

Eric Charles Welton
Columbus County
Detention Center
Whiteville NC 28572

Attn: Sheriff Rogers,

cc: Chief Jail Inspector, USMS

This afternoon, 25-Mar-24, 1st Sgt. Jenkins established grounds for a new Title 42 Section 1983 lawsuit required to gain access to personal and case related mail. I would like to avoid this process and am appealing to you as the exhaustion of administrative remedies and in recognition that the "grievance process" has A) been tried and exhausted and B) has been denied to me on the grounds that "I am a criminal." Officers Howard, Clavida, and Faulk were also present for substantive parts of the interactions. During the interaction, references were made to various other elements of a chain of command, but this has never been documented or otherwise communicated to the inmates so inmates can not be reasonably expected to know how to navigate around the obstacle of your front line admin staff. Consequently, this letter serves as your notification of the offense and illegal behaviour of your subordinates and your failure to correct their actions will render you complicit in their deviance.

In the interests of brevity, two items will be dealt with - the first is the issue of notary services, the second is the issue of mail delivery. Final notes will be made regarding the law library, policy communication - specifically regarding mail, and lastly your staff's overall capability, or lack thereof to communicate effectively and professionally using the English language. In conclusion I recommend to set aside your aspirations to warehouse federal inmates until you can secure better operational control over your administrative staff.

First off, and perhaps most easily dealt with, I am under the impression - along with the North Carolina Prisoner Legal Services - that jails are required

to provide access to Notarial services. Sgt Clarida believes otherwise. Sgt Clarida instructed me, in the presence of Officer Howard, that the jail had no obligation to provide Notarial services. I politely and quietly accepted Sgt Clarida's assertions and repeated them to her for confirmation, again, with witnesses. Later in the day I wrote to NCPLS and asked them to contact your facility and Sgt Clarida and to instruct the Columbus County Sheriff's Office as to the law concerning jail operations. I also plan to seek a continuance in my Federal case while we improve the operational capabilities of your staff. Should you fail to support the law in this regard I will have no choice but to pursue the matter further - the law is important and I will see that it is enforced regardless of your officer's acts and efforts at intimidation.

Second, you may be surprised to learn but you do not have carte blanche authority to block mail delivery. Let us set aside issues of "legal" versus personal mail for a moment, which also vex your staff something fierce. Let us also set aside issues with books and talk about the actions of 1st Sgt. Jenkins in taking mail - personal, non-attorney mail, and depositing it directly in personal property without notification to the inmate. This happened on 4+5 of March 2024, with USPS reporting delivery at 16:00 on 4-March.

Mail may be blocked for reasons of institutional security and for reasonable penological interest. Typical concerns include smuggling, pornographic or violent content, escape plans or coordination of criminal enterprise, etc. Outside of these valid reasons, facility personnel does not have the right to simply block mail - let alone to hide the fact of its delivery or its disposition as blocked mail. First Sgt. Jenkins' actions were illegal and reflect a profound misunderstanding of the law and her responsibilities.

When I attempted to discuss this matter with her, in quiet and reserved tones, in front of officers Howard, Clarida, and Faulk, she became agitated and demanded I be locked up. Officer Faulk escorted me back to my block but when I asked if he witnessed the events he requested to be "left out of it."

Immediately prior to the effort to discuss 1st Sgt. Jenkins' illegal blocking of my personal mail, we had been discussing the photocopying of the two-page interstate highway system map from a Rand McNally Road Atlas. I have, over the past several weeks, requested access to this via grievances, which were simply ignored. I had one sent to me, but Sgt. Clarida, upon seeing it, immediately shouted something about not allowing "magazines" - she refused to let me speak about the grievances until the 1st Sgt showed up. The 1st Sgt showed up and immediately declared that it wasn't "legal stuff" and that "you ain't never let nothing like that stuff back." When I asked for clarification about "stuff," the 1st Sgt began a tantrum. The tantrum escalated when I pointed out that I have been continually, for weeks, asking for a printed copy of what constitutes appropriate "legal stuff," to use the official CDC term. I still have not seen an up to date policy - there are pieces of it on each of three kiosks, and all of the staff have additional bits - but CDC policy is clearly incoherent in its formation, staff understanding, and implementation.

At the end of this day, I got some of my mail. Other mail, such as the map I requested, via the failed grievance process is back in property. This is better than Friday, when officer Clarida forced me to destroy official documents which can now no longer be produced in court. I have identified 1st Sgt Jenkins as the officer responsible for the illegal mail handling and she is on notice as such.

This brings me to the issue of the "law library." Your administrative staff places great obstacles before pre-trial detainees pursuing the legitimate and legal course of justice in the United States. One obstacle is blocking access to the courts - just as 1st Sgt Jenkins feels it is reasonable for my attorney to drive down from Raleigh for 6-12 hours and wait for me while I occasionally consult a map, Sgt. Clariden considers Lin personal conversation, early Feb. I having access to the "law library" via the single shared kiosk during optional "rec" as "adequate" and reasonable. Given the wall mounted nature of the kiosk, the need for it to be shared by all inmates for all electronic needs, and its availability during optional 3-hr "rec" time, during which inmates must also shower, communicate with their defense network, and perform other vital functions - such "law library" access amounts to 5-10 minutes per day on average. This is wholly insufficient. Between your staff's assault on the USPS, on access to books, and on the law library, a compelling case can be made for broad and deep infringement on the constitutional rights of pre-trial detainees. This culture, the culture of the CDC, as expressed to me, in writing, that we deserve it because we are criminals is directly at odds with the "presumption of innocence" which is integral to our legal system. As I said before, I believe the law is important - and believe it or not, that is why I am here - I stood up to a politician who attacked me and my family. I am learning, and you are showing me, that law means little in the United States - but I will continue to have hope, and I will hold you and your cast of lawless brigands accountable unless you step up and amend your behaviour.

A lot of the trouble I have seen here can be addressed by improving basic communications. This has been true in every facility in which I have been

warehoused. Let us take a simple example - your Inmate Handbook. This is out of date, it is not consistent with what is displayed in the intake room, what is on the NCCLC announcements, and what is believed by your staff. I have written multiple grievances, all of which have been ignored, requesting a printed copy of the Handbook. The grievances have been both electronic and written. I have written to external agencies trying to find ways to compel the CDC to provide a clear policy accounting.

My primary questions have been A) what is your actual grievance policy, because your grievance system does not work, and B) what is your mail/book policy because this is incoherent and poorly implemented. I can not, for the life of me, figure out what your actual mail policy is - nor can your staff. Your staff appears completely unaware of digital delivery. We are entering my third month here at CDC and I have at least 4, probably 6 more - I expect you to have a jail policy in my hand by the time I leave. I expect it yesterday. In the interim, your staff needs to get on the same page.

This brings me to the final point - you have serious literacy problems in your admin staff. Your staff needs to learn how to shut the fuck up long enough to listen to what someone is saying. I have seen the same pattern so many times now and it just doesn't work - one of your bumpkins comes walking into a situation and immediately their face-anus starts spewing "sass". Pretty much every time their "sass" represents a gross mis-reading of a situation and is focused on letting everyone know "I'm important!" rather than dealing, at all, with the situation. This usually represents a hidden insecurity, and something hit me watching 1st Sgt Jenkins trying to cope with the problem today - and getting stuck on the word "stuff." The focus on "sass" is

just deflection because these people are not particularly literate. Many of the inmates, such as myself, are just more articulate and are better able to put together thoughts, sentences, and paragraphs. This makes your staff nervous. It is, also, one of the reasons you struggle to coordinate policy and why a written policy document is so difficult. I do not think your admin staff are particularly strong reading and writing the english language. I suggest you apply for state funds and make remedial education part of your long term staff retention program.

In conclusion, I suggest you migrate the federal inmates out of CCDC until you can improve your admin. Your floor staff are great, your medical is great - the food and canteen run smoothly. There is a lot to be improved, but it works. The 21/3 lockdown and the utter failure of hygiene, cleaning supplies, books/mail, tablets, messaging, and most things requiring administrative coordination make it intolerable. The trust account financials, lack of any grievance process, total breakdown in facility/inmate communication, lack of inmate policy - that is what makes CCDC currently unfit for operation.

Please address the immediate issues regarding your violations of notary law and your violations of my constitutional rights. I would like to work quietly in my cell, on my case, and get out of here - I would prefer to avoid additional Title 42 section 1983 lawsuits.

-Eric Charles Welton