworthiness has *several* characteristics.

Peterson and Seligman's six strengths and their respective 24 virtues are a psychological and philosophical treasure, a scholar's attempt to cover all of the bases, and they do seem to cover all the bases – a true foundational masterpiece. Yet, no one is going to read its heavy 816 pages, just like no one will read this from stem to stern, except the exceptional few with special interest. Furthermore, who will be able to actually *use* the six strengths? Herein is the difference, the Navy's three are for *use* and *inspiration*, as are Character Counts' six, whereas Seligman's are from observation and analysis; the former two are targeted, and Seligman's are comprehensive. For example, Seligman's "Knowledge" is hardly a useful "core value" or character trait in itself, and the 24 virtues are too numerous to be worthy of any kind of succinct motto. The *strength* of the six strengths is in their comprehensiveness and the genius that sifted obvious hoards of material, especially clinical material.

William Bennett's Ten Virtues is also a separate category, too, of compiling and organizing stories from literature, and then placing each under one of his ten virtues. Yet, even Bennett has some elements of forcing some stories into his lists. Nevertheless, despite the categories, the value of Bennett and similar works are in practicality, for the *stories* themselves are crystal clear metaphors on the wisdom and value of the particular virtue being illustrated.²⁴¹

4. What IS "Character Counting"?

Character counting is more than the reputation of a person; it is the *quality* of the person's reputation, the heart of the man or woman, and not just what other people see and hear. What we see on the outside may not be what the person is really like, only what that person desires us to see. The difference between character and reputation is that the character of a person is the real essence of the person, the truth of that person's habits, the real honor as opposed to merely or solely the perceived honor. Highest of all, the person of good honor is the one who has closely synced the inward with the outward. What you see is what you get, the same alone as in public.

Likewise, every person has a character and a personality. The most distinctively unique element is the personality, but the most important element is the character. How a person interacts with others is more important, socially and ethically, than their personality. We want all people to have courage, honor, and truth. Character is important to every person everywhere of every time and profoundly touches every aspect of our lives. It is like a country creek, pleasant to hear and look at, but its source cannot be fully known. Character is the jewel of a person's soul and spirit, how a person uses their virtues like trust, loyalty, faith, respect, love, and more.

Mysterious—but not a secret.

In others words, I cannot cheapen your loved one's reputation in your eyes—no one can—and the reason is that character counts so much. I do not try, for in your eyes your loved one's or friend's character is innocent until proven guilty. Even proof of some bad will not stop love most of the time. In the USA, a man is innocent until proven guilty. It takes more than *claims* to affect perception, and that is character *counting*. Golden treasure.

Truly, on the canvas of life, character is the seal of truth itself in our hearts. We *believe* in our loved one, and that is good enough.

The golden treasure of character counting is that precious trust and sweet confidence that invigorates a relationship. It makes social commerce much more fluid. When we trust a friend, we do not need other baggage, just their spoken word and that is the fact that settles the case. Even a false case can be conned with the perception of good character. The truth is in the heart of the person, and if we perceive the heart nothing else really matters.

Character counting is the gold standard of human relationships. If you have some good character, like gold, it can be exchanged in any market in the world. The exchange rate is the same in all cultures for all time. A good character can purchase credibility anytime and anywhere on earth.

²⁴¹ See William J. Bennett's *Book of Virtues—Treasury of Great Moral Stories* (NY: Simon & Schuster, 1993; 831p.) and F. J. Gould's *Life and Manners—Stories Suitable for the Moral Instruction* (London: Swan Sonnenschein, for Moral Instruction League, 1906; 359p.), the latter at Google Books.

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The best of life pivots on character counting—the gold standard indeed.

^ From my book, *Character Counts* ^

(AuthorHouse, 2006, 2nd Revised Edition 2010; 440pgs), 2-4.²⁴²

Conclusion on Character Counting in TDCJ

TDCJ is all about character counting! Its mission, policies, management of employees, and especially management of prisoners – all about character in so many ways. And wardens are for the most part leaders and pace setters for the “character” of their facility. No more perfect than any man, still – hard to articulate – how a warden “walks and talks” affects his staff and prisoners in big ways. Seasoned staff know that well, and the wardens know that especially well.

There is a deeper aspect to TDCJ that *all* staffers with extensive experience in actually supervising prisoners come to *understand* . . . or perish. Few can truly explain it, as it is being explained here, again, much like the ice skater cannot fully explain the physics of skating. But all staff truly admire their wardens and majors who are good *ice-skating* supervisors regarding prisoner management. One ice skater can easily recognize another skater’s skill, too, and rather quickly; and most wardens support the skill of each seasoned staffer in their own departments, as the staffers themselves look to their wardens for overall leadership. While some might call the paramilitary TDCJ warden-staff relationship symbiotic, and make good sense, but it is really more complicated. A kind of moral and psychological *subduction* takes place, where the given “authority” and cultivated character of the warden is a kind of moral tectonic plate that “moves” over the staff character, the one over the other, in such a way that the prisoner sees and feels and gathers a sense of stability from the subduction of moral, morale, and relationship the prisoner sees in staff as a whole under a good strong ethically balanced warden.²⁴³

Yet, TDCJ’s often innocuous sign “Honesty, Integrity, Professionalism” does not relate well to most of the staff. All of the best know “honest,” like calling a red apple red, and how honesty is distinguished from integrity takes more explaining than should be necessary for a succinct and truly inspirational set of core values. And TDCJ’s “professionalism” has little moral punch, hardly more than “keep your uniform clean, obey rules, use a spell checker on reports.”

The Navy’s “Honor, Courage, Commitment” are clearer, and each is clearly unique.

The functionality of TDCJ’s three character traits do not uniquely apply or describe much of real use in TDCJ’s day-to-day operations. Whether one is a high school graduate entering TDCJ for their first job, or an ex-Marine coming to TDCJ for a second career, there is a *psychological* learning curve for all; and, crystal clear, the world-wise veteran Marine comes with a huge advantage. And, interestingly, age plays a role, too, for *character* is forged in experience.

There is little literature on the psychological dynamics on “character” *use* in prison. If there was, TDCJ would revise its motto, certainly. However, there are shelves on penal psychology and sociology, almost totally written by those *observing* with little actual experience of day-to-day prisoner interaction, but little useful for the day-to-day officer or warden. Said in another way, the college professor writes a lot on prison, without any lengthy *experience* with prisoners, yet we have a load of operational “dynamics” that wardens and senior staffers *know*, like the ice skater, but who can hardly write much about it – that is, just as the ice skater will write about experiences on and off the ring, or a double axle, so few wardens have written of the experience and adventures in prison. Between the lines of the a few warden’s books, one can see some of the dynamics, but no warden has yet written extensively on the dynamics.

Rather than TDCJ’s current three values, I would identify four: Firm, Fair, Credible, Respect, that even flow together and flow toward the single most important in prison, being respect. The first two are already a part of the *real* world dynamics of the prison everywhere, repeated without end in TDCJ, already the de facto *values* in TDCJ: firm and fair. “Credible” is that quality of being trustworthy, and the universally **Critically Important “Respect”** weave themselves into all aspects of in-prison life for all there, staff, volunteer, and prisoner. The four are already the most *operationally specific* and *valued* character traits in the real world of

²⁴² See www.PreciousHeart.net/fm.

²⁴³ Subduction in geology is the process that takes place at convergent boundaries by which one tectonic plate moves under another tectonic plate and sinks into the mantle as the plates converge.

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the prison. They are also easy to remember and immediately useful. On the last, all staffers and especially the wardens know how “respect” can save life and take life. Disrespect a gang, and people get killed. A few books have been written.²⁴⁴ Like the ice skater, if you on the ice, there are certain skills one *must* learn, or get hurt. In the prison, “respect” has no second as an operational quality, quantity, and in many ways a commodity of commerce inside the psychological economy that is the reality of prison.

I have seen wardens and majors use “respect” much like an Olympic ice skater swoops and turns around a ring, and therein, goodness, turns the harder side of prison life. And for prisoners, “respect” is in many mysterious ways the lifeblood of prison, what the dollar is the U.S. economy.

Compare the ubiquity of “respect” in prison with what the experts agree is the single most important quality of leaders in a host of major corporations in perhaps the most thorough study of its kind in the 20th century: **Critically Important CREDIBILITY**.²⁴⁵ A few in TDCJ have read James M. Kouzes and Barry Z. Posner’s masterwork, and if one has read it, one can see who actually emulates the best leaders. In my opinion, their work is 100x more substantive and practically useful than Covey’s Seven Habits.

The “trustee” is credible, for example. All who work in the prison “respect” each other and respect TDCJ’s major rules. One of the most practical and powerful rules is “no hostage will pass through this gate.” So much of the officer’s, supervisor’s, warden’s, and prisoner’s daily prison life is molded, nurtured, directed, and even negotiated between **respect** and **credibility**, in the dynamic exchanges between them, their loss, maintenance, and in retention of a survivable amount of both. Brad, an officer *and* prisoner needs a minimum amount of both to *survive*, for the officer to do his job and for the prisoner to retain his humanity.

In this Book of Secrets, we have documented how master prison administrators have used their ability to negotiate, barter, and even “play the market” with “respect” and “credibility” as they covered up for years the multiple security violations. If OIG’s Sherlock Holmes can discover precisely how Chaplain Collier enchanted for so long, and discovers the real reason for the wardens allowing so many security violations, then OIG will also find out those same wardens and directors worked their craft to extend their “credibility” to the executive director’s office. Often, “credibility” is all one needs, and the executive director’s office cannot operate without it – ‘tis the heartbeat of management – but, if there is a traitor in the house, then “credibility” is the cover for an outwardly appearing honest man who has been hiding and working an entirely different agenda in secret.



Stephens, Upshaw, and Alford were given raises shortly after I exposed the longest cover up of security violations in TDCJ history, five years to July 2012, and then they cover up my exposure of that for the last year, and slay my credibility and respect on the Polunsky Prison. They have succeeded for an entire year, with the witting or unwitting help of Bryan Collier. Quite a success for them, in ruining my career, augmenting theirs, and the executive director none the wiser (or was he?). Though I am incredible at the time of delivery of this massive piece of work, if I am telling the truth, then, what have you, Brad? You have division directors who have doubtlessly ruined the careers of many, including mine, while playing your office like a puppet, the tail wagging the dog. And one fine tail wagging it has been.

Our theme is this Book of Secrets, more than just about anything, shows who much *credibility* rests and pivots upon character counting. Good character is everything to credibility, and – hear this – in prison we all know how many have been compromised by *perception* of good character and the credibility in prisoners. No better example than at Polunsky’s chapel, outlined in 700 pages, which is only 10% of all evidence available even a year later. Yes, to the volunteers at Polunsky, as CVCA Tommy Dill told, they trusted the prisoners in the Computer Control Center in the dark 100%. And he and others *knew* the wardens and Warden Alford supported them, and their prisoners in the dark, and I was being made the bad guy. The world was upside down, because something happened – murder? – that caused the wardens to come under the enchantment of Chaplain Collier and protect him, though Collier lost all of his credibility with the *three* previous staff chaplains and lost it with me too. But the wardens protected Collier anyway, and slew my credibility *harder* because I

²⁴⁴ The classic, Bud Allen and Diana Bosta’ *Games Criminals Play: How You Can Profit by Knowing Them* (Rae John Pub Co, 1981; 220pgs), the most practical, adding, too, a host of “criminal mind” books.

²⁴⁵ James M. Kouzes and Barry Z. Posner, *Credibility—How Leaders Gain and Lose It, Why People Demand It*. (San Francisco: Jossey-Bass, 1993, Rev. 2003; 384p.), which is a follow-up to their seminal, *The Leadership Challenge—How to Get Extraordinary Things Done in Organizations* (1987).

TAB 23. Conclusion on Character Counting – What the World Thinks

All Pivots upon Character Counting

stood up higher and with more force than the previous staff chaplains, even called and *tried* to their bosses, Bryan Collier and Rick Thaler. And after I sent a 21-page letter, no one thinks to call the volunteers or visit other staff at Polunsky – Brad, *that* is the power of credibility.

Said in another way, a good TDCJ staffer is firm, fair, respectful = credibility. With credibility, character counts, and in the “counting” there is the spreading of other “good character” virtues. Stability. Trustworthiness. Loyalty. Security. That is, no character = no credibility. Now, wrap your head around this, Brad: in TDCJ, if character does not count, as at Polunsky regarding the chapel, then character destroys.

You see, Brad, and any other reader,

All Pivots upon Character Counting.

That is true for both sides of the conspiracy, too. As Warden Alford and Upshaw covered up security violations for five-plus years before July 2012, they also lost control and respect from the prisoners – in their hearts – and in many ways sabotaged prisoner rehabilitation for *years* as they consciously permitted prisoners to work in the dark unsupervised in the *prisoners’* Computer Control Center. The prisoners *knew* what they were doing, you have to know that! As I fought hard to bring things into compliance, the wardens undermined my credibility with – hear this loudly – not only the prisoners, but with my fellow staff chaplain and volunteers. The lower ranking security officers and correctional officers were in a moral quandary, too, and for years. So Alford and Upshaw contributed to the slaying and demoralizing of 100s of Polunsky staff, and that could also have played a role Polunsky having 63% more staff disciplinaries over the last ten years.²⁴⁶ And, well, this is good place to repeat our question from the chapter referenced in that footnote: why in God’s name is no one analyzing employee disciplinaries at all? My official answer from TDCJ was, nope, no analyses or even annual reports, mirrored also regarding chaplaincy, where lower management reports tabulations of chaplaincy data to the hill to Marvin Dunbar, but there has been no analysis worth reporting to Division Director Madeline Ortiz, and so nothing meaningful to the TBCJ.

Oh my, there I go advocating for chaplaincy again. Credibility is everything.

Yes, I was forced to retire, for I could not be firm or fair with the prisoners. No one, not a chaplain or volunteer and super-sadly not a warden or major had been FIRM or fair with the prisoners for years. When I ordered prisoners to turn the lights on, and Chaplain Collier allowed the prisoners to put paper over the lights – bam, bam, bam – our credibility flew the coop. With the wardens’ approval, watching even, as the wardens *continued* to support violation after violation in the chapel, like they had been supporting for years before I arrived. And Chaplain Collier resonated with and remonstrated with the volunteers, too, in defending the policy-violating status quo. Even *after* I left, as testified by the TDCJ ITD Techs (Tab 6). The queer and odd supply train to the prisoners signed off on by Warden Muniz, just as it has been signed off by Warden Alford when Alford was their Asst. Warden, fully supported the prisoners free unsupervised ride.

Then, in a sorry low-down traitorous move, Alford begins to pin me to the wall, attempting to undermine my work and credibility further, by goading his Major Hutto to write a Letter of Instruction for tools Hutto had approved and seen and knew Chaplain Collier and his prisoners had been using for *years before I got there*. Alford tried to tie me into the sordid mess, on paper, after I had already been trying to bring things into compliance for three months, even after I wrote a four-page IOC of violations to Warden Muniz, Alford confirming to me his receipt of that, and after I had gone to Huntsville and attempted to see Byran Collier and see Rick Thaler – and told Warden Simmons the same before he retired. Nasty and cowardly, Alford refused like a child to countenance that I had already brought more into compliance in my three months there than all the previous staff chaplains, majors and wardens, including himself (see Tab 1, Item 2, one last time). And, worse is that – to date – the cover up continues: cover up of the five years of violations *and* cover up of the wardens and majors clearly unambiguously consciously *permitting*, fully *supporting*, and – hello – watching those violations *before* I got there. Worst of all, the wardens’ full support was very obvious to all staff and volunteers. The volunteers did not know the prisoners were supposed to be supervised in the *light* while on computers all day. But hear this: **ALL** of the major and minor volunteers and vol. chaplains *knew* that the *unsupervised* prisoners’ Computer Control Center *in the dark* was there with **FULL** conscious permission of the wardens for the last five years, praising God as they did. Chaplain Collier supporting the prisoners,

²⁴⁶ See Part One, chapter VIII-A, above, from 7-2003 to 7-2013.

TAB 23. Conclusion on Character Counting – What the World Thinks

All Pivots upon Character Counting

supporting the wardens’ support, and helping the volunteers to see, oh, poor old Chaplain Maness just did not understand. The wardens’ had approved it all, so it *had* to be all okay. In June 2012, the majors and captains repeated that to me when I asked them! Chaplain Collier and the volunteer chaplains repeated that so many times through October, resisting to the end, with the wardens’ support.

Well, **BULL _ _ _!**²⁴⁷ It does *not* matter if Warden Simmons, Alford and Upshaw or even if Brad Livingston himself *approved* it – it is *still* dead wrong for unsupervised prisoners have computers, cameras and color printers in the dark! It will always be wrong. And the cowardly cover up – once finally opened up – will reveal what really happened at Pounsky. Yes, “cowardly” is also a character trait, and something we do not want in TDCJ, especially moral cowardice; it is not a trait that anyone admires, but it is a very dangerous trait in TDCJ when the coward hides his cowardice and lies to make others believe he is honorable. How painful that must be. Regardless, we have a crime of treason when anyone covers up violations for years. It is high treason in TDCJ to cover up the exposure of that for the last year. And it is snail dung to blame another for one’s own failures in the cover up.

When I look back, Brad, given all, I am surprised at my courage then, in July 2012, and throughout October 2012. It was a fiery trial. That 21-page letter was tough, and this last year tough.

Still, God does *not* bless violations of security or cover ups like those. God blesses honorable conduct.

And it is morally wrong to fail to make that right. Your legacy, Brad, is unfolding here.

Regardless, stand alone . . . I did, and I still do and I will continue to do . . . if I must.



But, God knows, I sure would like help. Sure would like OIG’s Sherlock Holmes to solve the inscrutable mystery of Chaplain Collier’s enchantment over wardens and division directors. And who was the highest ranking person above Warden Simmons and Alford to *know* of the years of violations before July 2012 when I began to expose it all? Upshaw and Stephens? What is it with Dep. Dir. Bryan Collier’s *witting* or *unwitting* support of the cover up? If Collier was *unwitting*, just what kind of Substandard Duty discipline will be given him? And if Collier *wittingly* helped cover up, resignation is his only option.

Equality and justice are core values to Texas’ Constitution. And Firm, Fair, Credible Respect the de facto operational values. We really need Sherlock Holmes here. Solving these mysteries will contribute to the well-being of all in every prison, add to security, foster teamwork, decrease officer attrition, aid prisoner rehabilitation, help all in-prison staffers learn better and quicker and with more fortitude “the games that prisoners play,” helping TDCJ to more effectively fulfill its mission. All does pivot on character counting.



Yours and mine, too, Brad. Both of our legacies are unfolding here.



Brad, if you have read this far, then, well, ah – I am proud of you. When are you going to buy my lunch? I cannot wait to be repatriated, help for a month or two, and retire with honor.

Otherwise . . . God knows. I pray you and I can chat, Brad.



²⁴⁷ Op. cit. fn. 75. The last and most important use of the term.

Part Three

PART THREE:

Three Disks – To-Do List – Epilogue – Syllogism Finis

A. Three Disks – Contents

Disk 1 – CD – 14 Recorded Interviews – Testimony Cover Up and More

Auto-Play CD – listen in your car – of 14 recorded interviews, 1-3 by prior TDCJ Polunsky Chaplains who also had deep trouble with Chaplain Collier’s attitude and his prisoners running amuck and policy violations and truth. These first three reveal a huge story of favoritism to Chaplain Collier and nasty unethical discrimination against these three and to myself. The first three also back me up – I was not alone. It is beyond all imagination, but these first three betray something far deeper and are certain concurring testimony for YEARS of Wardens enchantment with Chaplain Collier, allowing violations and protecting Collier.

Track 01 - TDCJ Polunsky Chaplain Rick Anderson 2009 - 08-08-2013

www.PreciousHeart.net/OIG/01-TDCJ-Chap-Rick-Anderson-2009.mp3.

Track 02 - TDCJ Polunsky Chaplain Loren Edwards 2010 - 06-14-2013

www.PreciousHeart.net/OIG/02-TDCJ-Chap_Loren_Edwards_2010.MP3 – I rattle along a little too much here, and would have liked to edit that out, such was the listening and identification I shared with Edwards, and – again – I am not and have no desire to be a trained interrogator ... and should not have been the one at all to put these together.

Track 03 - TDCJ Polunsky Chaplain Mary Berry 2012 - 06-14-2013

www.PreciousHeart.net/OIG/03-TDCJ-Chap_Mary_Barry_2012.MP3.

Track 04 - TDCJ Polunsky Chaplain Jose Vitela, current chaplain and former Volunteer Chaplain for years at Polunsky with *no problem* with violations prior to employment. Now you know why he was *rushed* from Gib Lewis to Polunsky while still a new chaplain, for any other experienced chaplain would have had the same problems that Anderson, Edwards, Barry and Maness had. Listen closely, for by August 2013 Chaplain Vitela is still “fixing” things months later. The rest is obvious – a novice chaplain being *kept in the dark*, sadly to say, with who knows how many violations came to be .

www.PreciousHeart.net/OIG/04-TDCJ_Chap_Joe_Vitela-08-03-2013.MP3.

Track 05 - CVCA Walter Bennett – on incident with Alford **part one**

www.PreciousHeart.net/OIG/05-CVCA_Walter_Bennett-07-15-2013.MP3.

Track 06 - CVCA Walter Bennett – on incident with Alford **part two**, could not find IOC we wrote

www.PreciousHeart.net/OIG/06-CVCA_Walter_Bennett-09-02-2013.MP3.

Track 07 - CVCA Carlos Ratcliff, on history of “Media Room” in 4-Gym, **before move to 3-Gym** -

www.PreciousHeart.net/OIG/07-CVCA_Carlos_Ratcliff-08-03-2013.MP3.

Track 08 - Shawn Wallace, TDCJ Computer Expert – virus, “my guys handle it ... Reg. Upshaw asked me to go out to Polunsky, I sent two of my Techs, they found a lot of stuff. Chris Heard sends it to Mr. Bell, we set up a meeting, Upshaw, Dunbar, had a list of things we found them. **Yet, on OneNote system, though familiar with it, was NOT evaluated at Polunsky.**

www.PreciousHeart.net/OIG/08-Shawn-Wallace-TDCJ-Info-Officer-08-16-2013.MP3.

Track 09 - HR Tabitha Taylor, on what she did with July 2012 4-page IOC that was to be put in my folder.

www.PreciousHeart.net/OIG/09-HR-Tabitha-Taylor-08-16-2013.MP3.

Part Three: Contents of Four Disks

State Employees Are Supposed to be Treated Equally

Track 10 - Polunsky Major Kenneth Hutto, did not “remember” me seeing him while a captain, but “remembers” the chapel was not too long a mess, strangely enough. No, it was a lie, simple and plain, because he *knew* as a captain, and he will be a great source of information if the right people can talk to him and assure him he will not lose his job if he tells all he knows.
www.PreciousHeart.net/OIG/10-Major_Hutto-don't-remember-08-03-2013.MP3

Track 11 - Vol. Robert Smith, Champions for Life Ministries, 972-298-1101, videos with no media release and no staff screening
www.PreciousHeart.net/OIG/11-Robert-Smith-Got-DVDs.MP3

Track 12 - Vol. Ricky Drake Ministries got DVDs, would send one, of www.NewLifeFreedom.org 713-591-2520, but has not yet – videos taken with no media release and no staff screening before they left unit!
www.PreciousHeart.net/OIG/12-Ricky-Drake-Got-DVDs.MP3

Track 13 - Vol. Cameron Corbin of Whitestone Church. www.WhiteStoneTx.com, 512-577-7368 – videos taken with no media release and no staff screening before they left unit!
www.PreciousHeart.net/OIG/13-Cameron-Corbin-Got-DVDs.MP3

Track 14 - Dep. Dir. Bryan Collier with William Stephens & Jan Thornton with Maness on a conference call 06-18-13 – Collier said Stephens was “sent” to Polunsky, gave appearance all was well, but no one wants to acknowledge years-long security breach or other problems, or the gravity of the exposure.
www.PreciousHeart.net/OIG/14-Bryan_Collier-Maness-06-18-2013.MP3



NOTE: THE FOLLOWING DISKS CONTAIN TDCJ CONFIDENTIAL ITEMS

so they will not be made available to any except by permission from Brad Livingston or his designee

Disk 2 – DVD – Six Items – 1) Book of Secrets, 2) Documents Folder, 3-4) Two MS OneNote Databases, 5) Video 3-Gym by Prisoners, 6) News Clip of Escaped Prisoners Who Used Forged Documents

1. This **Book of Secrets** in 140 MBs in searchable PDF – non-proprietary but copyright protected.
2. **DOCUMENTS-FOLDER** contains many sources quoted in Book of Secrets and more

00--Chaplaincy-in-Healthcare-2001	23--Maness-Chap-Market-vs-Solucient	43--Maness-1,000,000-Dollars
01--Five-Ltrs-Livingston-on-Polunsky	24--Maness-History-In-Prison-Prog-USA	44--Maness-Letter-from-Rep-McReynolds
02--Maness-vs-Church-Splitter-Valentine	25--Maness-Measuring-Chaplaincy-Complexity	45--Maness-Cert-Junell-Honorary-Texas-Chaplain
03--Maness-50pg-Faith-Based-Housing	26--Maness-Chaplain-Job-Duties-cut	46--California-Chaplaincy-Study-1991
04--Volokh-Legal-Article-Faith-Based	27--Maness-Chaplaincy-Cost-Effectiveness	47--California-Chaplaincy-Study-2001
05--Drum-2012-TDCJ-Application	28--Maness-Chaplaincy-Market	48--Maryland-Chaplaincy-Study-1992
06--Pierce-2000-TDCJ-Application	29--Maness-to-Whitmore-Equity-All-Behind-Wire	49--Wisconsin-Chaplain-Study-1998
07--Rutledge-2012-TDCJ-Application	30--Maness-100000-Moms	50--Florida-Chaplaincy-Study-2001
08--Collier-2012-TDCJ-Application	31--Maness-Etymology-Chaplain	51--Baylor-Religion-2006
10--Collier-THREE-3-Annual-Evaluations	32--Maness-Lists-Character-Traits	52--Federal-Laws-Prohibiting-Discrimination
11--Chaplaincy-Mightily-Saved-2011	33--Maness-Character-Bibliography	53--Death-Row-Tabler-Cell-Phone-10-21-08
12--Maness-Save-Chaplaincy-Flyer	34--Maness-FY1998_Chaplaincy	54--Volunteer-Environmental-Scan-2001
13--Maness-Chaplaincy-Proposal-2007	35--Maness-FY2004_Chaplaincy	55--Volunteerism-Texas-Report-2002
14--Maness-Short-Chaplain-Push-2005	36--Maness-FY1999_Chaplaincy	56--Reentry-Report-MASSIVE-2004
15--Maness-Johnson-Ltr-26pp-09-22-02	37--Maness-FY2000_Chaplaincy	57--Texas-Perform-MeasuresSAO-2000
16--Maness-Chaplain-Pt-1-Proposal-2000	38--Maness-FY2001_Chaplaincy	58--Chaplaincy-Manual-2012-APPENDIXES
17--Maness-Chaplain-Pt-2-Timeline-2001	39--Maness-FY2002_Chaplaincy	59--Chaplaincy-Manual-&-Forms-2012
18--Maness-150-Chaplains-Audit-2001	40--Maness-748-Prison-Ministries-Network	61--Volunteer-Services-Plan-&-Handbook-2012
19--Maness-RJ-New-Frontier-2003	41--Maness-Chaplaincy-Bibliography	62--Tab-Template-x-Bk-Secrets-Copies
20--Maness-Gib-Lewis-Chaplaincy-2012	42--Maness-Chaplaincy-Serials-Biblio	63--Texas-Allred-SPURIOUS-Study-2008
21--Maness-Measuring-Chaplaincy		
22--Maness-Chaplaincy-Faith-%-2010		

POINT: TDCJ Chaplain “managers” have done *nothing* in 10 Years, the only *official* on-the-job study by an Allred Prison Warden, which is spurious and filled with holes – ‘tis the ruination of TDCJ Chaplaincy!

Exposing This for 15 Years Is Why I Was Finally PUNISHED with Contrived Disciplinaries

3. **Polunsky Chapel MS OneNote Database from July 2, 2012**, 2,162 files in 1.47 GBs, copied as is from Prisoners’ “Rogue Network” that all SSI’s and other non-SSI prisoners frequented, until I

stopped *all* non-SSI use of computers in early August – **CODE to open several files “david” a TDCJ proprietary file, not for public use**

4. **Polunsky Chapel MS OneNote Database from July 16, 2012**, 2,164 files, 1.47 GBs – *ditto*
5. **01-Polunsky-Chapel-Inmates-06-2012.wmv** = 23:31 minutes, 369 MBs, is a compilation of about a dozen short videos. Gentlemen, if I had *not* copied that OneNote Database in July, the one I *tried* to bring to Bryan Collier and Rick Thaler in July, I would not have these videos either. After Warden Alford came on board and read my IOC to Muniz (Tab 4, Item 2) with info on virus on Chaplain Collier’s computer that provided a back door, Alford ordered no more Flash Drives. Usually the prisoners recorded elsewhere, only God knows now given Upshaw had all erased. But, think if the hoard of videos like this that could have been scanned. And, what was in those password encrypted “folders,” *plural*, that Alford noted in his IOC (Tab 5a, Item 3). **NOTE: at START, very quick, just a couple of seconds, you have the prisoner with the camera leaving the DARK office as usual with lights out – just about 3-4 seconds – very quick, but clearly shows the LIGHTS-OUT prisoners’ office as it was in June 2012 and years before. We do not know how long before.** But we do know the prisoners were unsupervised on the computers since 2007, even when the main chapel was in 4-Gym where the Craftshop is now. One clip a little long with only prisoners playing. What you will see in each selection is some aspect of security concern, in every one: see Prisoners’ Computer Control Center dark with windows to Chaplain’s office covered from inside with cork board, see the Prisoners’ Audio Cave that *cannot* be seen, restricted closet door open, and THREE Polunsky high-res security cameras (better than the prisoners’ video, I think, but do not know), and lastly, the video of CVCA David March being dragged across the floor by prisoners (Tab 2. Item 4 – Slide 10). A **TDCJ proprietary file, not for public use.**
6. **02-Florida-Escape-Forged-Docs-10-2013** – I recorded this incredibly relevant clip from my TV, the sound a little low, of a new broadcast of the Florida prisoners who escaped using – listen to this! – *forged* papers! Because of the blather and sheer obstinacy and belligerent insubordination of Richard Alford to those Prisoners’ Computer Control Center, when this clip came on, I was transfixed. I could *not* have asked for a BETTER illustration. The chapel prisoners were the one creators of the Volunteer Chaplain badges, pasting photos with their camera, on IDs used to enter the Polunsky Prison – that is all. Until August when I actually checked Chaplain Collier’s “Weekly” clearance and found NO Volunteer Chaplains on it, denied volunteers on it, and some not yet cleared on it – the Vol. Chaplains were using only their badges the prisoners created. But THIS NEWS cast threw a whole new light on their DARK room unsupervised computer work – the creation of ANY document (see also Tab 15, Item 9). Oh, I did not mention elsewhere, the *prisoners* had piped in live television, too, and could copy broadcasts ... and watch this very thing. Just saying ...

Disk 3 – DVD – Director Hazlewood Video Set – Shows INSIDE of Prisoners’ Computer Control Center, Window Block

Auto-Play DVD *for* Division Director C.F. Hazlewood without any extant paperwork available for such a production IN the Chaplain’s office and for record’s sake in case a prisoner sues TDCJ: that is, via Open Records ALL the Media Releases that were funneled through TDCJ fine legal department, too, no paperwork exists permitting it. In this, the prisoners obviously interview each other. It is a nice meaningful video, but also *without* any supervision at all and completely against standard policy. The prisoners in *their Computer Control Center* did what they pleased seven days a week, 10-13 hours a day, unsupervised in the dark. Within this production, see resources and covered windows that the prisoners controlled with *zero* supervision, no prisoner shake downs, and no shake downs of their work stations – ever.

Chaplain Collier and the lead CVCA’s had **no understanding** of the policy of daily shake down of a prisoner’s work station. Worse, as drilled above, there was simply no supervision of prisoners at all.

And critically important, this took place with the wardens’ – *plural* – full knowledge and consent and support and pats on the back, etc., ad infinitum, ad nauseam, to the continually repeated litany of praises by the dozens and dozens of volunteers for five years prior to June 2012.

How did Director Hazlewood “preach” all those years in the 3-Gym and never notice the zero supervision of the prisoners on computers *hidden* from sight and sound? There’s a thought.



Part Three: Contents of Four Disks
State Employees Are Supposed to be Treated Equally



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To-Do List

B. To-Do List – Evidence Not Available to Maness Yet or Ever

In addition to confirming all the violations at both the Polunsky and Lewis Prisons, and contrivances of my three disciplinaries, interviewing those in Tab 3 will add another truck load of evidence, fill in many blanks and dovetail with the interviews on Disk 1. If Richard Alford aids OIG, that will help tremendously. Those at the Lewis Prison surrounding me and CVCA Melvin Bell saw Warden Helm’s vitriol to Bell and Helm’s violations, though the volunteers could hardly explain the violations then, and they will aid in confirming the craziness of all, and how the five letters already sent were not respected and covered up as well.²⁴⁸ Whatever value was placed upon volunteers in my first contrived disciplinary – gobs and gobs, and *rightly so* – still my first substandard duty disciplinary for my criticism of David Valentine’s church splitting was contrived for the reasons given; the salient point here is to reiterate how that was just another ruse in the book of retaliation, for those *same* persons disciplining me did *not* discipline Wardens Helm and Hunter for far worse violations of the same policies to Volunteer Bell and other things hurting the Chaplaincy Department at the Lewis Prison. Why bring that up here, at the end? Because no one is talking to the volunteers, like those retired police officers, retired bank presidents, retired nuclear missile handlers, non-retired millionaires and community leaders do *not* mean a speckle, not a drop, not scintilla of what Bryan Collier and Michael Upshaw especially *pretended* the “volunteers” meant to them and the agency when *no one* bothers to ask them, who will not lie for anyone. The real issue here is about treachery, treason, lies; doing a real investigation and talking to the Untouchable Witnesses is as critical as looking at the documents themselves. Part of the exposure *now* includes the exposing of a deliberate avoidance of documents and witnesses, an intentional avoidance of the volunteers themselves – which is an intentional cover up of Collier’s and Upshaw’s *lack* of real value of the volunteers – for the truth and the evidence is OUTRAGEOUS. Just this work is outrageously huge, and only 10% of what is available.

- 1. Polunsky 1-18:** Ideally, find an OIG agent unrelated to Polunsky and send him incognito to “repair” computers at Polunsky and set up a tap into the 3-gym security cameras for a week or two, and take a look. Better late than *never*. Guarantee you’ll see something. If you do that, tap the chaplain phones too, for the same time frame. Though, it is my considerable opinion that Chaplain Vitela is innocent, honest, and was *placed* back at Polunsky simply because he knew *only* good times for the five years previous *while* the violations were taking place while he was Catholic volunteer.
- 2.** Temporarily shut down Polunsky Chapel, perhaps lockdown Polunsky for a couple of weeks.
- 3.** Get a team to review all of the Polunsky security tapes for as far back as possible for 3-Gym and 7-Gym (either from “1” above, or simply start cold).
- 4.** Review list and records for the last six years of the Region 1 Shake Down Team, or as far back as six years (don’t remember creation date), then interview all the leaders and members to discern why they *never* came to Polunsky 3-Gym; see if pattern exists of avoidance.
- 5.** Discern if any Region 1 Shake Down Team member has been stationed at Polunsky, and compose a team of clean officers to search of 3-Gym and offices especially, and other areas.
- 6.** Check all the OIG officers at Polunsky for the last six years, track promotions, interview. One OIG man (white, about 6’, 200 lbs.) had a CD made by the Polunsky Chapel prisoners – I gave it to him.
- 7.** Full list of wardens, majors, captains, and lieutenants for the last six years at Polunsky, their promotion history to date, and interview them. Who was promoted? Who left or resigned?
- 8.** All sergeants and lieutenants for last two years with day shifts and interview at Polunsky.
- 9.** Interview all the volunteers at Polunsky, time served, etc.; all the CVCAs who led chapel services. From Ed Reeves and Tommy Dill, especially, discern precisely ALL “personal property” they brought, bought,

²⁴⁸ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf. The 35-page letter starts on page 48.

To-Do List – Evidence Not Available to Me

- and when. Dill brought a lot of the color printers in, and he played a large role in “God’s work” he honestly believed the wardens supported for *years*. No one has interviewed him, either.
10. Find out all about TDCJ Peer Program Lisa Langely’s computer and history, when she brought it in, why she left it for years – for *years* – who authorized that, what programs were on it when she left it, and also review all of the DVD’s the chapel prisoner computer experts created. Who bought her computer? TDCJ or did she buy it and *loan* her personal computer to the prisoner computer experts with full admin controls and wireless ability.
 11. From Tab 3, at first interview with Chaplain Collier and CVCA Ed Reeves, get credit card data and number/s of all cards (other cards, if used) used in the last ten years for the Polunsky Chapel. Ask for audit and full reports of Tab 12 account used for chaplaincy equipment. Don’t you, too, want to see just how much has come into the Polunsky Chapel? See a real balance sheet?
 12. Check MS OneNote on Disk 3 and on the current Polunsky Chapel Computers for all suppliers for office supplies, computer supplies (like Tiger Direct) and music supplies (like the American Music Supply), and retrieve all of the invoices for from both places: 1) from the old and new chapel databases, and 2) from the supplies themselves as far back as the suppliers have them, and get all invoices. A complete list of all *supplies* and *equipment* from all sources for as far back as possible, for a complete picture of Prisoner Supply Train.
 13. Find out the source of *all* the significant inventory. Unlike Alford in Tab 5a and his treacherous January 2013 IOC, for God and Chaplaincy’s sake, do not just see that all “is properly donated”! Those were his own words – just tamper with the evidence and make it all right, now, after the exposure. Al Capone wished he could have done that before his trial, too, making all his money look “properly” donated, too, so it *now* looks okay on paper, forgetting how *all* of it came illegitimately!
 14. Get a free-world expert to look at the inventories of July 2012 and from #12-13 above, and today’s equipment, and do a thorough analysis of the computers, their programs, hacking ability, to discern ALL of what the prisoners were *capable* of doing in 2012 *before* Upshaw erased and “reconfigured” everything. **Why do we still not know what the prisoners are capable of doing today!**
 15. Get an expert to analyze the OneNote database on Disk 3, and compare it with the OneNote at Polunsky today. Discern the capabilities of the staff Chaplains on the OneNote, to see how dependent the Chaplain is upon the largely unsupervised SSI today.
 16. Find the persons Upshaw and Alford “disciplined” for case review for the last five years.
 17. Very importantly, discern Dunbar and Pierce’s full role in Polunsky cover up for years
 18. **Answer Key Mysteries: 1)** What happened? **2)** How did Chaplain Collier enchant wardens and directors? **3) Why?** **4)** What made wardens look away for so long? **Lastly**, critical, who was promoted for compromising? **Most important**, who was the **First Hero**, the first to repeatedly report and was punished for their honor, too, over five years ago?
 19. **Chaplaincy 19-21:** Examine Vance Drum’s promotion by solicitation by Dunbar in 35-page letter (fn. 203), and Chaplain Vitela *rush* to Polunsky and Vitela prior volunteer status a Polunsky *during* major violations. It was *not* ethical to “extend” the application and solicit one person to apply – no matter that Drum’s was the best.
 20. Examine Dunbar’s hiring of Michael Rutledge, appears Rutledge was hired because of his lack of networking and his non-commitment to the Chaplaincy Profession, just as Bill Pierce was about 10 years earlier, another without experience (OR outstanding on that too).
 21. Examine scrupulously Dunbar’s and esp. Pierce’s role in Polunsky (fn. 203), Pierce *interviewed* Chaplain Collier on “how Collier got volunteer chaplains” without Pierce *seeing* violations for *years* – for *years* – because Pierce did *not know* how Polunsky functioned.
 22. **Lewis Prison 22-26:** Check Major Bryant who made Major *from Polunsky to Lewis*. A link is there! Bryant had to know of the Polunsky Chapel violations, and so just had to *compromise* himself somewhere with Warden Simmons in cover up to promote!
 23. Review Warden Bill Lewis’ *false* allegation of my “inappropriate relationship” – who the *hell* does that? *Everything* about his orders, Upshaw’s relation, and follow leads, if any, to Ortiz, et al.
 24. Examine Dunbar, Bill Pierce, Drum’s role in Lewis Prison Chaplain hiring. View Drum’s notes in all the interviews, which are still outstanding Open Record requests and appealed to Texas AG.
-

To-Do List – Evidence Not Available to Me

- 25. Examine Warden Helm's role and purpose for his violations regarding Vol. Melvin Bell.
- 26. **Maness.** Examine Dunbar's role in my 50-page Faith-Based Letter, any "orders" he received to discipline, how he got away with such sloppy work for writing a Sub-Standard Disciplinary below par and himself escaping a Sub-Standard Discipline.





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the most critical and pivotal 16 pages in TDCJ History

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I close with a last look at one email that, from a *scan* of the above, certifies a significant portion of the cover up. Goodness, a lot rests upon you being able to see Six Years of cover up at Polunsky with a reasonable scan of this. It’s plain to one who would read every sentence, but no one will ever do that.

RECALL – Tab 6, Item 5 – 11-08-12 Upshaw Orders ITD Experts to “Clean” All

On October 29, 2012, I faxed you a 21-page letter, exposing several atrocities at Polunsky, including my being forced to retire for Alford’s shenanigans and his obstinate cover up of the unsupervised Prisoners’ Computer Control Center. That letter got real experts to Polunsky for the *first* time in five years. I close with Information Technology Division (ITD) Director Mike Bell’s email on November 8, 2012, to his Tech Expert Shawn Wallace, a week after ITD began. After several meetings, reflected in the ITD emails in Tab 6, Bell relayed “orders” to Wallace from Region 1 Director Michael Upshaw: orders to “**clean**” all.

See the whole email and other ITD emails
Tab 6, Item 5 – 11-08-12

Shawn,

I spoke with Mr. Upshaw last night about the Polunsky unit. He is requesting that ITD clean and configure the 3 TDCJ computers (the two we identified in Chaplains office and one more in death row area). Only authorized user accounts should be on the computers. Please coordinate your visit and actions with the Polunsky wardens office.

The other computers will be locked up by CID staff until they can be officially donated to TDCJ and then ITD will be contacted to configure them properly. The rogue network equipment will be removed by CID per Mr. Upshaw's instructions. Let me know if you need any additional info, thanks.

Regards, Mike Bell

Key Words?

- Clean State Computers
- Configure Properly
- Only Authorized User Accounts
- Officially Donate
- Rogue Network

Simple enough, on the surface, but appearances can be deceiving. This sheds critical light to all.

From all my letters, the only response has been two IOCs from Richard Alford and Williams Stephens (Tab 5a, 1-15-13 & 2-7-13). Only after an appeal to the Texas AG’s office, TDCJ rescinded it request to deny and released those to me late in July 2013. Those two men nullified all I had written, made me a liar and a

toad, a wee little whiner, and they depended upon no one checking on them; heck fire, there was no pressure, as they did not even write their pitiful IOCs until January and February, and, then – check it out – only *after* my second 13-page letter faxed to you on January 17, 2013, mentioning the possibility of extortion. So, Alford *responded* on January 15, did he? Two days before my fax, did he? **BULL_ _ _ _ !**

If I had not faxed that letter on January 17, there would have been no IOC from either, just as if I had not faxed the 21-page letter on October 29, ITD would not have visited Polunsky.²⁴⁹ The ugly facts are what they are, and the only report worth anything is what ITD shared in their emails, and we’ll dig into Bell’s outstandingly informative email in a moment. Rick Thaler responded to my January 17 letter (saying mine was dated February 19, his mistake) saying on March 8 that he would review all and ensure the “responsible investigative entities have the information made available to them for appropriate review and action” (Tab 1, Item 4). That was four months from October 29, and the two IOCs from Stephens and Alford were months later too. Sadly, it appears Thaler is involved in the cover up too, the main reason being that no OIG was involved for *years* given the utter chaos of policy violations. Now that Thaler has retired, conveniently, his part remains to be seen, yet having an idea his expertise and network, it seems impossible to me, now, that he was *fully* ignorant of the extensive cover up; I can’t see that. Yet those dates are not nearly as important as what Stephens, Upshaw and Alford *did* collaborate upon as agents of the state, and it is nasty.

Bell’s matter-of-fact email slaughter’s the reality portrayed by both Stephens and Alford. Not seen in Stephens’ and Alford’s two IOCs is Upshaw’s signal role at Polunsky in the ITD investigation (and Upshaw’s role in *all* my disciplinaries). Look at Bell’s email. His crystal clear statement is from TDCJ’s top computer guru who consulted all way: Upshaw wants *everything* “cleaned,” which also means covered up. Upshaw convinced TDCJ’s top guru that whatever was going on at Polunsky was not serious; no need to involve OIG, if OIG even came up in any conversation or consult.²⁵⁰

Why? What is a “**rogue network**”? Please notice “Only authorized user accounts should be on the [TDCJ] computers.” Really? You think?

Let’s look at a little context. On Friday, Nov. 2, Chrys Heard reported the following:

From: Chrys Heard
Sent: 11/02/2012 06:04 PM CDT
To: Mike Bell; Melvin Neely
Cc: Shawn Wallace
Subject: Polunsky Unit Update

This is just a brief update on the security issues at the Polunsky unit.

All offender PC accounts had admin rights.
All guest accounts on all PCs were enabled.
A Wireless N router was found in use.
4 Network attached storage devices were found.
Bluetooth file sharing was found.
Several encrypted files were found, including a 2gb area on a hard drive. We have not been able to determine the contents.
Several USB memory sticks and/or removable media cards were found.
1 USB memory stick was found that had been hidden in the office.
Presumably pirated software and movies were found installed on all PCs and copied on DVDs.

At this time, I recommended that the area be closed off for the weekend until the ISO office can get get back on Monday to complete the investigation.

Thanks,
Chrys Heard
Information Security Analyst (ISO)
Information Technology -TDCJ
936-437-1821

²⁴⁹ See the letters here www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf.

²⁵⁰ Another thought, for OIG’s Sherlock Holmes, is *if* OIG even came up in any of the conversations throughout ITD’s record-breaking *four-week* “cleaning” of the largest collection of corrupted TDCJ *and* illegitimately procured computers used by unsupervised life-sentenced murderers funded by Off-Shore Account/s. Just wondering.

A 2 GB encrypted area the expert *cannot* access? Admin. Rights? Wireless? Bluetooth? (Tab 6, Item 2).

On Saturday, Nov. 3, Bell asked Wallace, “Did we power down everything including the wireless and Bluetooth also?” Yes, they did and would return on Monday.

On Monday at 8:57, Wallace asked Bell for guidance on some questions and gives evidence of an encounter with Chaplain Collier: “The Chaplain is probably going to fight use on most if not all issues” (Tab 6, Item 3). Wallace forwards questions from Chris Miller, noting that “half of it is marked personal Property of the Chaplain.” Miller’s questions included lulus like these: “Who owns the equipment? Who maintains the equipment? What should be done about the computers that had TDCJ property numbers that the offenders were using? What should happen with all the extra equipment they had that was just laying around? Should the option be available for all equipment to be donated to TDCJ? And if so, who would be responsible for the setup and maintenance? Also, would they be allowed to keep their data with this option?”

Can it be any worse? How about *years* in the making and no tracking of when the wireless arrived.

Now read Stephens’ and Alford’s two IOCs three months after I faxed on October 29. Alford pretends that his discovery came from me in my own grievance hearing a couple of weeks before. And no one bothered to ask the volunteers or other staff that I talked to from June through October, including my IOC to Warden Muniz July 11 (Tab 4). But this is just a short recap of what we hammered earlier. Alford lied in his IOC and Stephens backed him up, the both of them covering for each other and – as we’ve been showing for hundreds of pages – protecting Chaplain Collier for reasons only OIG will have to discern. And Upshaw is with them and behind them in subtle ways that we will uncover here, thanks to ITD’s honesty and their Techs being outside the thumb and intimidation of all three of them, Stephens, Upshaw and Alford – thanks to Bell’s outstandingly informative email.

Everything is wrong, just as I had been harping for months, the two IOCs from Stephens and Alford deflate the seriousness months after the incident – stating flatly that all has been fixed. But not relating the more important failures which are outrageous. No hint or explanation from them – pro or con – regarding this going on for years – *years!* But it is actually worse than all that, and I am sure if I had another month I could edit this down much more.

The meat of Bell’s masterpiece is this: Upshaw requested ITD to “clean,” which is the least Upshaw could do to in answer to Bell who *reports* of the “rogue” network the prisoners set up and managed. Upshaw’s response to “clean” is the *least*, too, the absolutely *least* response – yes, drill this and I hope OIG’s Dirty Harry drills this too – Upshaw’s response is the *least*, the mildest, the most passive and the weakest response imaginable to – *what?* – to a “rogue” network with unauthorized user accounts on TDCJ computers *and* on illegitimately procured computers from Off-Shore Account/s – networked *together* (Tab 12).

Bell a World Apart from Stephens and Alford. Upshaw scrambled and back-peddled. And Bell’s nonchalant business-as-usual email came after extensive consult with Upshaw who was to Bell’s mind your agent, Brad, *your* de facto agent and security chief. And Bell’s email is a reality that is a world apart from the two pitiful IOCs by Stephens and Alford. Upshaw *knew* the Polunsky Chapel prisoners were using computers unsupervised for years; everyone knew that; the volunteers were proud as peacocks. Doubtlessly, Bell was *never* told the Prisoners’ Computer Control Center had been in operation and developing for five consecutive years totally *unsupervised*. Bell did not know the prisoners themselves that built, maintained, reconfigured, added to, and reconfigured again to their own hearts’ desire without a single staff member or volunteer that knew what the prisoners did. The TOP TDCJ computer guru would have had questions about *that* if he had been told the whole story, and it will be interesting to see what OIG finds out there. See Tab 6, the *only* ones asking pertinent security questions are the ITD Techs – the *only* ones!

What Upshaw does is important, but what he does *not* do is more important. In this exposure, Upshaw’s order to “clean” is not a simple “cover up” anymore, but a malicious cover up extending back years.

Reading Too Much? Oh, no ... no one is reading too much into Bell’s email. That was the final decision memorandum, in so many words, after a week of analysis and phone calls. Alone, it is enough. But when you tie together Alford’s and Stephens’ IOCs in Tab 5a with the rest of the ITD emails and ITD’s laundry list of issues and their inventory of the primary pieces of equipment in Tab 6, and mix in the inventories and Off-Shore Account/s’ supply train in Tab 13, and dress the whole with the interviews on Disk 1 and the witnesses in Tab 3 – now then, that is a pot of chili that will tear up your innards. And it should. But that is not all. When you toss into that steaming chili pot some of the rancid leftovers that this has been going on for SIX YEARS by life-sentenced murderers in the dark – oooh, oooh, Brad, Brad, Brad – that becomes one

Epilogue – Last Note on Cover Up

HELL of a stinking pot no one in their right mind would want to eat. And to this very day, we *still* do now know how long the prisoners were in the dark.

How does it feel when ITD is asking more *security* questions than TDCJ's top security experts?

Brad, tell me? Who wants to eat that mess? Let me tell you who! Upshaw, Stephens, and Alford have been eating that for years, and sharing it with you – baby feeding you, Brad – after having salted it down with back stabbing me and maligning me and ruining my career. Brad, those three, and more, have been serving that up without a single disciplinary for *anyone*, and – with justice and equality to me sent packing for two years now – not a single disciplinary for their protected Chaplain Collier who is the man responsible since 2007, who – btw – has been quietly and speedily scooted away ... to where? To be over the most delicate of all chaplain positions in TDCJ, the Death Row Executions!

Tabasco Sauce. Let me flavor that with a dash of Tabasco: Jan. 1, 2014 – *after* Maness and ITD guru Mike Bell *document* the Polunsky Chapel having **EVERYTHING WRONG**, the most protected, covered up, policy-violating enchanting chaplain in TDCJ history for **SIX YEARS** is sent to handle the most notorious of all the state chaplains' jobs in the history of TDCJ, the worldwide famous, darling of the critics, quickest-to-make-headlines in TDCJ, most published of TDCJ and the most pastorally delicate of all the missions in this world the

Death Row Executions . . .

and the signal wardens and directors responsible for protecting that single chaplain *and* protecting the Polunsky prisoners' playground are **promoted!** *AND* ... the most back-stabbed, most maligned, policy-compliant, TDCJ-mission-defending, and loyal – and most prolific – chaplain in TDCJ history is *forced* to retire and *forced* to pull together an outrageously insane amount of rock-solid evidence to prove his *fifteen-year-old story* of cover up exposing this: the persons we *should* trust the most **LIED** to protect their pitiful cowardly selves *and* pulled a silken cloth over the Executive Director's high office *and* manipulated to *keep* OIG away!



What do you call that? . . . Can you hear me now?

And when Inspector General Bruce Toney reads this Epilogue alone, the Top Cop for TDCJ, guru of law enforcement in his own right – ohhh, I'd like to be fly on the wall there – for doubtlessly his *old-school* heart will steam, literally *steam*, his eyes darting to his baton standing ready in its corner, that he probably has not used much in the last decade. Something needs clobbered. The implications of the scope of manipulation, as he right-well knows, increase the good law officer's work more and more the longer the cover up goes.

SIX YEARS now, and not a single soul has called OIG! What cowardice and lack of honor and disrespect for TDCJ has been bullied for those years? How many others were promoted for their ability to compromise policy, too? How many honorable souls were punished? What in the living hell is that?

Brad, I'll tell you what that is, clearly: Stephens' and Alford's two IOCs are utter **BULL_ _ _ _ !**

I, Michael Maness, your chaplain, Brad, wince and hurt for that fine man Mike Bell. When he reads how much he has been manipulated, too, he will hurt like hell. And, yeah, he'll have more to add here.

Closer Look. From the emails in Tab 6, ITD had been working at Polunsky since Friday, November 2, locking the computers up on Saturday, then back on Monday. A few meetings later, early Thursday morning, Bell conveys to Wallace what Upshaw wants. Strangely, Upshaw ordered the "cleaning" without any analysis of what was on the prisoners' computers. ITD followed orders and goes to work; they finish on November 28, four weeks later – four *weeks* later. Whew, what a job. But that is *not* the strangest part of Bell's email. Read it again. Very, very strangely, Upshaw ordered a cleaning **before** any kind of discovery or documentation of the who, what, when, where, why and how of five critical items:

1. Rogue wireless network,
2. Unauthorized access,
3. Origin of the illegitimate computers,
4. What the prisoners stored on multiple computers and external Drives, and
5. What was inside of their files and in their **2 GBs of encrypted space!**

2 GBs = 2,000 millions bytes or 1,000,000 pages text, or 14 copies of this 140-MB work, the scanned documents in this adding heft to the PDF – so, what did prisoners secretly hide?

Hah! Hello Dolly! Unsupervised life-sentenced murderers were running their own Computer Control Center with a rogue wireless network in the dark for years. ITD's Wallace, Heard and TDCJ's top guru Bell said **everything was wrong** at the Polunsky Chapel on November 8, 2012 – **everything**. Now listen to this, not only was *everything* wrong, but Shawn Wallace was ordered to *fix* everything and of course remove the "rogue network." So, hang with me, *everything* is wrong with the staff chaplain's *and* the prisoners' computers. No one knows how long *everything* was wrong. No one finds out how long. No one *wants* to find out how long. And, seriously, crazy as a loon, no one wants an *inventory*. And, Outer Limits buzz – no one wants the encrypted folders deciphered? Has the simplest curiosity left for Mars? Bruce Toney has been flipping his baton for a couple of minutes, now. But, those natural questions aside, what does Upshaw do? He orders what? Upshaw orders everything *cleaned* and configured properly. What? Did I read that right? Yes, "clean" – **CLEAN IT ALL!** – the sooner the better.

Upshaw, Stephens, and Alford – rub-a-dub-dub, it *is* three men in a tub. Literally – *God have mercy*.

Brad – the *janitor* could have said that! Mr. Clean too!

There are five points to be seen from that which should seal Upshaw's role, and therefore bring all full circle, as he was center stage in everything regarding my disciplinaries from Lewis to the Polunsky Prisons.

Point One: Upshaw Protects Chaplain Collier – Equality Out the Window

Brad, if you were a warden on a facility and you had discovered all that was in Bell's email, what would you have done? Oh, that is backward ... my apologies. If you, Brad, or any warden in the history of the world had a *consult* the likes of which Bell and Upshaw and Alford had *before* that email, what would you have done? That email bespeaks a lot. The seventh day after ITD arrived and after five days of working and assessing, and then they *consult*, and Bell's email is the result. Brad, *everything* was wrong after seven days. What would you do? What do you think any warden anywhere in the world would do after a consult with TDCJ's Top Computer Experts said this: "Your Chaplain's prisoners have a rogue wireless network, unauthorized users, a computer spare parts warehouse, prisoner-password-encrypted folders that no one can access but the prisoners on illegitimately procured computers, and those prisoners have been unsupervised in the dark for years?"

Come now. Really? What would you do?

What warden anywhere in the world would say, "Oh, clean them all and return them"?

What would you do? Ooops. Sorry again. You already have, Brad ... essentially ... you already did respond ... *through* your top and official security agent. You, Brad, *through* Upshaw, simply said, "Clean it." And what would you do *after* a 20-year veteran Chaplain had written you 21 pages of exposure? Well, you did *nothing* ... through your subordinates.

Brad, the reality that is a world apart from that portrayed in the two IOCs from Stephens and Alford is this: no one in their right mind would do *nothing* and simply say "clean" it up and *simply* return it.

The first thing every good warden would do ... oh, you know ... would be a rather uncontrollable kind of steaming chokes of breath. Wardens and staff have lost their jobs for less. I lost mine for 10,000 times less. Once the breath recovered, he or she would bubble the words, "Get a rope, and shut the mess down!"

Brad, I got a disciplinary for an email from my home to a fellow Baptist; I disliked a volunteer's church splitting. And I got a recommendation of dismissal for posting a photo of prisoners on my Facebook page that I had written permission to take and TDCJ lawyer-created Media Releases, and Upshaw *hammered* me in my dismissal hearing for that like I was criminal.²⁵¹ Why? Because I had not re-asked *again* for special permission to post that legitimately taken photo on my Facebook page; Upshaw supported the crazy assumption that I should *re-ask* for every use of a photo, every single time, and forevermore. You cannot fight that kind of logic. There was no justice and equality for me in Upshaw's hearing.

My disciplinaries were contrived, then, and now rally around Upshaw's hard, hard, hard work in covering up Polunsky, covering up my exposures, and protecting his enchanting Chaplain Collier, in certain league with both Stephens and Alford – only, to the latter's shame, Upshaw has been able to squirrel away without writing a single syllable. How convenient for him.

After ME! And after this, Upshaw will be after me, too, unless OIG's Dirty Harry gets to him first.

²⁵¹ I had an advocate with me, Virginia Haynes, who heard it all; her phone number is in fn. 120, and the crushing of her program at the Lewis Prison is in the Treatise on Treason's chapter XVIII.

After Upshaw orders the cleaning of both the TDCJ and the illegitimately gotten computers, and he gets the latter *properly* donated, there is not a single word about the color laser printers, scanners, cameras, and video cameras. Nothing about the live phone line inside the prisoners' office. Nothing about the live television feed inside the prisoners' office. There's a whole *lot* of nothing said. Brad – can you see it? Please see it. Upshaw is in a dizzying miraculous enchantment by Chaplain David Collier; Upshaw is protecting and shielding Collier and shielding Alford, and he is shielding only God knows what else.

Justice and Equality for Maness? Hah! Chaplain Collier and many of his volunteers fought me all the way. Fought me on compliance. I am forced to retire, Brad, while Upshaw protects Chaplain Collier and Alford on a chapel in which *everything* was wrong. And you have the recordings of the three previous staff Chaplains who had trouble with Chaplain Collier, and they were ignored too (Disk 1). And Chaplaincy HQ managers supported Collier years ago with a Region 1 Chaplain of the Year award, while those previous Chaplains shuddered. According the “managers,” his chapel was a star. The reality was the opposite.

It is the ruination of TDCJ Chaplaincy.

Furthermore, in a normal prison – in a real prison – any warden or major would not have allowed it to get that far in the first place. Yet, pretending there were no security cameras at Polunsky and pretending some gross neglect for years, if the above was found to be as Bell described – there would not have been any orders like those Upshaw gave to Bell, no sir. At the *first* discovery within any prison in the U.S., a real warden would have *acted* ... “Get a rope! Jobs are on the line!”

That Chaplain's career would have been over! Sneaking all that stuff in and allowing prisoners to do all that *under* the warden's nose for years – years! – no, *no sir*, that is not possible, that is impossible, that is ridiculous for even a lazy TDCJ warden. Impossible. I have known TDCJ wardens and majors for 20 years, Brad, and have worked *inside* the prison with them and with the prisoners, and it is a small-town city under siege and carefully monitored. The *TDCJ* warden knows where every trash can, fire extinguisher, and even where every squeaky gate is located – in his first month on the job – and has his or her ears to the railroad tracks in and out of the facility, eyes in the back of his or her head, and other eyes in the officers both on regular duty and those in whom he or she has special confidences for the more subtle lines of communication, including some reliable old-time prisoners.

Impossible! – it is *impossible* that Alford did not know about *all* for years! Do you see now Brad, the wardens knew about all of it *all along*, at least from 2007 under (then) Asst. Warden Alford.

My Redemption. That also makes my backstabbing worse, for I was sincerely trying to help in July 2011 before Simmons retired, and still sincerely trying to help under Alford, and trying to help in the letters after my forced retirement in shame when I searched for rehire – because I believed in your honor, Brad. But now that Sasquatch is out of his cage – good God and after this outrageous Book of Secrets – I truly expect full redemption, reinstatement with a back-dated raise, and, yes, my Silver Star with cluster, so that I can retire with honor, you know, with a party at the Lewis Prison, with Twinkies and chow hall cookies. I've done the work of ten people here, only possible because of my experience, 30-plus years in writing, and because I have been studying Chaplaincy for 20 years – and did this in record time, too – a 1,000th of which has not even been attempted by all the RPD “managers” though their job descriptions require “analysis” and here, given this, the RPD managers did *less* than Upshaw, Stephens, and Alford combined, the pitiful little they did. Making this all the more important – Save Chaplaincy takes on a whole new meaning.²⁵²

And if any among your directors or managers tossed out that, oh, “He is just tooting his own horn again,” let them be called to task for their back-stabbing ways, and – again – question the *nothing* and *no action* and “*cleaning*” and *no analysis* and *destruction of precious data on chaplains and the chaplains' supervision of volunteers* (after three years) and *their cover up of Polunsky* they defend to this very day.

Squeezing the Orange. Let's squeeze this orange, for there's more juice. In a Case Study, remove the names from the above and cast that scenario out to the TDCJ world. What if? What would *you* do? In the Case Study setting, TDCJ wardens and majors would have looked around to see if the facilitator of the scenario had had any experience in prison at all, and more importantly just how serious was their Regional Director was about the “Case Study.” If the wardens were allowed to be honest, they would say it was not possible, after a few smirks and jokes. Like Chitty-Chitty-Bang-Bang, that car will *not* fly. A hostage situation or an escape

²⁵² See www.PreciousHeart.net/Save_Chaplaincy.htm, again, for the Titanic work done in 2011 that rescued Chaplaincy from the zero-budgeting, and did so with proof of its value and cost savings that I published.

by helicopter is more likely, because the “Case Study” chapel would have taken *years* to develop. No warden is that blind for years.

But when ITD came and shined the light, what? *What?* Upshaw said, “Clean,” and not, “Get a Rope!” And, furthermore, Upshaw said, “Clean,” and entire *week* after ITD got there. As outstandingly informative as Bell’s email is, still, it is predicated upon many prior “conversations” yet to be tallied by OIG. Only when the full story is told, the cover up fully dissected, will one find out why “clean” came after a week. And why “Get a Rope” did not come after day one, much less after a week. And, most of all, why OIG was never called by Asst. Warden Alford in 2007. And who else has been intimidated or snubbed since? A lot.

OIG Rule? After this, I suppose another violation will be added to the handbook, and even another policy, like a disciplinary for *not* reporting to OIG, and even an avenue made for confidential reports, like EEO has had for years.

Finding out what the prisoners did and were capable of doing – oh, critical questions – but the most important question of all is this: how under heaven did the Polunsky chapel get that way?

Who, what, when, where, why and how? How come Upshaw never asked those? Importantly, and for the historians and even for Upshaw’s redemption, too, what or how and when was Upshaw pulled away from his natural and inculcated 20-plus years of high-level security expertise?

The first thing any real warden would have done to a chapel threatening his job and the security of the prison – he would *shut the thing down!* Not clean and configure. A “rogue” anything was not going happen on “his” prison. No warden *anywhere* in the history of the world would merely say “clean it up.” No sir. Their first words would be “Shut it __ ! __ down and bring me the person responsible.”

Hah – can you see it *now*, Brad? Upshaw has been covering up for years, and we do *not* know why?

Yet, from the previous 700 pages, Brad, you just have to see: Bell’s email alone reveals a years-long conspiracy and cover up. You never saw the email. No one saw it but Shawn Wallace, and the person that collected it for Open Records among a dozen others in Tab 6. And Upshaw, Stephens, and Alford have not seen it – not yet anyway. Take this to the bank, too: in their foggiest mind, those three never thought that *anyone* would ever dig this deep. Never. Because no one has *ever* dug this deep before.

“How many others have been so treated” becomes a serious question for the Texas Department of Criminal JUSTICE. I was a *Chaplain*, Brad, with sensitivities refined over 35 years of ministry to the down and out, and 20 years of that in TDCJ, with 5,000-plus death and critical illness notifications behind me. That is an experience few share, and a “manager” who was hired with no experience cannot conceive. All of the previous “managers” were hired in fact *because* they had no experience or specialized education. Tooting my horn here, certainly, for no “manager” can feel like an experienced minister and especially a 20-year veteran Chaplain who *feels* for the officers and rank on his watch, who have families dependent upon them, and – grab this or resign today, Brad – who *also* love their job. It hurts me *deeply* and I have conveyed that in writing this unprecedented monster that **will likely get me assassinated** – that will be the level of hate from Upshaw, Stephens, and Alford, and whoever else OIG turns up – men who are determined, knowledgeable, experienced in boldness, worldly wise, with a lot of resources between them, a lot of others in their debt, with a lot of screws in many others, with security expertise second to none and who have all of their lives and good reputation ahead of them. To be undone by a Chaplain is just about the worst offense, as idiotic as those three and many of the “managers” portray TDCJ Chaplains as a whole. These are not men who forget, twiddle their thumbs, but are men with a mission – like Warden Helm who held onto a grudge against Volunteer Bell for five years (Tab 18) and unscrupulously and from the dark killed Bell’s ministry last year – who have a heart hardened by decades of having dealt with some of worst criminals in history – TDCJ’s own prisoners. So, Brad, think *not* that I have failed to measure in the balance many things and persons dear to me, here, and know – *know* this or resign – there have been *many* others treated unethically at best and downright criminally at worst, just I have been. Regardless whatever I shall face this side of heaven, by God, being at the end of my days anyway, the lives of other TDCJ staff and volunteers and even other prisoners are and ought to be more important to us in the long run than our own pitiful selves – a very hard biblical principle to *live*, though every jolly spoiled Christian repeats it. I saw the intimidation at Polunsky, listened to the veiled intonations when Warden Alford gave his first department head staffing, and I listened to every syllable he uttered. And Stephens’ and Alford’s two IOCs are *still* **BULL_ _ _ _**, and if *ever* I needed a real and true tough-as-nails OIG Dirty Harry to rough them up and *deflect* their hate to him, like the *real* Walking Tall Buford Pusser, a *real* law officer with a harder and tougher heart than theirs and mine – God knows I need him now. So then –

can you *hear* me now? – if you, Brad, will get off your trunk, plug in Disk 1, and just listen to the first three tracks, you will hear three – **three!** – other Polunsky TDCJ staff Chaplains’ pain, too, and know – if you have a heart, and I think you do – that those three Chaplains were *not* the only staff who have been ignored, put down, turned away from, intimidated, and *slammed* for standing up for what is right. God help me! And God help you, too, Brad.

Who was that **First Hero**? The *first* man or woman to stand up and not quit reporting the Polunsky Chapel? We really, *really* need to try to find that person. For, you see dear Brad, it pains me to say this, but there were many . . . too many who have *not* stood up. Five Years! Who cowed down to Alford’s bullying in 2007 and cowed down since then? Oh, he tried to bully me. I kept my mouth shut to *him* on the Prison run; he was my warden. But I did not quit or stop or shut up about the above. And I am so glad I did not. But, I’ve said enough there.

Brad, if Bell’s email was the *only* piece, that would be enough to *fire* Upshaw and Alford . . . in the light.

But that is not all. Upshaw ordered my demise, in consult with who? Madeline Ortiz or Becky Price or Marvin Dunbar? The “inappropriate relationship” false accusation – as ugly as can be – that was *ordered* as you can see from the evidence (Tab 17). Finding out precisely the connection between Upshaw, Warden Lewis and Warden Hunter’s final recommendation for dismissal will be a challenge. After the stink I made, and the flurry over the mediation schedule change and the ugly renegeing on the offering of the Polunsky Chaplain’s job to Jose Vitela – and my being sent to Polunsky through a not-to-sophisticated ruse – again, Upshaw, Stephens, and Alford did *not* expect me to stand up as quickly or as vociferously.

Because so few *do* stand up to bullies these days. The rest is above, and we are on the home stretch.

Point Two: Upshaw Allows All to Continue – What?

What? No suspension of chapel services? No talkie-talkie-talkie to volunteers. No slap on the hand. What? Nothing. Oooops. Let me rephrase that. Upshaw looks at the Polunsky chapel in which *everything* was wrong, and Upshaw – not the Chaplain or Chaplaincy HQ or the incompetent “managers” – but *Upshaw* makes it all right again. Fixes it all. Cleans and properly configures everything and makes it *all* “right” again – and I am sure the volunteers loved him. They *loved* Alford in 2007, looked and longed and pined for Alford to return in August 2012, and – praising God – it was a miracle, Alford their man returned. Grab this or resign, Brad – Alford returns to *support* the never-the-wiser volunteers, not compliance! While poor, wee, little whining toad Chaplain Maness is sidelined, ignored, because he just does not understand, one volunteer cursing me, “You Devil” he said, “destroying all God’s work,” with steam coming out the man’s ignorant ears, totally convinced, the poor man was that this was truly God’s work. Stephens, Upshaw, Alford, Ortiz, Price, Muniz, Dunbar, Bill Pierce, Michael Rutledge do *not* want anyone to interview the volunteers. The volunteers worked hard to build “God’s work” in that “Media Room” that was the prisoners’ non-supervised Computer Control Center that ITD’s best said had *everything* wrong with it. And – *believe it* – if no one had used the word “rogue” network, then Upshaw would have had the “network” *cleaned* too.

World Turned Upside Down. OIG was carefully avoided by very knowledgeable and talented traitors. And OIG’s greatest challenge will be this, repeated ad nauseam above, the greatest unsolved mystery in TDCJ’s history and one for the ages is this: how in the wide world did Chaplain Collier enchant so many wardens and directors, causing them to protect him better than the President of the United States? For even the U.S. President cannot endure so many violations of security for five years unscathed.

Good People Honest. But Upshaw cannot cover up good people who innocently and honestly do their job. Mike Bell follows orders and sends out an email that is among a 100-plus other items similarly revealing that good TDCJ people kept as a part of their jobs. Here you have it, Brad, with the rest of the ITD story in Tab 6, linked to all. That was on November 8, 2012. Thank God for email. EVERYTHING IS WRONG in the Polunsky chapel Prisoners’ Computer Control Center, and – what? – Drill it in! – *what?* – Upshaw orders everything cleaned up and sent back.

Four “Hello Dolly” Questions. In spite of my work for months at Polunsky bringing things *into* compliance and *complaining* steadily about *unsupervised* prisoners (Tab 2), that Simmons and Alford knew well, and several letters later after I left, note what had been happening behind the scenes in early November as TDCJ’s band of ITD Experts spend four *weeks* reconfiguring. Mark it on the wall: **Upshaw refused** to ask at least five Hello-Dolly questions that any normal TDCJ prison *sergeant* would ask:

- 1. What is ON the prisoners’ computers and external drives?**

2. What did the prisoners DO all day every day for years?
3. What were the prisoners *capable* of doing? ... and *please*,
4. What was inside the 2 GBs of encrypted space? (that Alford called “folders” in Tab 5a, Item 3)
5. Why did the Chaplain and Volunteers NOT know about that encrypted space?

How come the Polunsky Senior Warden Alford never *demand*ed answers to those questions? It is *not* because he didn’t care or because he didn’t think of those questions. No sir! And a *good* look at all will discover that only Alford mentions “folders” to the ITD find of “files” and 2 GBs of space, which adds more to the whole story, if ever we get the – like Paul Harvey would say – the *rest* of the story.

All of them – *all of them* – Upshaw, Stephens, Alford, Muniz, Butcher, their majors and captains at Polunsky, and at RPD Ortiz, Price, Dunbar, Pierce, Rutledge – *all of the directors, wardens and managers* wanted to know what was inside the life-sentenced murderers 2 GBs of encrypted space. Brad, no *sane* 10-year-old child would *not* want to know with pants-wetting anticipation. Can you hear me now? And other people will want to know, too. **And Brad, why did Upshaw erase?** I know: three men in a tub, ruba-a-dub-dub. It *is* that simple. And if the *erasure* does *not* truly go back to Ortiz, et al, we have a cross-stitching problem, too, where Upshaw illegally kept ITD’s good work from RPD, too.

Whoever all OIG finds “they” were, Brad, *they* erased because they did *not* want OIG on their tail and – take it to the bank – they knew Mike Bell to be a man of honor and too high to intimidate, and so Upshaw (and *them?*) chose to soften and peddle and **LIE** and claim they did *not want* to know or *need* to know. And tossed in some blubber and other **BULL_ _ _ _** like, “Yeah, the prisoners were just doing church stuff anyway.” Praise God, twiddle-dee twiddle-dum.

And nothing Maness shared is shared with Bell, till now, or rather after OIG presents it to him.

Deflection = Falsification. When Upshaw ordered Alford to write his IOC in January 2013 – so crazy – that was precisely what Alford had his Major Hutto do, when Hutto wrote me that Letter of Instruction for tools in the chapel that Hutto had seen for years and that had been security audited for years (Tab 5a & 5b). It is nearly the same strategy of deflection that Stephens said in his February 2013 IOC that Alford made an “aggressive effort to inventory” but does *not* ask those five Hello-Dolly questions either (Tab 5a). Real police work is out to lunch by these highly paid security experts – ah, oops – again, my apologies, that is not entirely true; since no one escaped or was killed (*yet*), they go to lunch *together* and use their extensive experience to cover up themselves and – *yes* – other staff be damned. They thought of those five Hello-Dolly questions and in their hearts they wanted the answers more than most, but in the asking there might be answers catalogued by the ITD Tech experts they do *not* control, and a paperwork trail they do *not* control. And, God forbid, they do not need anything else that supports Chaplain Maness, no sir, so “clean” it up, “*clean it all up,*” and hope that will be the end of it. And they got promoted.

Equality is out the window, because cover up is the rule, even that Letter of Instruction on me in October was a cover up, then, too, only I left before phase-two of Alford’s crafted belligerence entangled me further. Yes, you have to read this entire monster to see Upshaw’s and Alford’s craft, but seeing the six years of cover up ought to be *easy* to see, and therein intuit the rest. Now that Maness was gone, Alford relaxed, until ITD showed up. What a surprise.

Ear to Train Tracks. And now, a year later and several letters later, Alford and all must be sitting back quite comfortably. Yet, I suspect one or two of them, perhaps Stephens and Upshaw, has their experienced ear to the train track in your office, Brad, catching any whisper of anything. Brad, “wardens” habitually *listen* between the lines, and if Stephens and Upshaw are near or have knowledge of the scope of my Open Records requests – or Bryan Collier told them that, too – then be absolutely assured they have or have endeavored to *fish* or *tap-into* or simply *discreetly* observe your designee in your office that handles your Open Records request. And if so, they will be wondering and doing more “cleaning” under the table, for even though Bryan did not read them, those two read my letters and *know* the extent of the implications, as I *suspect* you do, too, just *suspecting* you, Brad, have read my letters, but must defer to your experts. I *suspect*. Regardless, if those three men in tub have not been fully aware of the scope of my digging, then, they *are* relaxed, and it will be easier for OIG find and authenticate, and OIG will find more quicker.

One thing is certain, no one was expecting this outrageous Book of Secrets.

Nothing Done! Rounding out our dissection, the inventory supplied by ITD in Tab 6 was harrowing enough, but this precious email from Bell is the heart of the FIX with – now – the most important information

in writing. What does Alford and Upshaw do? *Nothing!* That *nothing* and *silence* and so very loud-in-the-light “*hush, hush, sweet darling*” is a glowing penumbra around the edges of Bell’s email: cover up and protect Chaplain Collier. The TDCJ mission statement be damned too. No disciplinaries or even a slap on the wrist. And, of course, protect the senior warden, who has been so cooperative with Upshaw.

Good Evaluation. And – what? – my apologies! I made a mistake, Upshaw, Alford, Bill Pierce, and Marvin Dunbar *did do something*; yes, they did; just three weeks from Bell’s email, they all gave Chaplain Collier his third good Annual Evaluation in a row. Rewarded for the most policy-violating department in TDCJ history. Really, the U.S. president’s Secret Service could not protect Chaplain Collier better.

Riddle Me This! Solve the riddle, Sherlock Holmes, of Chaplain Collier’s enchantment of several directors and wardens and majors, and you will be half way home to clearing my name, freeing up a host of TDCJ employees under Alford and Upshaw, and – best of all – retrieving TDCJ’s good name and honor from this epic drama of cover up. And I just might get you, Brad, to buy *my* lunch and apologize for *not* listening to me almost two years ago. Regardless, justice will prevail, in this life or the next.

Want to see my book *Heaven – Treasures of Our Everlasting Rest*?²⁵³

Previous Letters and Questions. Though Bryan Collier did not read my letters, be certain that Stephens, Upshaw, and Alford read them. I expect that you, Brad, *expected* someone to read and competently respond. Take it to the bank, Brad – of all of the people in the entire world, those three *knew* to ask those questions and truly knew more *specific* questions to ask. Under normal circumstances when Justice and Equality truly mattered, *several* employees and volunteers would be *drilled* for answers to those questions. Instead, what have we? Nothing. Nothing at all! In *all* the documents within that foot-tall **STACK of Open Record** requests and emails and CDs, there is no answer to *any* of those questions.²⁵⁴ From all stand points, no one asked the most important questions about the department that had *everything* wrong with *both* its TDCJ and its illegitimately procured computers, the ITD laundry itself scary (Tab 6, Item 9), and downright terror-filled when compared to Bell’s email, and, yes, double-downright treasonous when we see in the vast paper trail that *nothing*, nada, not a single doggone thing was done by Upshaw or Stephens or Alford – except the last two lying in two IOCs about the whistle blower Maness – little old me – and, of course, Alford giving Chaplain Collier a *good* evaluation. How sick is that?



I Asked in June 2012! Aaaaah? . . . Brad, I asked those questions in June 2012, came to Huntsville in July 2012 and *called both* Bryan Collier’s and Rick Thaler’s office, and I continued to ask those questions nearly every week of July, August, September, and October, too. And, in so many words, I asked *again* in my October Grievance Hearing with Alford, where he said he *first* heard from me, “Maness expressed some potential concerns with the computers and technology that was present in the chaplaincy department that was accessible by offenders” (Tab 5a, Item 3, 2nd paragraph). **Alford LIED!** Falsified an IOC, and in that was also insubordinate and a traitor, caught up in *having* to write something, on orders from Upshaw, as Upshaw reported to Stephens, and Stephens wrote his IOC to Rick Thaler with Alford’s IOC attached.

Circle of Life is complete. My ruination, too, as the two IOCs from Alford and Stephens trash my name, made a mockery of my work, made a joke out of my several letters, and enshrined themselves a noblemen of honor and defenders of the realm, while – with Rick Thaler’s concurrence too – they pull a silken cloth over the head of the Executive Director with knives in their pockets.

Proof – See the Nothing They Did! Proof? Here it is in another twist. ITD investigated because of my Fax on Oct. 29, 2012, and *everything* was wrong, just as I had been complaining about from June 2012. Look at Bell’s email. *Everything* was wrong. Proof! – here it is: Thaler, Stephens, Upshaw, Alford, Ortiz, Dunbar, Pierce, Rutledge did *nothing* about it. *Nothing*. Not a single disciplinary! Not even a substandard duty. Remember chapter XII above in the Treatise on Treason: I obtained the extensive list of 80,000+ TDCJ employee disciplinaries for the last ten years, and there was *no disciplinary* on anyone related to this. They *all*

²⁵³ Michael G. Maness, *Heaven – Treasures of Our Everlasting Rest* (AuthorHouse: Bloomington, IN, 2004; 118p), seen at www.PreciousHeart.net/heaven.

²⁵⁴ “Photo 2. **STACK** of Open Records Requests” pg. 23 above in *Treatise on Treason*, chapter IV.

did *nothing!* Want me to say it again? *Nothing!* Those “directors” and “wardens” and “managers” did **NOTHING!** I want that job, where I, too, can get a big paycheck for doing *nothing*. I was *fired* for a photo I had permission to take and posted on my Facebook site for the world to see, proud of the prisoners for helping to put together Christmas cards, and I had TDCJ lawyer-created Media Releases just as I had taken for 20 years: no sir, I was fired for being a whistle blower, for defending TDCJ and Texas’ policy of justice and equality. Brad, you’ll need to read the rest of this to see *that*, but the cover up is the easy part to see. I wanted to shove the Polunsky violations down Bryan Collier’s and Rick Thaler’s and Marvin Dunbar’s and Madeline Ortiz’s throats, for what I had been through. Miniscule does not capture the smallness of my violation compared to several elements of treason: 1) their tolerance of violations, 2) their failure back *all* those who reported in the past, 3) their protection of each other, 4) their protection of Chaplain Collier, and 5) the wardens’ failures *seven* years ago to *guide* Chaplain Collier when he *first* arrived. Oh, yes, whatever contrived merit my violations were – hammered as I was by Upshaw – they were dust on a fly compared to the violations of all of *them* (?) and especially the three men in tub. But here, in this long diatribe, listen closely it was their **“nothing” that is the greatest violation** of trust and policy and honor and duty and courage and commitment going back Six Years from today. Those men and women are guilty of **treason**, but get off without a splinter on their record. Justice and Equality – *not* for Maness, but his career ruined and hard work spit upon. Brad – they did *nothing!* The only *work* they did was cover up their tracks! Upshaw “cleaned” both the state and the prisoners’ illegitimately procured computers, and then Upshaw got the latter “properly donated,” and – what? – returned all. But they did *nothing* about the violations – *nothing* – reread the Stephens’ and Alford **BULL** ___ IOC’s and Bell’s precious email – *nothing*. See the **STACK of Open Records** requests, most of which were passed *through* your distinguished legal department who are now my witnesses, too, and of which they likely made copies. Thank God. What a team! – oh, **TEAM** means, btw, **T**ogether **E**veryone **A**chieves **M**ore, and we certainly have achieved a lot here, the lot of us.

Your Agents, Brad. And these chiefs of the prison, Brad, your own de facto agents for the actual running of the largest penal system in the history of the world, these agents of yours – and your legacy and reflections of your honor too – could not even do Police Work 101. Not one of the whole troop asked anyone of the five Hello-Dolly questions. But the worst is this, and so I must hit this dead horse *again*: none, not *one*, not *anywhere* even “asked,” much less “demanded” to know what was inside the prisoners’ 2,000-millions of bytes of encrypted space, other encrypted files, and in Alford’s encrypted “folders.” And yes, hammer this too: Senior Warden Alford did not demand a single thing, did not *demand* to know anything, to his own demise, about those life-sentenced murderers’ five years of *encrypting* on his watch. Alford is now caught in his own mid-management cesspool, where, if the proverbial dung really hits the fan – he’s the author his January 2013 IOC – and the reason for the P.S. way above at the beginning, on the Alford strategy to get him to come along and fully aid OIG’s Sherlock Holmes and save his career.

How much more *nothing* do you want from them? Mea culpa, mea culpa – and Dirty Harry, please.

Sick. But that is not the sickest of all. No sir, Brad. My career was ruined by those men so they could protect themselves *while* I was trying to help. Brad, *while* I was reporting and begging and *trying* to help – ask the volunteers and the prisoners too – they were stabbing me in back. The dogs! That is sick, sick!

Sickest of All – OIG Snubbed! Brad, the sickest of all is this – which should cause steam to blow out your ears or your engine is broken – the sickest of all is *this*: Stephens, Upshaw, Alford, Dunbar, Pierce (likely Thaler and Ortiz too) together *crafted* and *manipulated* and *spun* their spoken words and edited and re-edited the things they did write to keep OIG out of the picture, purposing to avoid any droplet or fairy dust speckle that would justify an OIG investigation.

Brad, I was fired for my exposure of **BULL** ___ and my advocacy of **Honor**. And my courage might get me assassinated. Or before one of my nine books becomes a best seller ... instead of door stops.

The reality is that the prisoners *should* have been checked by Alford himself in 2007, at least, but we do not know when it all began. To this day we do not know, and if they have their way, we will *never* know.

Thick Skull Steam! Brad, for God’s sake, TDCJ’s sake, and for the honor of both of us and our legacies – you just have to see this: no TDCJ *senior* warden worth his grit could *keep* himself from asking, even red-faced and steam bursting out of his or her usually very thick skull, meant in a positive way. Wardens *need* to be rock solid on many things, hard-headed too. Unbendable on security. Ruthless, even, in the protection of staff and feared to a degree by the prisoners. The prisoners *need* a strong warden, and someone should write a psychology on that – but so far RPD struggles with its newsletter.

But where does the trail of evidence lead, in this light, and with OIG so craftily avoided?

Can you hear me now? Stephens, Upshaw, and Alford endangered a host, and it is the ruination of Chaplaincy when its “managers” hastily support such a cover up, which is truly no good for anyone.

WHO Else Did Not Want Answers? – Another OIG Challenge. Upshaw, Stephens, and Alford purposed to avoid, because they did *not* want the answers. Who else? If RPD Ortiz, Price, Dunbar, Pierce, and Rutledge *also* knew, and it is impossible to conceive anything else, then they too purposed to avoid OIG, and the conspiracy widens in to dangerous degree. All knew about my letters, for Bryan Collier has been consistent in not reading them and in sharing them – which is his right to do – but when ITD and others weigh in, and all those are also guilty in manipulating both the Executive Director’s office *and* OIG ... I scarce to think of the implications. OIG really needs to discover who did and did not know about the utter fiasco in the Polusny chapel where *everything* was wrong, and all of them (*them?*) chose to “clean” and return everything without a fairy dust speckle of concern – not even a single Hello-Dolly question – and forgo, forget, leave alone, protect and shelter each other, all, and Chaplain Collier without a single disciplinary.

Volunteers Know. Brad, get this: the volunteers, too, Brad. The volunteers, too! Dare Stephens, Upshaw, Alford, their majors, Ortiz, Price, Dunbar, Pierce, Rutledge single out ONE SINGLE volunteer? The volunteers were unwitting parties with Chaplain Collier in the colossal violations. NO. Because each one and all of them will say the same thing I have said for years: the wardens supported it *all*. OIG will have a feast, a literal *feast* of discovery if at the start of their investigation they will send an undercover officer to nonchalantly approach the major volunteers in the Tab 3 Witness List and simply *chatterbox* with them about the “time before Maness” when Beverly Hills was lit bright and the streets were clean. Just *chatterbox* with them about their “God given” resources, proud as peacocks then. And, while *chatterboxing*, OIG can discover for themselves how they longed and pined for Alford’s *return* and how he supported them 2007 and 2008, when he was *their* Asst. Warden. If you have a sense of justice and equality, which I am banking a lot upon, then look at Tab 18 again, and see the nasty treatment of Volunteer Melvin Bell and a host of violations by the Lewis Prison wardens. Warden Helm gets away with *firing* Vol. Bell *twice* for no true documented reason – stop, look, and listen to Tab 8 – *no documented reason* at all. But volunteers *help* with zero supervision, *pay* and *supply* through Off-Shore Account/s for the rogue network we still do know the date of arrival, and volunteers are buying ink for color laser printers with zero supervision, and one volunteer allows himself to be dragged across the floor (Tab 2, Item 4, Slide 10) – and *nothing*, not a single volunteer is even given a frowning face. That’s right. OIG check it out. I have. The volunteers have not even been *strongly* talked to! Much less has a single one being “disciplined” or even given a warning ticket, other than the IOC I wrote on orders from Warden Alford that Alford destroyed (Tab 7). What OIG will find out what the documents have already proven here, the volunteers *knew* all was with the wardens (plural) support for the *five years* prior to ITD’s visit on November 2 because of the 21-page letter I faxed to you, Brad, on October 29, 2012. Brad – really!

Equality and Justice. That is why no director, warden or manager wanted anyone to talk to the volunteers. Because they have no dog in this fight, except – hear this – their own ministry. And all but one of them will not lie, so OIG has a ready pool of distinguished rock-solid *retired-already-proven* citizens. And that, too, is a big reason why they avoided OIG and why especially the three men in the tub did NOT want any volunteer written up. Several of those successful volunteers would come to you, Brad, just I did. Or thump the ear of Governor Perry while playing golf. So – Brad – look again at Tab 18 and the *sorry* treatment of my good Volunteer Chaplain Melvin Bell, and this comes full circle: equality and justice is not important, for just like me, Bell is *fired* for nothing *documented* while at Polusny a host of volunteers and 17 volunteer chaplains get away free as birds without so much a frowning face email. Ahh, but it gets worse.

Who Concurred with Upshaw? Who are all the ones in authority over chaplaincy on both sides of the dual supervision – security and RPD – who knew of the ITD visit, and supported Upshaw’s order to “clean” all, cover up, and remove all evidence of the prisoners’ work (good and bad) and forsook their natural prison-savvy curiosity and forsook their job-description-requirement to ethically “manage” under TDCJ policy and NOT DEMAND access to the prisoners’ password-encrypted “folders” the life-sentenced murderers created without a soul’s knowledge on their Off-Shore Account/s’ supplied illegitimately procured computers ... in the dark ... for years? They did not want to *know*, Brad, they truly and sincerely and illegally and TDCJ job description be damned and with all of their beings – Brad? – slap yourself – they did not want to *know* anything. They especially did *not* want ITD to write anything *else* down.

And – grab this – those *dozen* or more did *not* know about Bell’s email.

The complete ruination of TDCJ Chaplaincy right before OUR eyes!

As Popeye the Sailor would say, “I cants *stands* no more!” And with a can of spinach he rolls up his sleeves and produces this outrageous Book of Secrets filled to brim with so much evidence that, certainly, *no one will ever read all*, and in the writing creates yet another defense of TDCJ’s honor, alone, at great expense to himself, and a lot of time away from his dog, Henry, and missing a lot of Pawn Stars television shows.

Add Division Director Mike Bell to the Tab 3 Witness List for OIG.

Let me finish dissecting the ramifications of Mike Bell’s precious email.

Where From? Notice something else, subtle, but clear – let’s get the *other* computers “officially donated” so they can **begin to configure** them “properly” too. What was that? What were the prisoners doing and capable of doing with *improperly* configured illegitimately obtained computers, cameras, printers, and scanners. But that is not even half of the foolery Upshaw is covering up. How about finding out *where* and *when* the prisoners got the illegitimately obtained computers in the first place? The unsupervised prisoners had computers since 2007! Can anyone even spell “police work”? Yes, Upshaw can! You *bet* he can. And of all the people, Upshaw, Stephens, and Alford *knew* what they were doing. Cover up through and through, guided by Upshaw all the way – or who was the lead? – for the only honest ones here are the ITD Techs.

Encrypted Folders? Hmm? Did I truly receive all of the emails? I am thrilled with the above and it seems so. But my own conspiracy mind is working feverishly again. What do you think, Brad. Don’t you suspect, just *suspect*, that they broke the encryption and told Mike Bell, who told Upshaw, something like this: “Oh, Mr. Upshaw, you’ll be glad to know, we’ve busted the password-encryption. All the prisoners had in their encrypted computer folders on their illegitimately procured computers were the photographs and videos the prisoners had taken of themselves. A couple of MS Word documents of Bible studies. And, ah, one recipe for chili. Ubidy, ahhh, that’s all folks!” Hah! ... the prisoners are exonerated. For five years, the life-sentenced murderers did not do a single thing wrong in the dark unsupervised. Those are some fine holy men. Thank and praise God.

Good & Got to Know. Sincerely, I do very *sincerely* believe that a **lot** of what Prisoners 0705004 Ramy Hozaifeh (Life, Capital Murder), 0740176 Gilbert Cavasos (Life, just Murder), and 0759465 Jesse Hernandez (Life, Capital Murder) did was very creative, helped the Chaplaincy Department, aided in many outstanding worship services, provided inspiration for down-and-out prisoners, lifted many prisoners’ and volunteers’ spirits, and directed some outstanding audio-visual facilitation *every* day from their Prisoners’ Computer Control Center supplied by the Off-Shore Account/s on illegitimately procured admin-freed rogue-networked high end computers, cameras, video recorders, high resolution color scanners and high resolution color *laser* printers ... in the dark ... under the *three* high resolution Polunsky security cameras. Brad, I am not a bad guy and have been a Chaplain for 20 years. I’ll swear on a Bible in court, too, that I sincerely believed that a **lot** of what those three prisoners did was good and often extremely good for the heart and soul of many hundreds of prisoners, and of the good, I am extremely thankful. I was so impressed, that it blinded me, too, for my first three weeks; Brad, I am sorry it took *me* three weeks to see it; with 20 years in TDCJ, I should have seen it from day one; so I apologize for not writing one of those itsy-bitsy 20-30-page letters in June of 2012 – I’m sorry. However, when my opened, I did not relent. Brad, when I finally realized that I did **not know 100%** what they did all day in the dark, and I still had the honor and courage and commitment to repeat and repeat and repeat – “I have got to know” – at least to myself for a week than to others and to everyone and have been repeating that now for a year and a half. Brad, back then, Chaplain Collier did not care, would not listen, and – terrible to the uttermost – he supported the volunteers in their *not listening*, too, Collier undercutting policy with the lead and precious volunteers – now supported on paper by Warden Alford, Manager Bill Pierce, and Manager Marvin Dunbar in their fateful signatures on Collier’s Annual Evaluation one day *after* – the very *next* day after – ITD left Polunsky after its monumental four-week “cleaning” and erasure of *2,000 millions* of bytes of encrypted evidence, to say nothing of the Terabytes erased, or rather the 4,000,000-plus *millions* of bytes of non-encrypted life-sentenced murderers’ rogue-networked data on TDCJ-numbered computers and on their own illegitimately Off-Shore Account/s’ supplied computers ... in the dark ... for years. We do not even know *how* much was deleted. Gobs and gobs *gone*, thanks to Upshaw. Then, in June 2012, as for me and my house, “I got to know.” And I was the one, the only one, who repeated before I left, “I have got to know what the prisoners under my supervision are going,” and – Brad – I was *forced* to

retire for that. And Upshaw and Alford and Dunbar and likely Ortiz, too, had no problem ruining my career – the lot of them – and they have done it to others.

And the man who has supplied this to you, Brad, was *not* rehired at the Lewis Prison, over the two other applicants with zero chaplaincy experience. Because that little 35-page letter I faxed you on February 18, 2013, told the truth, and Bill Pierce and Warden Frank Helm, as far as they were able, would not have the truth on their cover up; and they were able, and Upshaw was with them.²⁵⁵

Now, I have got to know what you, Brad, are going to do. But, first, let me finish this small Epilogue.

To know what the prisoners did – that was the Right Thing. And cover up of this magnitude serves the cancer of dishonorable cowardice. It is treason. Now, just curious, you know – what if one of those dozen actually *did know* what was on those prisoners’ 2 GBs of encrypted space and *that* – their knowledge of that – is the reason Upshaw, et al, wanted them “cleaned” and erased? Gosh, OIG has a job.

No One Knew. Yet, Brad, don’t you, too, really, fervently, want to know? After all this, I sure do. And unless someone did know and OIG cracked that nut, thanks to Upshaw, only God knows what the prisoners had hid away in their secretly secured; and, oh yeah, it is very pertinent that in Stephens’ and Alford’s IOC that by default no one, not a single person, not one staff or volunteer knew about the 2 GB area; it was truly a secret that the prisoners did *not* tell anyone about. Discovered by ITD’s experts. And, so, Stephens and Alford in their IOCs are *reporting* truthfully one part in all their **BULL_ _ _ _**, and that is that, yes, they too agreed with Upshaw and had all “cleaned” and returned. Truly, all of the directors and wardens and “managers” did allow all to be cleaned and returned.

No Permission. So, forget about “how” it all got that way. Let’s just sweep under the rug that the prisoners did in fact keep a secret 2 GB area on their computers, that no one gave them permission to have. Why? There was *no volunteer* out there then – as God is my witness and on a stack of Bibles I promise – not one of them, Brad, not even the poor soul who called me a “devil,” not one of them would have given permission to any prisoner to “encrypt” a single byte of data. Those *are* good volunteers, every one of them, even the poor soul who called me a “devil,” Brad.

And look at Stephens’ and Alford’s IOCs and the *nothing* that Upshaw has written to date – what? – and look at the STACK from Open Records – WHAT? – even forgetting the five Hello-Dolly questions, Brad, Brad, Braaadd – we still do not even know which prisoners encrypted, and those three prisoners are back at it *today*. What is that? Brad, just how much **BULL_ _ _ _** are you going to take?

Hey, I have an idea. Before OIG gets to work, Brad, you send a mainframe email to Upshaw and ask, just for curiosity’s sake, his take on the ITD investigation and why everything was erased. There it will be on paper, so when – I pray – Sherlock Holmes and Dirty Harry go to town, they will have something by him.

No More Records. Thanks to Open Records *and* the scrutiny of your fine legal department, as Bugs Bunny would say, “Ubidy-ubidy-ubidy, ahhhh, that’s ALL folks!” That’s it. No record at all that anyone asked what was on the illegitimately procured computers that were publically was accessible on the prisoner-constructed “rogue” wireless network or asked what was inside prisoners’ password-encrypted folders. No IOC anywhere, if everyone connected to Open Records obeyed the law and did their job, and the overload I have says several times over that, yep, that trail is exhausted. The only record we have, Brad, is right here: on Disk 1, Track 7, that has Shawn Wallace’s recorded testimony that Upshaw ordered the erasure and, of course, Bell’s outstanding email that Upshaw ordered the erasure.

Not even Polunsky Senior Warden Richard Alford wanted to know. That is a ship bound for the rocks.

That is the reason Upshaw allowed the “cleaning” and soft-talked Mike Bell, who himself was *out of the loop* of my extensive stink that Byran Collier said “bordered on harassment” to save my career and honor. That is why, innocently, Bell just did his job in the emails and told it like it was. That is the reason you will *not* find anything else in writing by Upshaw, because he was no dummy and, poor Alford was mid-management – by God, because of Brad Livingston’s honor and legacy – *someone* was going to write *something*. A paper trail is often tedious, but it is also accountability. And if one can “clean” all that up without any paperwork, all the better.

What Else? They “cleaned” all, they surely did, and covered up a freighter load. So, what else have they “cleaned” and covered up? How many times in the past year have they “cleaned” things, for your eyes, Brad? Or to prevent a hint to OIG, Bruce? This magnitude of cover up has required a lot of “cleaning,” and

²⁵⁵ See www.PreciousHeart.net/OIG/Five-Letters-Polunsky.pdf.

– take this to bank, too – some of the “cleaning” is still going. Maness has such a habit of writing, they believe, he just might have one more 20-page squirt left in him, so the three men in the tub think, not really worried about Bryan Collier, because he and you, both, just trust them so much.

Time for “Nothing” to Stop. No records retention schedule to worry about there, something everyone would *like* to know, but are too cowardly to demand to know, because covering up what they don’t yet know, might further reveal the *nothing* so many of them have been in habit doing – working hard at *sitting* on their trunk doing *nothing* – while Chaplains just rescued a year ago from zero budgeting and overworked have to fret with record retentions over data and a few forms no one looks at or cares to look at. The single chaplains on major prisons have to spend time on forms that *mean nothing* to no one, while their “managers” have *nothing* about things that matter to everyone. I say reverse that, and make the “managers” work and relieve the Chaplains from the things that truly do not matter. That’s just me. But it is time for the “managers” support of nothing to stop – for *God’s* sake it is time!

I would like to be a “manager” and get a hefty paycheck for doing *nothing* too, but, darn, I have experience, credentials, a large network, and a reputation for *asking* questions. Bummer! No chairman coin for me.

And that is why ITD did *not* break the encryption, and that is why today we still don’t know what was inside the life-sentenced murderers’ 2 GBs of secretly encrypted space that was created unsupervised in the dark for *years*. Yes, I need to repeat it – on so many Off-Shore Account/s’ illegitimately procured computers. I, myself, did not even know the *encrypted* folders in July or October 2012, even though I was the only staff person and Chaplain to actually *look* at the hard drives with my inexperienced home-spun non-computer-deep-non-hacker-savvy expertise. I just *looked* at folders and files; I do not now and did not then know *how* to search for encrypted files. All the more reason to hammer Upshaw and find out everyone who knew and participated in the erasure cover up *hush, hush, sweet darling* protection of the prisoners’ secrets, the volunteers’ responsibility, and – dare I say it – Chaplain Collier’s role.

Justice and equality to me – not on *my* life, as it may turn out.

In July 2012, I did contact my own free-world computer expert Tommy Hubert who was willing to come at his business rate and look at things, if the wardens would okay it.²⁵⁶ Oh, Chaplain Collier and wardens were not interested, just shrugged their shoulders, but that is old history now.

Point Three: Reality Above Is NOT the Reality of Stephens and Alford!

Now the third point unites Upshaw, Stephens and Alford, at least, at the top of a triad of conspirators. The above email by Mike Bell relates what I recorded from my interview with Shaw Wallace (Disk 1, Track 8), but that is *not* the message one finds in Alford’s and Stephens’ January and February 2013 IOCs (Tab 5a). No sir. Stephens’ and Alford’s pair of IOCs are clear: an oopsy-doozy here and there, wild-eyed Chaplain Maness will not stop whining, but – have no fear, Alford is here – and all in all and after a good cup of Espresso, Alford *began* to fix all when Maness blubbered up another tedious complaint in Maness’ own grievance hearing in mid-October 2012. Wee little toad of man, Maness, so they play while pulling their silk screen to cover the eyes of honorable onlookers – you know, like a magic trick. They’re tricky.

All the while prisoners were running their own “rogue network” with their own password-encrypted “folders” that only God will forever know. Why? Because Upshaw talked Bell into erasing *everything*. No one knows who all the *unauthorized* “users” were on the TDCJ state computers. Just another “oops” in the chapel, Alford said, who contacted regional chain of command – aka Upshaw – and writes that ITD has “cleaned” all, a nicer term for *erase* and essentially has *fixed* things. Hah! The reality above in this Epilogue and in the previous 700 pages tells the opposite of the stories spun by Alford and Stephens, and both are guilty of insubordination and falsification of record with the intent to deceive and to manipulate in order – to the best

²⁵⁶ See Tab 4, Item 2, the 10th paragraph, page 1, of the July 11, 2012, IOC I gave to Warden Muniz, sent a copy to Polunsky Personnel, confirmed Muniz received later in the day, confirmed that Warden Simmons had seen it the next day, confirmed that Warden Butcher and Personnel Tabitha Taylor had read it, and with that IOC in hand in July to set out for Huntsville to place it on Bryan Collier’s desk or Rick Thaler’s desk with a flash drive of the fiasco. What more did anyone want? I did all I could do.

Certified Computer Expert Tommy Hubert’s phone number is 936-215-1032. Warden Muniz and Senior Warden Timothy Simmons were *not* interested, though I wrote that Hubert had “explained many technicalities I STILL not fully understand” in July 2012 with the meager knowledge of what I explained to him. I brought a couple of my Lewis Prison volunteers to have lunch with me at Polunsky, too, for them to marvel at the Polunsky chapel.

of their considerably experienced ability – to keep OIG *out* of their own private business affairs. And protect Chaplain Collier.

Will OIG find out precisely what business those three are in? We are just about finished.

Take it to the bank – Stephens, Upshaw, and Alford would have been *more* careful if they had *any* inkling someone would ask ITD for their emails. That had never happened before. They had gotten away with it before, as they did with the **First Hero**, whoever that honorable, courageous and committed man or woman was. Where is he or she? Bank on this, too, if there had been others like that First Hero, we would not be here today. And TDCJ Chaplaincy would not be on the road to complete ruination.

Brad, just set that email from Mike Bell next to Alford’s and Stephens’ IOC’s in Tab 5a, then just quickly glance through Tab 6 on the ITD emails and their meager laundry list, very quickly thumbing through Tab 10 on the unsupervised paints and Tab 12’s Off-Shore Account/s, flipping through the 30 items in the Tab 13 inventories, and ask yourself as *the man* responsible for TDCJ: “Self . . . Brad ol’ boy, if . . . *if* Alford is telling the truth, how come he did not see it for five years? Brad . . . self . . . with the million-dollar security cameras . . . how many others *saw* and did *nothing* for five years?”

And what? *What?* Remove the “rogue” network? Clean? Why? The volunteers *praised* Alford in 2007 and *prayed* he would return in 2012 – such a Holy and God-fearing man. Because he supported them for years. God *was* at work. I saw it. What a fellowship. And Upshaw is supporting Alford today.

Just sweep the floor and all will be well. And without this outrageous piece of work, those men will enjoy a far better retirement, at the expense of a number of lives no one has yet to calculate. Including mine.

Point Four: ITD Willing to Help – YES

Military Grade Encryption in Prisoners’ Hands? Brad, don’t you, too, want to know what the prisoners were *capable* of doing and what was inside the prisoner’s encrypted folders – “folders” plural, was Alford’s term (Tab 5a, Item 3), the only time in the documentation I have where encrypted “folders” appears. Just trying to be thorough. *Folders* plural. From a few of the old *folders* last “save,” one might be able to tell how long, perhaps. I don’t know. There are ways to break every encryption, unless it was a military grade encryption, I am guessing. I *am* guessing, of course, but I hope it was not military grade. And, yes, Brad, maybe that was a tad piece of sensationalism.

But, then again? Who knows? The real point is that we should *know*, and know *fully!* We should *know* that it was *not* a military grade encryption and precisely what the prisoners did. Brad, you *know* the FBI would help. Or, did Stephens not tell you about Alford’s IOC mentioning that *no one* in the chaplaincy department had the passwords. Yet, the staff Chaplain was given a good Annual Evaluation for that, too. When Alford asked me, when I called on November 5, I told Alford to ask the prisoners. Of all people, Alford knows well how to interrogate prisoners, and still to this date we do not know which prisoners encrypted, much less an answer to a single Hello Dolly question. Though we have no report on the grade of the encryption, we do have three reports saying everything is *erased* – everything is “clean” now – thanks.

Brad, you have the authority to authorize up to \$1 million in expenses without board approval, and – if you were told all – I’ll bet it would have been a no-brainer. There are experts in that field too.

Brad, oh my, look at Tab 6, and see the *between-the-lines* message from the ITD Techs. Very clearly and in nonchalant, even *steady-as-you-go* and *business-as-usual* remarks, they flippantly prepare the way, noting that Chaplain Collier will probably *fight all, all the way*. Yeah, the ITD Techs talked to Chaplain Collier, he blew his stack, damned me, Maness, and – count on it – after they left his office, he likely downed the ITD Techs to his volunteers and prisoners. Chaplain Collier did that to me, and he did that to anyone challenging his Beverly Hills on the Polunsky loosey-goosey parade.

The sad reality is that, to this day, I cannot help thinking he meant well, but after six solid years of support from the wardens, what *was* he to think. But my first days there still haunt me. How did he know what I went through? He “comforted” alright, but it is a mystery to me how he knew, unless some others unethically told him. Or, he was more of a conspirator with Upshaw and Alford than he portrayed. Whatever he knew or part he played in my affairs and in conscious conspiracy with Upshaw and Alford, that is now an issue of miniscule to zero importance. The far greater and grand mystery for OIG is how he enchanted so many wardens and directors for six years now, and why in the world those men covered up so much.

Back on track, the tenor of the ITD Techs themselves in their emails seems clear. Between them and Mike Bell, too, their message is consistent: *what do you want us to do?* That’s what they did, too, upon orders

from Upshaw, confident he the security agent of the state, and they “cleaned” all and “reconfigured” all and got all the illegitimate computers *properly* donated. Neat.

Look at the supply train in Tab 13, coming from Off-Shore Account/s *still* a TDCJ State Secret (Tab 12), and see all the electronic parts and hard drives *still* coming in September 2012, even an air compressor for the Art Team and their 50+ plus bottles of unsupervised paint. What is the impression of that small selection? Even a quick glance at them, and the *between-the-lines* message is clear. Whatever the prisoners wanted, there was a cash cow and Off-Shore Account/s ready to buy it. No vision, no goal, no budget, no plan, no following policy. Just whatever the prisoners needed for their private unsupervised Prisoners’ Computer Control Center in the dark, and *poof* – there it came. I sat in awe one day as CVCA Ed Reeves allowed a prisoner to get on the phone and describe the computer problem they had and some part they needed. Of course, Reeves was listening, to make sure the prisoner did not say anything foul. But *the* reason the prisoner was on the phone was – yeah – Reeves himself had no idea what the prisoners *needed*. So Reeves let the life-sentenced prisoners explain it to the free-experts so Reeves could buy it, without any technical knowledge himself about what the prisoners were actually doing.

That’s the non-supervision of the last five years prior to July 2012 – the nonsense I endured, and what the wardens would not help me with, while the wardens and rank watched on the high resolution cameras.

I outlined that nonsense on July 11, tried to come see Rick Thaler, and faxed a 21-page letter on October 29 – and, finally, ITD gets there, uncovers that *everything* was wrong, and communicates from November 2 through 28 that, yes, they will do whatever any security director wants.

What about those encrypted “folders” and all the files in those folders? What happened to those? Why clean and *return* everything to the Polunsky Chapel *without knowing* what had been – can I say it loudly – ENCRYPTED by life-sentenced murders unsupervised in their own Off-Shore Account/s supplied Computer Control Center ... in the dark ... for years! And, reading Alford’s and Stephens’ IOCs – everything is okay.

Give me a barf bag. “Outrageous” does not comprehend it.

And the principal person behind in and around all my disciplinaries and certainly the charging party to Warden Bill Lewis that led to his clearly false accusation and my own dismissal issues was Director Upshaw, and he was okay with all that above, as long as they are “cleaned,” “configured,” both the state and the illegitimate computers, and, of course, the “rogue” network removed. Hah! **BULL_ _ _ _ !**

Point Five: Conspiracy Sealed – Chaplain Collier Cleared

Brad, it takes ITD three more *weeks* to “clean” that mess up, the largest *cleaning* of illegitimately gotten computers used by unsupervised prisoners in TDCJ history! Unprecedented.

And – What? – the *same* prisoners are back on the computers today, January 1, 2014! Novice Chaplain Joe Vitela is still dependent upon those same prisoners as Chaplain Collier was in July 2012.

The cover up is complete – or so they believed then and believe today – but not really perceiving that when you document, and other people do their jobs and *keep* those documents, well – I hate to say it, but *that’s that* and you have a document trail.

Bold as the Sunshine! Bold as the summer sun – beautiful today, too – their conspiracy was confirmed and sealed and delivered on November 29, 2012, when on the *same day* Richard Alford and Bill Pierce signed Chaplain David Collier’s good Annual Evaluation (Tab 14, Item 3; his third in a row), Marvin Dunbar following and signing on December 4, 2012, exactly two years after I mailed you, Brad, my 50-page Faith-Based Housing Letter, revealing cover ups and double-speak and incompetence. The real kicker here is that that ITD had finished their work on November 28, but Chaplain Collier had “been out” – yeah – so “when he returns we will do a follow-up” (Tab 6, Item 9). Neat. As mentioned above, the day *after* ITD finishes its largest reconfiguration of illegitimately procured computers used by life-sentenced murderers – the *day after* and on the *same day* – Richard Alford and Bill Pierce *meet* and those two men sign Collier’s good Annual Evaluation even *before* ITD has had a chance to “follow-up.” But it gets worse. Marvin Dunbar signs and seals his part in the cover up on December 4. And Collier is called in and signs his part in the conspiracy on December 17, 2012. Though, according to TDCJ Personnel, Chaplain Collier had *officially* been transferred and left Polunsky on November 30, 2012.²⁵⁷ So, when ITD *finished* on November 28, ITD did not know that Chaplain Collier had *already* received his good Annual Evaluation and had been transferred *before* they had even finished and *before* they had a chance to debrief and follow up with him.

²⁵⁷ See www.PreciousHeart.net/OIG/Collier-Dates.pdf for the OR response.

Chaplain Collier not only escapes unscathed, but he does not even get a “follow up”!

At this same time in December, novice Chaplain Joe Vitela is *whisked* away from the Lewis Prison, where he tried to implement many of the same things, including – after a month – trying to move the Lewis Chaplaincy Department into the Gym. Vitela caused a few Lewis Prison volunteers to quit, too. But you, Brad, don’t want to know how I know that. Now at Polunsky, as the Head Chaplain, Vitela is there to help with the cover up, for he had been *volunteering* there for years with violations he knew not, and still does not know, himself kept from letters sent in the months prior to his arrival. But, according to Vitela’s recorded testimony on August 3, 2013, he had been slowly “fixing” things, he did not want rush things, and, of course, he had not read a single letter. It was obvious that no one had appraised him or even given him a cheat sheet of the things to correct (Disk 1, Track 4). Vitela was cultured and nurtured to clearly and *unwittingly* aid the wardens and directors in their cover up. And, hear this, some of the same problems were going on in August 2013 and continue into 2014.

Though Upshaw ordered the “cleaning” of the computers, he still could not bring himself to “clean” the Chaplaincy Department, and no one else in Chaplaincy HQ – no manager to be sure – even knows how. And today, at the beginning of 2014, some of the crazy things are still going on, Chaplain Vitela is still dependent upon his prisoner computer experts in a fashion no other department head has ever been or should ever be.

Chaplain Collier – what a man! How did he enchant so many wardens and directors?

OIG Hunt. We need OIG’s Sherlock Holmes to find out, and we would prefer OIG’s Dirty Harry to shake up the principals a bit and find all the others who were promoted for compromising, hoping for mercy for them according to their level of compromising, knowing how the deluding mixture of fear, intimidation, and job security affect us as human beings. And I pray that OIG looks hard and long for that First Hero who stood up, who would not compromise, and who repeatedly voiced his or her dissent to the Polunsky chapel violations, and – in a perfect world – may OIG find all the good souls who stood with the “right” and did not budge and suffered with promotion denials or forced transfers just as I did, some even forced to leave.

Those honorable, courageous, and committed men and women, we need. *We really* do.

But of late, we do not *know* the wheat from the chaff between your office and the prison, but we *should* know, and know with certainty. Those that we *should* trust the *most* ... should be trustworthy! Trust saves a lot of time. Saved Bryan Collier a *lot* of reading last year, or so he thought, and if he is not the top administrator who has knowingly covered up for the last six years, then he has a lot of reading to do, if he is going to catch up with you, Brad, who – though I don’t know – I just *suspect* has read most of what I have sent. You, Brad, did not get where you are for lack of talent.

Regardless, when those we *should* trust the *most* ... lie ... that is treason, and we cannot abide it.

Foiled ... Thanks ... and My Innocence

Upshaw, Stephens, Alford, Chaplain Collier, and either wittingly or unwittingly Bryan Collier – in all their dealings – did not consider that one chaplain would do his job, and keep on doing it, for he truly loved TDCJ and – true as anything – that Chaplain also banked upon several in TDCJ, confident they, too, would do their job. Thanks to many, like the good ITD Techs and Mike Bell, personnel and sweet Tabitha Taylor, the record holders in dozens of departments, and even your legal department, too, Brad. Though legal was just doing their job in denying *anything* they thought legally dangerous – still, a hearty thanks to legal! For all that legal did do, in copying and funneling through their mighty offices, they too have the records.

I was innocent and well-meaning, informing you, Brad, of sincere concerns almost exactly two years ago when I mailed you that Faith-Based Letter in December 2011 and found myself in office after office, that letter *talked* about and humiliated. And with dismissal proceedings a few months later, contrived, and more humiliation, my life’s work traduced by unethical wardens and directors, themselves committing violations far worse, exponentially worse, some even 100x worse, if even one can gauge the proportion of infamy. Rewarding others for compromising and hiding and punishing the honorable.

Now, with Stephens’ and Alford’s two fateful IOCs juxtaposed besides this tome with Bell’s fine ITD crew of experts and their matter-of-fact dialogue – and Upshaw’s “cleaning” – that he doubtlessly consulted with Ortiz, et al, and that all along the way Dunbar and Pierce supported – good God in heaven, I had to pull all this together that ended up revealing more than I even feared. And more than I dreamed possible, thanks to so many good people *not* under their thumbs. What those three men in tub have done, along with Dunbar and Pierce and Rutledge whose department they were “managing,” and whoever else “they” compose that OIG should discover, including Ortiz’ and Price’s role – they have committed many more violations that were so

much worse than mine, maybe even a Googolplex times greater. But how much greater is of less concern than bringing simple justice and equality back to roost.

Who was the First Hero that Arose Six Years ago? Where is he or she?

Who Are the Compromisers? God forbid and for whatever reason of fear or intimidation or lack of courage – how many have looked away from the violations at Polunsky for the last Six Years and did nothing? How many? Atrocious treason, and then all of the principals, Stephens, Upshaw, and Alford are promoted!

Brad, what is your role in that? I hope and pray none. But that you have a big part in making in right.

The Enchanting Chaplain! But one thing is absolutely true, perturbing to the uttermost, and a mystery OIG needs to solve: how did Chaplain Collier enchant so many wardens and directors to get total and complete protection for Six Years while managing the most policy-violating department in the history of TDCJ and through the longest series of cover ups – plural – in TDCJ history.

At the Lewis Prison, Warden Helm succeeded in killing the ministry of Volunteer Melvin Bell with more violations than one can shake a stick at, far less than Polunsky, but still far worse than mine. And the volunteers hurt, but – today – are tough and have learned to keep their mouth shut. “Look at what they did to Chaplain Maness and Volunteer Bell.” *Hush, hush, sweet darling.* Nothing was done about the exposures of the Lewis Prison violations, either, except – according to Stephens – a phone call to Warden Helm. I was not called, nor a single volunteer. Astonishing deliberate hypocritical indifference – or more simply, extraordinary and illegal favoritism to policy violators with unequal punishment for the whistle blower.

Conspiracy Finale

A deep conspiracy is afoot, the full reasons of which may never be found. Use of fear, intimidation and censorship continue today in a few corners, is upwardly mobile, and is close to your office, Brad.

As I exposed in good faith about 15 years ago, our beloved TDCJ Chaplaincy has been on the road to ruination since Carl Jefferies first hired Don Keel as one man to supervise one other, Jerry Groom. Groom resigned, and Keel and others have continued to tweak the Chief Chaplains job description to fit those not suited to the holy task. Favoritism to the unqualified is disgraceful. Only in RPD can one be hired with little to zero experience over those with outstanding resumes, proven devotion, and decades of networking.

Spiritual Most Important of All. Your legal and finance departments could not survive a day if they did the same thing, but the spiritual is the most important of all! Religion is the greatest source for change in the history of the world, Brad!

The cover up was outrageous in July 2012, while Senior Warden Timothy Simmons received from the very hand of Alan Polunsky himself the Administrator of the Year Award at his retirement. I did not truly know that Simmons had been stabbing me in back all the while, using my trust in him. I endured attempts at bullying by Richard Alford, who *tried* to shut me up from August through October. Even then, I could not conceive all. Yet after that I kept on digging. Nearly the whole truth is here, awaiting OIG’s Sherlock Holmes and Dirty Harry to finish, to solve the critical mysteries, and to discern the highest director responsible.

Who was the highest ranking person to know of the violations at Polunsky for the last six years now, and did *nothing* about it? Spare no cost. That traitor needs found and a whipping by Dirty Harry.



Now that outrageous cover up has an outrageous amount of evidence – this Book of Secrets – clear and cogent for all to see, with another 1,000 pages in Open Record request folders, CDs, and in links online. It would take a true Rhodes Scholar to search through everything. But at great cost to myself, I have given you a primer here and more. As scraggly as some of it is, given the speed that I have had to crank.

The Grand Mystery for OIG to Solve: How did Chaplain Collier enchant so many wardens and directors? Enchant he did. Protect and coddle and shield and reward him they did. The most policy-violating Chaplaincy Department in U.S. history – perhaps in living history going back to the foundation of Rome itself, or to Babylon 2,000 years before Rome – we still do not *know* and know *certainly* how long they have been covering up. But it is absolutely certain that they have been covering up for the last six years from the beginning of 2007 to the present, for at least since Chaplain Collier began his employment. Not a single disciplinary for him or any warden or major. Covered up and protected like no Chaplain has ever been protected. Good luck and God bless you Sherlock Holmes.

Epilogue – Last Note on Cover Up

And, subtle, but as bad, those that would “clean” Polunsky – you *have* to know, Brad – would “clean” other things to. Hide other things. Cover up other things. It’s a lifestyle. You, too, have your job cut out. I was told Alford had a reputation for “cleaning” up prisons, and now we know how he did it: by skirting his own responsibility, ramping up others, intimidation, and by all means necessary that made himself look good and by means of some hapless and helpless soul. Only, this time, it did not work. Yet, he was doing this *for* Upshaw, so we truly need to dig and find out all. Yes, Brad, Alford is KEY, of only he can be turned.

Capitulation Mercy. Next to that Grand Mystery, there is another problem easier to solve. A sad problem. As a Chaplain, sad to the uttermost for having to go to all this, distracting and downright depressing, but I am still going to ask for mercy. OIG does need to find *ALL* those who saw the violations in the Polunsky Chapel and did *nothing*. Especially those of the last five years who were captains and majors and promoted *from* Polunsky, knowing of the violations, and remaining silent – and *now* scattered throughout TDCJ on other prisons. That is *not* the way of TDCJ or Texas! That is a **cowardice** TDCJ cannot have and retain honor on her billboard. No sir. Find them and deal with them according the responsibilities they had at Polunsky. And, as the exposé of all this and as a Chaplain who knows right well the debilitating effects of fear and intimidation, especially when they affect your career, I also ask for some mercy for them. Not everyone can stand up to “the general,” and – truly – “if the warden thought it okay, it must be okay,” so the thinking goes, and such thinking is a mighty powerful piece of peer pressure that truly did beat the socks off of too many too often, and in this case for too long, too. Ohh, that is *too* much. Yes, hunt for the compromisers, especially those promoted for compromising, but be merciful, for fear is debilitating, intimidation is rough, and one’s rice bowl is precious.

FIRST HERO – Find him or her! Lastly, make a good faith effort to *publicly* find the **First Hero**. He or she deserves the best of the hunt: for God and Chaplaincy’s sake *not* the shameful cover up of such a good person. Never give up – *never*. Remunerate, repatriate, reward! **FIND THEM!** Never give up, and write a policy, too. It will encourage those who have flagged in the distant and recent past. Let TDCJ be known for honor, courage and commitment most of all. That its mission is so serious it will hunt down and reward high principle, those who will not compromise, and make right all those who at great expense to themselves will weather the storm, fight the **BULL_____**, and bug and beg and pester the hell out of even the Executive Director himself until he sees the light. Brad, you are either one of us or not. There are many like that in Texas ... I am counting on it! ... even risking my life upon it.

All of Texas’ Children Deserve Better.



Quote from the Life of King Henry the Fifth –
a fitting ode to OIG . . . me thinks

William Shakspeare (1564-1616)²⁵⁸
circa 1599, Act 3, Scene 1

Once more unto the breach, dear friends, once more;
Or close the wall up with our English dead.

In peace there's nothing so becomes a man
As modest stillness and humility:
But when the blast of war blows in our ears,
Then imitate the action of the tiger;
Stiffen the sinews, summon up the blood,
Disguise fair nature with hard-favour'd rage;
Then lend the eye a terrible aspect;
Let pry through the portage of the head
Like the brass cannon; let the brow o'erwhelm it
As fearfully as doth a galled rock
O'erhang and jutty his confounded base,
Swill'd with the wild and wasteful ocean.

Now set the teeth and stretch the nostril wide,
Hold hard the breath and bend up every spirit to his full height.

On, on, you noblest English.

Whose blood is fet from fathers of war-proof!
Fathers that, like so many Alexanders,
Have in these parts from morn till even fought
And sheathed their swords for lack of argument:
Dishonour not your mothers; now attest
That those whom you call'd fathers did beget you.

Be copy now to men of grosser blood,
And teach them how to war.

And you, good yeoman, whose limbs were made in England,
Show us here the mettle of your pasture;
Let us swear that you are worth your breeding;
which I doubt not;
For there is none of you so mean and base,
That hath not noble lustre in your eyes.

I see you stand like greyhounds in the slips, Straining upon the start.

The game's afoot: follow your spirit, and upon this charge
Cry 'God for Harry, England, and Saint George!'

... and for TDCJ and Texas!



²⁵⁸ Focused before and after the Battle of Agincourt (1415), a major victory for the English against superior French troops during the Hundred Years' War (1337-1453) where England sought control of the French court.

Syllogism Finis: OIG's Finest Hour

Never has there been a greater effort to avoid an OIG investigation in TDCJ history! ...

Therefore, never has there been a greater need for an OIG investigation in TDCJ history!²⁵⁹

The End . . . or The Beginning



To whom much is given, much is expected.



*What shall TDCJ be known for best?
I pray it is Justice and Equality in the 2014 New Year!
Our legacies unfold from our actions ... may they be our best.*

Rev. Dr. Michael G. Maness

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2019 Sequel – **TDCJ Deep State Report—Case of the Collared Fox**

See online w active links: www.PreciousHeart.net/OIG/TDCJ-OIG-2019.pdf >



LOOK IN VAIN for a single disciplinary on anyone exposed here for documented violations:
TDCJ Disciplinarys 10 years, 86,000-plus www.PreciousHeart.net/OIG/TDCJ-Disciplinarys-2003-2013.xls >



²⁵⁹ Op. cit., fn. 8.