

The Michigan Humanities Collaboratory
Attn: Carceral State Project
100 North Hatcher Gallery
Hatcher Graduate Library
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Ann Arbor, MI 48109

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Re: Project Testimonial
Dion "Bantu" Dawson
Hereinafter - Bantu

I was born and raised on the Eastside of Detroit, Michigan, March 10, 1980; I am 40 years to date. I was born to a single-parent mother. At that time I lived in the Parkside Projects (Warren & Conner). I am the baby boy of three older brothers, with one younger sister. Our project complex caught fire causing our move.

My introduction to perceptions of, or knowledge of prison came around the age four or five (1984/1985), the year my father, Steve Johnson, Sr., was incarcerated for murder. As I remember the story as told to me by my mother, two of my father's friends had gotten into a physical altercation resulting in one shooting the other to death. My father being on the scene when police arrived with the gun next to the deceased victim, my father held his friend as he lie dead. My father was arrested. Sticking to a street no-snitching code, my father refused to talk and was thereafter charged with the murder. According to my mother, during a court hearing, my father sought to plead guilty to second-degree murder at which time the judge allegedly said: "Why are you doing this. We know who did this, why are your taking the wrap for it?" My father was insistent upon pleading, and while I don't know what he was sentenced to exactly, he spent 10 years in prison for the murder he never committed.

I don't have too many memories of my father. I remember he worked at the Churchs Chicken fastfood restuarant on Warren & Conner. We was poor and my mother struggle to put food on the table, and for whatever reason, my father wouldn't bring food to us despite working at a food joint. So my mother took me and my brother that's one year older than I am (we're the only siblings with the same father), she took us up to the Churchs Chicken where he worked and left us on the counter saying: "Since you don't want to help out and bring us food, you take care of them," as she left. He returned us with a bag of food (lol). This had to be around 1983 or 1984.

Upon my father's release from prison in the mid-1990s, I saw him on just two occasions: (1) My mother took me and my brother to see him when he got out of prison. Ironically, me and my brother was also just getting out of juvenile for having been in a stolen car high speed chase with a State Trooper on Chens street and near the I-94 service drive. My brother had no words for him, but I embraced him as my father; (2) when my grandmother Ms. Johnson (my father's mother) made her journey to the realm of the ancestors. At the funeral, again, my brother wouldn't speak to him, but I embraced him as my father. This was the last time I saw and/or spoke to my father. Suffice to say I've never known him.

Perhaps my first organized thoughts regarding the criminal justice system

was formulated and began to congeal around 1988 (I was eight years). Around this time and in reverse for a couple years, I would play cops & robbers inside my childhood home by myself. I was always the cops. My two oldest brothers would always mock me at play. But to my mind, I was searching out wrongdoing, looking earnestly to do justice. I had no way of realizing at such a tender age that my play functioned as a symbol of me acting out my desire for justice, a symbol tied to childhood traumas. I had been sexually molested, as a matter of fact, so playing cops & robbers was just my way of coping with sexual trauma in tandem with a need for justice to be played out.

Around this same time, however, I was a member of a community centered called Semiquois (Gratiot & Iroquois). There ideas of black pride was instilled in me, and it was also around this time (1988) I started to comprehend the images I saw on the television from the civil rights movement (esp. police brutality). Having developed black pride, those images from white police totally dashed my conception of what the police was or suppose to be about; it did not reflect my idea of agents for justice, so I grew a disdain for police in that moment. Also around this time I developed admiration for the Black Panthers, so I guess you can I started radicalize around nine years old.

Perhaps my affinity or propensity for crime, at the least in potential, was born. I was very fond of guns (mostly because I saw guns carried by the police, thus, I identified guns as agents of justice). So I loved guns and collected bullets (can't remember where I would find them at 8 & 9 years old). One time I banged on a bullet with a brick when I was 8 or 9 in order to make it shoot. It popped, shot, and ricochet off a metal garbage can in the alley and struck my knee. My little sister and only full brother laughed like crazy. So amused by guns that one day around this same time, older guys into a fist fight over a basketball game. One left to retrieve a gun and came back. They ended up on my block, one running the other shooting. While innocent bystanders ran for cover, I remain planted in excitement at the prospect of hearing and seeing the gun shoot. My mother would verbal slay me. October 1989, we moved from the Van Dyke & Harper neighborhood to the Black Bottom neighborhood (Chene Street) where we lived in a small project on the corner of Willis & St. Aubin. My formal introduction to criminality would be here.

When we moved to the Black Bottom, my two oldest brothers did not come with us. They stayed behind in the Van Dyke & Harper neighborhood where my grandmother still lived as they were both in high school. In the projects we moved into, called the Phoenix Homes, we lived in the corner complex; a big green generator was stationed on the side of our house where all the neighborhood teenagers and adults hung out (selling drugs; smoking weed; gambling; partying). So while my mother and siblings slept at night, I positioned myself at the side window watching the street life at the generator. I seen everything under the sun through the window. I saw guns, drugs, women exposing themselves, sex, violence, arrests, you name it. And all of the neighborhood guys knew I saw it, but I had become a fixture in the hood: Lil D in the corner house in the Phoenix Homes that's always in the window. At nine years old, I was a young "nigga" that could be trusted.

Now, while these like activities certainly took place in the Van Dyke & Harper neighborhood, it surely wasn't as pronounced, and more structured. Plus, the residus from the 1970s still remained in the Van Dyke & Harper neighborhood in the form of community centers that dispensed black culture, black pride, black history. In the Black Bottom, this didn't exist. Structure existed in sports, or how to properly cut crack, of tout your pistol, or how to rob, and what to say. Between the years of 10 and 14 I very much lived a double life: one life in the Black Bottom, and another whenever living with my

grandmother for the summer on Van Dyke & Harper. On Van Dyke & Harper, my hustle consisted of shoveling snow, raking leaves, carrying groceries, pumping gas, or working at the kit Kat grocery store breaking down boxes and sweeping the parking lot. In the Black Bottom, my hustle was selling heron, crack, weed, and robbing. As early as ten years old, the guys at the generator would say: "Lil DI You got a good hiding spot in there?" "Yeap!" "Here, hide this for me." I would stash the drug money from sells in the speakers of my mother's entertainment center. They stashed dope across the street in the alley behind the big trees. "Lil DI Run behind there and grab just one of those packs, and give it to him in that car." "Okay!" Now I'm making sells at ten. On my 11th birthday, one of the dealers gave me two bundles of heron. "Happy Birthday, lil nigga." -The rite of of passage had begun.

My mother worked a lot, so as I entered middle school, sixth grade, I skipped school all the time. Instead of school, we set in crack houses selling crack. Or we went into the junk yard teaching ourselves to steal cars. Or we roamed the streets doing whatever. Or we had girls skip with us to smoke weed and have sex. Needless to say, I flunked the 6th grade and had to repeat it. By the eighth grade, I was finished with school.

During my early teenage years we always had run ins with the police. Whenever we got caught, we were taken to the precinct until my mother or other adult picked us up. Sometimes we were held a while and let go ("Man, no one is answering the phone." "She's at work." - Our lines to get cut loose without having to inform my mother). Then they seem to get smart. They never took us to juvie for being delinquent, but they started taking us to another adult's house in the neighborhood, telling them to hold guardianship until my mother got off work with instructions to inform her. Then at 13 or 14, the high speed chase in the stolen car happened, landing me and my brother in juvie. The car thief and driver, whom we joy ride with, was our senior and had jumped out the moving car causing the crash. He got away.

I seen so much violence, death and incarceration during my early teenage years. Guys I went to middle school with was turning up dead; or imprisoned for killing someone, shooting someone, robbing someone, or getting caught in raids of drug houses. No soon as I turned 17 (adult for criminal purposes), I caught my first adult case two weeks after my 17th birthday. I was picked up at Kettering High School on Van Dyke with a gun by the Gang Squad. This was March 1997. I was attending Crocket night school at the time. Chief Roberson had given me a personal bond so I didn't spend much time in the county jail. The experience was a big thing for me as I had already been jailed in the precinct some many times and had been to juvie; I guess this case was just a notch under my belt, another rite of passage. That summer, while the case was still pending, I travelled to Grand Rapids, Michigan to sell drugs and got locked up again for drugs.

During my arrest in Grand Rapids, one of the arresting officers had told me, after I informed them I was from Detroit: "Don't you know we kill guys from Detroit!" They had stopped the taxi cab I was in illegally under the guise I fit the description of a 50 year man wanted to criminal sexual conduct (I'm 17 years old). I spent three months in Kent County's Jail before making bond. I had be in one fight during my three month stint. A fight over Dennis Rodman's Bad As I Wanna Be book that I owned, and that a cellmate was telling other guys they could read. He threatened to take the book from me, prompting the fight. There was always fights in the Kent County Jail, but I never

experienced any type of sexual predatory behavior within those three months, although the white deputies were racist, and physically abusive towards inmates.

My third felony case was a possession and manufacturing and delivering of marijuana. I have caught eight separate felony cases in my life, and I've pled guilty to all of them except two, both cases I was innocent of and sought to fight. The murder I'm currently incarcerated for, and this 1998 possession and manufacturing marijuana case.

Summer 1998, me other guys was hanging out at a hang out house in the hood. Some of us was outside on the porch, others inside. While the owner of the house did sell weed, and did have weed growing in the backyard, this was not a weed house in the sense people came there to purchase weed. The Detroit Police raid van station was near the area, and raid vans frequently drove through the hood in route to their destinations. On this particular day, a raid van drove down the street we was on, and actually drove pass us. As they neared the corner, a friend of mine took off running. I have the slightest clue why. Maybe he thought they was coming back; maybe he had something on him or was wanted; or maybe he was just running for the sake of running. Its not at all uncommon for poor black people living in the hood to run from police simply because we don't want to deal with them on any terms. We could be innocent of any crime, not have warrants, not doing anything illegal or have anything illegal us, but we will still run.

However, obviously they saw my friend run out of their rearview mirror, and put their van in reverse stopping at the house. We call out "raid van" and everyone scattered like roaches. I was caught two blocks over and brought back to the house where I found two of my friend being held by police. A second raid van pulled up. A female officer required us to get on our knees with our hands behind our heads. But we was kneeling on the cement and I had shorts on. The concrete was eating into my knees causing unbearable pain. As I removed one of my knees from the concrete for relief, she threatened serious bodily harm. I pleaded about the pain but she wasn't hearing me. Only after I could no longer endure the pain, I got up. She permitted me to kneel in the grass.

After officers convened for a couple minutes, they decided to go into the house. This entry was illegal as they had no search or arrest warrants to enter the house. Remember, this stop was a fluke. They found a couple pounds of weed in the house, weed stokes in the backyard. They arrested us, placed us in the van, and hauled us off to jail. We all decided to go to trial knowing the search and arrest was illegal and wouldn't possibly stand up in court. We drew a black judge, Judge Strong, so we thought we had it made. The officer came into court lying like I've never seen lying before. Their fabricated version of the incident was they had been surveilling the house from three blocks away and saw me serve a customer weed through the door. The fact of the matter is, I never served anyone, never had any weed, and never had been in the house that day. But they used this story as probable cause for arrest. And despite the holes in their story, i.e., how the officer could see from three blocks away someone behind a black steel door selling, the Judge Strong found us guilty. I was beyond angry. Not only at the lying officers, but more so at this black Judge who knew the case was, excuse my vernacular, knew the case was bullshit and predicated on lies, but found us guilty. I was on out on bond after being granted an early release due to jail overcrowding, and jumped bail, not returning for sentencing. I had also used an alias upon arrest, so I

guys complain in court to the judge, who does nothing. Jails and prisons, for that matter, are like slave plantations in that as wards of the state, property of the state, our keepers can do anything they want to us, their property, and the courts or anyone won't intervene. The sentiment is because we are criminals, its alright.

The county jails are always nasty, especially the holding cells. Majority of the times the toilets don't work so they are filled with feces and urine, so the cell stinks. Because of overcrowding, they also stink because you can spend days in these cells before making it to what they call quarantine floors where showers are. Sometimes they've even missed feeding guys and just said "Fuck it!" I feel sorry for individuals with serious health/medication issues. The deputies simply do not care and don't want to hear it. This adds to one's anger toward the system. It also makes you hate people of your own race that are agents of the system. They are predominantly worse than whites toward their own people (esp. in the Wayne County Jail).

When I was arrested for the murder I'm incarcerated for, I was taken to the notorious First Precinct's 9th Floor and questioned by two officers: one black whose name I don't remember; one Mexican named Mosles Jimenez. They started with their good cop bad cop routine. The black officer left, and the Mexican, the bad officer, slapped me in the face, pulled a knife on me as if he would gouge my eyes out, and pulled his gun on me. But because I wasn't present at the scene of the murder, I knew nothing to tell. The next day, another homicide officer, a black man named Kurtiss Staples, refused me counsel upon request, rebuffed my right to remain silent, and coerced me to talk to him. He wrote out a false confession that I never wrote, and had me sign it. I thought he was writing only what I had told him, but he wrote a confession that I never said. This false confession was entered into evidence over objection.

The court-appointed attorney I had was a double agent. Our first encounter was him coming to the jail to drop off the arrest report and other discovery, and tried doing this without speaking with me. When I insisted he talked to me, he called for the sheriff deputy as if he was threatened by me. So I sent him a letter with a list of pretrial motions I wanted him to file. He came to the jail to tell me I couldn't file any of the motions because I didn't have grounds. As I explained to him who/why I had grounds, motion for motion, only did he agree to file the motions. So he knew I had grounds but thought I didn't really know the law, thought I was just listening to jailhouse lawyers.

On the day of trial, he, Ira G. Harris, came to my cell conveying a plea deal the prosecution was offering: 20 years for second degree murder, and 2 consecutive years for felony firearm. I rejected the offer. This attorney's exact words to me was: "Well, I don't know what to argue then." He wasn't prepared and hadn't done any legitimate investigative work. He was merely prepared to sell me up the creek for the prosecutor. And this truth became obvious to me at trial when he didn't ask relevant questions of witnesses that was beneficial to my case. Went along with a hostile judge and prosecutor who lied about main alibi witness not being in custody and their inability to get him to court to testify. After this, I literally saw him wink at the prosecutor, so as to say, "We got him." Angry, seeing I was being railroaded, I assaulted the attorney in front of the jury.

My very first notable experience in prison, in Jackson Prison in Jackson, Michigan was an officer telling me "You must be guilty with all that shit,"

didn't have to deal with the Grand Rapids case I had also jumped bond on. But this started my extreme hate for the entirety of the criminal justice system.

I was arrested later that year and returned to Grand Rapids to finish my time. I spent six months in the Kent County Jail from 1998 through May 1999. I didn't have any negative experiences with the jails sheriff deputies, nor inmates. I spent that six months smoking cigarettes, occasionally weed, playing cards and doing pushups. I was learning the ropes of jailing, the rules of jailing effectively. As the saying goes, I was learning how to be a better criminal.

That same year, 1999, I got arrested for another gun. Again, due to overcrowding in the Wayne County Jail, I was granted an early release to tether. I was only permitted to leave my house to work or go to school, so I had the Arab store owner in the hood sign paperwork saying I worked at the store. This time allowed me to sell drugs. But soon I grew tired of being on tether after the court dates kept being postponed, so I cut the tether off and absconded. I would later be arrested in 2000 for attempted unlawfully driving away an automobile, and again in 2001 for possession of a tagged car (both of these arrest were in Macomb County, meaning I spent time in the Macomb County Jail).

There was also a time while in Flint their undercover narcotics unit has a regular squad car pull us over before we could cross into another jurisdiction. Upon the stop, the driver (I was the passenger) asked the officer why we were being pulled over. The officer lied, saying, "Um, um, I couldn't see your sticker on the license plate." Then the undercover officers approached, taking us out of the car, handcuffing us. My friend, the driver would say: "The hand cuffs have to be this tight for a traffic stop." They separated us as they talked to us on the scene. They had threatened to throw me over a fence across the street where a huge dog was barking angrily. They took us to the Genesee County Jail (illegally), and held us incommunicado in the basement questioning us about the money we had on us, and why we was in Flint. We was cuffed behind our backs. My friend got smart with one officer, a big black officer who went by the pseudonym Satan, walked up and slapped my friend so hard in the face, causing him to fall out the chair onto the floor. Officer Satan then stumped him in the neck and applied pressure from his weight onto his neck, then took his other feet stumping it into his stomach, then just standing his weight on my friend. My friend legs kicked as he graeped for air suffocating, and Satan was saying the words, "Die Nigga! Die!" When Satan got off of him, his head had swell and was red as a tomato. Satan then told us next time he seen us in Flint, that we batter had guns and was either shooting or running. In essence, he was threatening to kill us.

Doing time in the county jails are horrible for a couple of reasons. They are dangerous because the sheriff deputies don't care. They don't care if you eat, have access to the bathroom or a clean bathroom, and will let multiple guys gang up and beat one other guy without intervening. Plus the deputies many times have zero tolerance, but expect inmates to tolerate all their violations and dehumanizations without exception. If you're anger and talk recklessly to them, they (multiple deputies) will run in the cell and brutally beat you. I've seen them beat guys to near death, in both the Wayne & Macomb County Jails. Its a regular occurrence, and superiors say nothing. I've seen

referencing to the legal books and other materials I brought with me from the county jail. What a message right. If you're fighting for justice, fighting for your life, and you've equipped yourself with necessary tool to fight, then you must be guilty. This was intake. My second notable experience was when taken the Jackson quarantine housing unit block where you're housed until shipped off to a permanent prison. It was very much TV like. Open bar cells on either side. Its extreme loud, and guys saying things like, "Fresh fish" or "Fresh meat on the rock." The predators blowing kisses at you saying how they're going to have their way with you. Others threatening to physically harm you just for harm sake. And while I wasn't scared, probably by virtue I had already spent so much time inside of county jails since I was 17, now at 23, it was like, whatever. The most crazy thing was I saw I transgender homosexual in Jackson quarantine that had been in the Kent County Jail in 1997 in the same pod with me. Things had come full circle.

My first permanent prison was Gus Harrison Level 4 Correctional Facility in Adrian, MI. I had a serious attitude beyond being in prison for a murder I hadn't committed, and how I had been unjustly treated within the system. Within the first couple days I had an encounter with an officer resulting in an infraction for disobeying a direct order which nearly landed me in segregation. I had two additional encounters with this officers, resulting in another infraction for disobeying his orders, and having written a grievance on him for allowing a cell door to slam on me and not helping me out. He came up to the door to laugh at me. After we were interviewed together on the grievance, he agreed to stop bothering me and he did.

Adrian was a racist prison and had the reputation as such. Back in the mid- to late 1990s, a riot broke out at Adrian as a result of racism on behalf of staff. Not much had change in 2003. We would literally be stopped and searched three time on the walk to the chowhall, and three times on the walk back to the unit from chowhall. Officer routinely hurled the Nigger word. Fed up, we organized a peaceful assembly on the prison yard. It got the officers attention. A few days later, some prisoners decided to turn the protest violent and assault officers, and they did.

On January 5, 2005, I was involved in a violent incident with a man over a gambling situation. During the brawl, a man was stabbed and nearly died, and my knuckle was bust open and bleeding profusely from knocking out the teeth of the prisoner who approached me with violence and intentions on doing harm to me. I was placed on an emergency transfer to the Ionia Maximum Facility (I-Max), one of the MDOC's maximum facility level 5 prisons, just recently converted from a level 6 to a level 5 months earlier.

I-Max was horrible! The first thing the corrections officers said when I arrived was: "What's he's here for? He didn't assault an officer, did he?" Prisoners who assault officers and brutalized in prison, especially if you're sent to I-Max. At I-Max, they kill prisoners, literally. I've witnesses them beat prisoners brutally. Multiple prisoners were found dead while I was serving time in I-Max's long-term administrative segregation. Two was found with towels stuffed their throats, then said they committed suicide this way. They subject guys to four point or five point restraints (chain-locking you to

a concrete slab spread eagle at both ankles and wrist; and something with a helmet on your head chained to the slab). They've left guys like this for weeks, forcing them to defecate on themselves.

This reminds me of a practice deputies frequently used at the Macomb County Jail. Strapping a guy in a restraint chair, putting a helmet on him, then beating him in the head/across the helmet with a hard wood object. They have literally made guys retarded behind it.

Also at I-Max, they would starve you for weeks on in if you assault an officer. I've seen officer at I-Max spit in prisoners food, lie on prisoners, you name it. I-Max should have been closed down decades ago, and still requires being shuttered.

I was sent to I-Max on a charge of stabbing another prisoner during the brawl I had at Adrian. However, I did not stab this guy, nor was this guy part of the confrontation I was part of. Two separate brewls took place at one time, but I was accused as the violent perpetrator of both. The State Police, after clearing me of the stabbing, I-Max administrators still refused to release me from segregation saying I was getting away with a stabbing, and they was going to make sure I was punished for it. So they continued to hold me in seg.

After filing grievance after grievance, the deputy warden finally came to see me. She was a liar, saying she hadn't reviewed my file from Adrian (files travel with transferring prisoners; and administrators review files prior to interview segregation prisoners). After I told her to her face she was a liar out of my bitter anger at the injustice, she threatened to keep me in segregation even longer at which point I told her I didn't care (and I didn't). After my consistent complaining, she finally responded to a correspondence I sent her. She say she was releasing me from administrative segregation pending available bed space in the facility's transition unit. After writing to an associate in the transition unit and uncovering bed space was available and been available, I filed a grievance which resulted in retaliatory retribution. Another deputy warden came to say she was continuing me in administrative segregation, claiming the other dsputy never released me (although I had the document with her signature and stamp). So I spent more time in segregation for fighting injustice.

I later spent time at Macomb Facility level 4 then level 2, before being transferred back to a level 4 facility and placed again in administrative segregation for assault on staff and a drug case. This level four was St. Louis Correctional Facility. I spent 13 months out of the 15 months there in segregation.

The officers here, too, was foul and brutally beat and abused prisoners with impunity. I went on a hunger strike for three days trying to get transferred out of that prison. The transfer eventually happened, but until I was embroiled in drama with staff.

As long-term segregation prisoners, we're entitled to one hour yard five days per week. Officers did not want to take prisoners to yard, so they would strip search any prisoner going to yard, tire their room to shreds, to discourage us from going to yard. It worked, but not on me. Even when I didn't want to go to yard due to the freezing cold, I would go just to spite the

officers. And they would leave me out in the cold well past the hour to make sure I was froze. Also during strip searches, they would make sexual cracks at me. When they make me bend over and spread, they would say: "Wow! Look at that brown-eye." My writing them up for sexual harassment only angered them more, and enlisted a female counselor to their aid. She wrote me a fraudulent sexual misconduct in retaliation of the officers behalf. I fought the infraction and eventually had it dismissed.

Unable to brake me, the St.Louis staff decided to transfer me to another level 4 facility with long-term segregation. But before that, this counselor, Ms. A. Adams, had one last effort at fouling me over. She stayed over to oversee the packing of my property and had the packing officer to mis-pack my property in violation of policy in attempt to destroy all of my personal property. She attempted falsifying a report saying I agreed to have my property destroyed. I was transferred to the Oaks level 4 facility. I file suit over the property and won. The assistant attorney general, Julie R. Bell, told me on the phone to fax her a copy of the fabricated document. I did, and they awarded me a \$2,000 settlement. But while at Oaks, they refused to release me from segregation refusing to count all the segregation time I spent at St. Louis. So I had to file grievance on this. I won my release, but was threatened by deputy warden Pratt: "If you come to this hole again while I'm here. I'll hold you in the hold until I die." I mumbled under my breath, "That won't be long if you keep fucking with me." I was transferred one week after my release from segregation to upper Michigan's Chippewa level four facility.

Chippewa is another known racist facility. Being north is akin to being outside the range of Lansing, meaning, these officers do what they want to do. Their level unit was extremely segregated. I spent six months in Round unit and never knew who was on the opposite side of the unit. At this time, the rest of Chippewa, or URF as its also called, was a level 3. I made it to level three as part of a wicked conspiracy against me by the unit counselor:

In URF's level 4 Round unit, prisoners have to sign up for everything: phona, shower, to see the counselor to send legal out. So I signed up to send legal out. When my door open, I took my legal up. While in the counselor office, I realized I left a Certificate Service page on my bed that needed to be in the envelope. The counselor refused to let me get the paper, saying I had to sign up again for the following week. I bucked that, threatening to file a grievance and sue him for denying me access to the court. He refused to call me back out to process my mail. Now, another prisoner locked across the hall from me had just come from one of the level 3 units. He told stories about how in Lime unit, there's a cell with deep groove in the floor where prisoners sharpen knives. That when officers want to set a prisoner up, they'll put them in that cell, shake it down, the place the prisoner in segregation on accusations of knife sharpening.

So later in the day after this counselor denied my legal request, my call door opens: "Dawson! Pack you stuff, you're moving to level 3." What! Moving to level 3. I immediately remember the altercation I had and the level 3 call prisoners spoke about. So I asked: "What unit am I going to?" "Lime unit," was their response. Lime Unit. The same unit they set prisoners up in to get them in segregation. URF segregation was called Steamboat, and while I never been, it had a notorious reputation; that officers starved prisoners, beat prisoners, etc. - So I make it to level 3 Lime unit, go to my new cell (my bunkie isn't there at the time), and I commence to searching the cell for

weapons or razor blades officers may have planted. Officers in the MDOC will plant knives or razors blades in your cell, then search it and say we found a dangerous weapon. Finding no weapons, I commence to look for the grooves on the floor. Voila! The set up cell! The counselor decreased my level as if doing me a favor, only to set me up and have me placed in a security level higher than the level 4 I came from: segregation. I guess they had plans for me. But because I was ahead of the game, I foiled their plot. I went to the unit officers having them come down to my new cell and document the grooves in the floor on my cell inventory sheet, and to place a copy of it in the unit counselor's file. They tried playing stupid, "What grooves. What do you mean grooves." I made them document the situation and I won that battle, and was in a lower level with far more privilege than received in level 4.

URF transferred me to the Kinross facility after I threatened to file a report with the Michigan State Police for thief of property. A family member purchased some books for me, but I never received them. So I had my family run a trace on the books, and the tracking detailed the time, day and date the books arrived at the facility, and that they was signed for by a facility worker in the warehouse. Well, this worker said he never received or signed for the books. I filed a grievance but the grievance respondent was investigating although claiming they was. My mother contacted the warden with the tracking info, threatening to call the state police because a crime had been committed: either the warehouse worker stole the books, or someone forged his name and stole the books. The warden eventually retrieved the books, holding them in his office before returning them to me. The grievance respondent, during an interview, told me she was going to deny my grievance because there was no evidence of wrongdoing or of books coming in. I accused her of having not investigated. She insisted she had, but when I told her my very own investigation had uncovered the warehouse worker had signed for the book, and now the books were in the warden office; that I knew this because my mother spoke with him, this MDOC grievance respondent employee at URF re-wrote her response as if she did the investigation and resolved the issue by finding and returning the books. The next week I was transferred to Kinross level 2. The very next day a counselor at Kinross called me out to inquire whether I got the books. URF wanted to make sure the State Police didn't get involved.

From Kinross I was transferred to the Ionia Correctional Facility (a small level two facility up the hill from I-Max), then to the Cotton level 2 facility in Jackson, then to the level two Lakeland facility in Coldwater, back to the Macomb level 2 facility for a second time. I've been here at Macomb since March 2013.

The grievance process within the MDOC is ridiculous. There are no longer civilian grievance coordinators, they are all officers. This means you can never get justice through the grievance process, because its highly unlikely the grievance coordinator will process in the grievance in a justly manner, instead electing to reject the grievance for this or that reason as non-compliant in say way. Also grievance respondents are also supervisor officers or other correctional staff that works closely with officers who won't hold them accountable. And even if the issue is clear cut and serious, they either simply won't respond or give some perfunctory response that passes the buck. There is simply no accountability.

The process of adjudicating misconduct infractions is even worse. The

process changed from a major and minor process to a class based process (Class 1, Class 2 and Class 3). Previously, all major misconducts trigger due process considerations for prisoners, and all majors had to be heard by hearing officers who were required to be license attorneys. Now under the class based system, only class one infractions go to the hearing officer (license attorney) and other class two infractions, previously classified as major, no longer went to hearing officer. This means prisoners have been stripped of due process. Now unit officers from one shift hear prisoners on infractions written by officers on another shift. The system is kangaroo, and officers always inappropriately intervene in the process. They're engaging in an illegal plead negotiation system where you're judge guilty before you're heard. As soon as the infraction is read to you, they immediately say: "I'm offering you five days loss of privileges." And if you refuse the deal, they write on the misconduct, "refused five days," so when it goes to hearing by a supervisor officer and they find you guilty, they double the days you rejected. This pressures guys to always take the plead offered or get slammed. This means the hearing process is not impartial and not based on an independent judicial decision making process.

In the year 2000, in the case of Perry v McGuinnis, black MDOC hearing officer Perry filed a lawsuit against the MDOC director. Ex-hearing officer Perry exposed the MDOC engaged in quota requirements in misconduct infraction hearings; that hearing officers were required to find 90% of prisoners guilty of misconducts whether they were guilty or not. That meant if you were the 90th prisoner out of 100 to be reviewed on a misconduct, you would be found guilty regardless. Your fate was sealed before you ever appeared to the hearing. The deputy director Bolden conceded the impropriety. But now they use this class system to accomplish the same outcome.

Visits! Particularly here at Macomb, officers have your family waiting in the lobby for hours. Plus to communicate to family and friends in aggressive and foul tones, as if they're trying to discourage them from returning. Their has been times I really had to hope my peace and not explode.

Everything in prison is less structured than it was when I came to prison, both on the prisoner and staff side. With the gang phenomena, younger generations of prisoners are wielding power/more control over prison yards, which means traditional prison structures/rules are being eroded making everything less safe. And because they abhor education, political consciousness is hard to find in prison. There is rare freedom fighting anymore. Gang members view filing grievances or lawsuits as snitch. They don't even fight their cases, fight to correct error in their cases. Officers are less trained and more robot like- they just go along with anything. Prison is getting worse by the day.

For me, incarceration has certainly made me angry at the entirety of the criminal justice system. I don't trust it or its agents. Prison has driven toward more and more education for my own edification and ability to survive the administrative pitfalls while incarcerated, and to offer capacity to survive upon release without having to engage in illegal activity. Prison has also connected me to my childhood ambition to do justice, amplifying my radicalization as a freedom fighter. I am a firm believer that the entire U.S. criminal justice system need to be abolished from police, courts to prison, but because I don't think it will happen within its own logic, I'm a revolutionary nationalist believing this system is only capable of reproducing

itself, unable to fix itself.

Oh, before I forget, health services and food services.

Both health and food services are the greatest killers in the MDOC. Their has been a spike in deaths without ability to account for it (See article attached). Health services is a joke. Their remedy to any and everything is, drink plenty of water, get rest, and take aspirin. Or, you can be having a serious health episode, and as long as your vitals show regular according to them, nothing is wrong with you. You can be experience heart irregularity, on the verge of heart attack or stroke. But if your vitals read regular, they say nothing is wrong with you. Then guys are passing out as soon as leaving health services. Or they prolong treatment for so long, the infection or disease or ailment attacks causing drastic issues. And nurses doesn't care. Lack of care is a prime theme throughout carceral structures. That's prisoners are hesitant to even seek care, because the system generally only rob us of our \$5 co-pay and never gives service. You leave with your blood pressure higher than it was when you went. Or, another thing they do, is accuse you of being engaged in some scheme. They say: "What's the real reason you're over here," so as to say you're only over there to see women. These people are sick!

Food service is equally a joke for a number of reasons, one of which is lack of care on behalf of prisoners. Food service civilian personality fail to oversee prisoner cooks. Prime example. I've been vegan for 14 years, and feed a special religious vegan diet. Our line got a new cook and he would use animal products. Again, there was no oversight. I filed a grievance on the matter, but because this guy was also a snitch for staff, they shield him. Then my digestive system went crazy. Come to find out, he had been serving us bean burgers off the main line that was made with eggs, causing my immune system to go into fight mode perceiving the eggs as a pathogen. The result: my colon was damaged sending me to the hospital. I was diagnosed with ulcerative colitis, a life-long chronic inflammatory disease. With ulcerative colitis, I have a heightened likelihood of developing colon cancer.

The food is of poor quality, and every thing is cook in plenty water to account for weight (for caloric purposes).

I don't have any faith in the criminal justice system, nor trust. I feel the entire system, police, courts and prisons need to be abolished, as it cannot be reformed within its own logic. I see the agents of this system largely as robots for the machine, turning black and other people of color into white supremacist, and fomenting corruption and tyranny.

FREE PRESS INVESTIGATION

Michigan prison deaths spike; state doesn't know why

Paul Egan, Detroit Free Press
USA TODAY NETWORK

LANSING — Deaths in Michigan prisons spiked in 2018 to the highest rate in at least 25 years.

And a Free Press investigation, using Michigan's Freedom of Information Act, found the Michigan Department of Corrections has not accurately or consistently tracked the number of prison deaths, as required by the U.S. Justice Department, and no longer counts all prison deaths in an annual report sent to the Legislature, which alarms groups advocating for prisoners and their families.

See PRISON DEATHS, Page 15A

Cover story

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The 135 state prison deaths reported to the federal government for 2018 was the highest number reported since 2009, when 148 Michigan prisoners died. But the state prison population has shrunk by nearly 7,000 inmates since then. The rate of Michigan prison deaths in 2018 surpassed 2009 and was the highest since at least 1994, based on state records and reports sent to the U.S. Department of Justice.

Nowhere was the increase in deaths more pronounced than at Michigan's only women's prison, the crowded Women's Huron Valley Correctional Facility near Ypsilanti, where there were 10 prisoner deaths in 2018 — more than double the number reported there in any year since 2010.

A Free Press investigation found:

- The 2018 Michigan prison death rate of 348 deaths per 100,000 prisoners surpassed the 2009 rate of 325 deaths per 100,000 prisoners — the previous high since at least 1994, based on available records. Nationwide, the state prison death rate was 256 per 100,000 prisoners between 2001 and 2014, according to the Bureau of Justice Statistics.

- The 2018 death rate at Women's Huron Valley, which was experiencing a yearlong and undiagnosed scabies outbreak documented by the Free Press, was 483 per 100,000 prisoners, or 89% higher than the national prison death rate.

- State lawmakers would have no way of knowing about the surge in Michigan prison deaths. The department's 2018 annual statistical report, which prison officials said will report 135 deaths, had not been published on the department's website as of Wednesday. And in February 2016, the department unilaterally, and without notifying lawmakers, changed the long-standing definition of a "critical incident" to exclude deaths that prison officials deem to be the result of terminal illnesses.

- Critical incidents, which until 2016 included all deaths, along with assaults, injuries, escape attempts, and major events such as a fire or a furnace failure, generate detailed reporting and under state law must be counted, categorized, and communicated to the Legislature. The most recent annual report on critical incidents, submitted to the Legislature March 1, referenced only 44 prison deaths statewide in 2018, of which five were at the women's prison. The report did not explain that the definition of a critical incident had changed, though the change was added to a long list of policy directives on the department's website.

- The department has not accurately

Prison deaths are highest in decades



PAUL EGAN/DETROIT FREE PRESS

"Of course, any death in prison should be considered a critical incident, because many of the deaths, from my experience, in the women's prison, are suspicious."

University of Michigan professor Carol Jacobsen, who works with female inmates and parolees as director of the Michigan Women's Justice & Clemency Project

are "very concerning," Santana said Thursday.

"They really need to make sure those numbers are in line. There shouldn't be that much of a discrepancy."

Two federal lawsuits have already been filed in connection with the scabies outbreak at the women's prison, and at least two other attorneys said they are exploring health conditions there.

Aging population

Gautz pointed to an aging prison popula-

Women's prison

Michigan's only women's prison had 10 deaths last year, the highest number since 2010, when it reported seven deaths.

Gautz said six of the 10 women's prison deaths in 2018 were due to cancer.

In 2017, 4.8% of female prisoners were 60 or older, and 15.1% were age 50 to 59, records show. By comparison, those percentages in 2010 were 1.3% and 11.5% respectively.

At Women's Huron Valley, the Free Press has reported that storage rooms and day rooms have been converted into cells because of a lack of available space, and that hundreds of women suffered from scabies for extended periods in 2017 and 2018 after the department and its contracted health care provider, Cortizon, failed to accurately diagnose the mite infection.

The prison also has a history of leaking roofs, and prisoners have given repeated and consistent accounts of water dripping from ceilings and mold in the shower areas and other areas, which some prisoners have said inmates were instructed to cover with paint. The department says leaky roofs were repaired and has repeatedly denied there is mold in the prison.

Detroit attorney David Steingold said he, along with the law firms Pitt McGehee and Ernst & Marko, has been researching and gathering evidence on the scabies and mold issues.

"There is mold throughout this facility," Steingold said after a Tuesday visit to the women's prison. "It's been there since it opened" and "they know it," he said of prison officials. Steingold believes some of the deaths are related to mold allergies and "neglect and inadequate health care."

University of Michigan professor Carol Jacobsen, who works with female inmates and parolees as director of the Michigan Women's Justice & Clemency Project, said she wasn't aware of the change in the department's classification of "critical incidents," and she's concerned about it.

"Of course, any death in prison should be considered a critical incident, because many of the deaths, from my experience, in the women's prison, are suspicious," said Jacobsen.

Jacobsen wrote to Gov. Gretchen Whitmer and other officials in January, complaining about reports of mold and unsanitary conditions at the prison, as well as "breathing problems, coughing, terrible rashes, bleeding" and "an epidemic of deaths and injuries."

Jacobsen's letter was sent to the internal of-

show.

A Cortizon nurse must see routine referrals within five business days and urgent referrals within one business day, Gautz said. Fines are assessed when those deadlines are missed.

Counting errors

Gautz blamed department errors for inconsistencies among death numbers the department has reported to the federal Bureau of Justice Statistics and those it has compiled in its own annual statistical report.

tailed unit of the Corrections Department for an investigation.

Gautz said the department looked into "every single claim" in Jacobson's letter, and while he can't disclose the results of internal affairs investigations, he said the letter contained numerous factual errors and Jacobson did not respond to requests for follow-up information.

To say "without any proof or documentation ... these women died because of 'oozing black mold' is disgusting and hurtful to the families of these women," Gautz said.

On Oct. 24, the Free Press emailed Gautz and asked: "Can you please tell me how many prisoner deaths (both natural and unnatural) there have been at WHY so far in the 2018 calendar year?"

Gautz responded that there had been five deaths. Records later obtained by the Free Press show that there had been at least nine 2018 women's prison deaths by then. On Wednesday, Gautz confirmed a 10th woman's prison death occurred on Sept. 21, 2018. Only five of the 10 deaths generated critical incident reports.

"That might have been something I got from the warden," Gautz said when asked about the inaccurate death tally he provided. "Maybe he just pulled the critical (incident report) number."

Only after submitting a March 9 FOIA request asking for records documenting under what circumstances four specific women — whose names were supplied by Jacobson — left the prison, was the Free Press able to confirm four additional deaths.

One of the records the department sent was a one-page report showing Toni Cato Riggs died, and was therefore recorded as being "discharged" from prison, at age 49, on May 25, 2018. The report was dated March 12 of this year — three days after the department received the Free Press FOIA request by email.

The one-page discharge report gives no information on cause of death. Gautz said Wednesday that Riggs died from cancer.

Gautz said the documentation of Riggs' death was not created sooner through an apparent oversight. He said he couldn't be sure, but it appeared the FOIA request prompted the creation of the record.

The family of another woman who died at the prison in 2018, Donna DeBruin, has retained Southfield civil rights attorney Heather Glazer, who has obtained medical records and is investigating the circumstances of the 60-year-old's death.

Glazer told the Free Press she wants to know whether DeBruin's constitutional rights to adequate medical treatment were violated. Contact Paul Agun: 57-372-9660 or paul.agun@freepress.com.

During the three-year period from 2010 through 2012, the two sets of numbers matched. But there has been wide variance since then.

In 2015, for example, the department reported 118 deaths to the federal government, and 110 deaths in its annual statistical report. In 2016, the numbers were 106 in the federal report and 111 in the state report.

Gautz said the reports submitted to the federal government in recent years are accurate and the numbers included in the department's annual statistical reports are not. Certain deaths were counted twice in some years and in other years, deaths of prisoners who had been sent to a hospital were not counted, when they should have been, he said.

To calculate the prison death rate, the Free Press used the year-end prison population and death numbers Michigan submitted to the federal government beginning in 2001, when the Death in Custody Reporting Act took effect. Prior to 2001, the Free Press used the death number from the department's annual statistical report.

The federal government gives detailed instructions on state prison death reporting, telling departments to include all prisoner deaths, including prisoners who die while being treated in a hospital or while in transit, but to exclude prisoners in county jails, on parole or probation, in federal prison, or being held in state prison in another state.

The number in the state statistical report should mirror the federal report and will do so from now on, Gautz said.

Historically, the Corrections Department also prepared a multi-page critical incident report for all prison deaths, including when prisoners die in a hospital.

But starting in early 2016, the department stopped writing critical incident reports in cases where "the death is expected due to a terminal illness," regardless of whether the death occurred inside a prison or in a hospital, records show. This was to cut down on paperwork and interviews, Gautz said.

From then until July 2018, Gautz said, no public report was required for what was likely dozens of Michigan prison deaths deemed "expected due to a terminal illness," except for a one-page "certificate of discharge" that includes only the prisoner's name, number and the date of discharge by reason of "death while under sentence."

In July 2018, the department altered its policy to create an "incident report" — not one that must be counted and reported to the Legislature — for each expected death due to terminal illness.

"It's a good change," Gautz said. "If there is no report at all, people can speculate."

tion, among both male and female inmates, and an apparent increase in cancer, cardiac and respiratory-related deaths.

Some of those deaths, such as deaths from cancer, still have to be counted in reports to the U.S. Justice Department and in the department's annual statistical report, but are no longer being included in the reports on critical incidents sent to the Michigan Legislature.

The department says the proportion of its inmates who are 60 or older grew from 2.8% at the end of 2003 to 8.1% at the end of 2017, while the proportion of inmates between 50 and 59 grew from 9% to 15.1% during that time.

But those numbers don't explain why the death rate would spike in 2018, rather than edge up gradually. Based on death numbers reported to the Justice Department, the death rate remained relatively constant between 2003 and 2010, at around 260 deaths per 100,000 prisoners.

Gautz said there were 42 cancer deaths in 2018, almost as many as the 48 cancer deaths in 2016 and 2017 combined. He said there were 32 cardiac deaths in 2018, compared with an average of 12 the previous two years, and 20 respiratory deaths, compared with only 10 respiratory deaths in the previous two years combined.

He had no explanation for the one-year spike in cancer, cardiac and respiratory deaths, other than the gradually aging prison population.

"One year does not a trend make," Gautz said.

"To us, all death is tragic, and while we have fewer prisoners than a decade ago, the prisoners that remain with us are now older and sicker."

Gautz rejected questions about whether the spike in deaths could be related to problems with either the prison's food or its health care.

"Food service would have nothing to do with someone dying in prison," and "the same would be true for the health care contract," he said.

The department returned state employees to the prison kitchens late in 2018. That ended a nearly five-year experiment with privatized food service, which was marked by widespread problems with food quality and sanitation, as well as problems with kitchen employees smuggling contraband and getting overly familiar with prisoners.

Tennessee-based Corizon Health Inc., the company that holds a five-year, \$715.7-million prison health contract with the state, was fined \$360,000 for various contract infractions in 2018, including \$246,000 for problems related to timeliness of care, records

tracked prison deaths. Spokesman Chris Gautz told the Free Press in a late October email there had been five 2018 deaths at Women's Huron Valley, but records the Free Press obtained under FOIA show there had already been nine deaths at that time. The department created one of those records three days after it received the March 2019 FOIA request, despite the fact the woman died in May 2018. On Wednesday, Gautz confirmed a 10th death at the women's prison in 2018.

The department acknowledged Wednesday that errors resulted in incorrect death counts in its annual statistical reports for the years 2013 through 2017, which were posted on the department's website. From 2009 through 2012, the annual death count in the statistical report matched the number of deaths sent to the U.S. Justice Department, as required by federal law. But since then, the two numbers have varied each year by as many as eight deaths, with the state sometimes reporting a lower number to the federal government than it recorded in state records, while other times giving the federal government a higher death number than the state kept. The department investigated after the discrepancies were pointed out by the Free Press. "The numbers reported to the DOJ are correct," and the state numbers are in error, Gautz said Wednesday.

The department, which has been under scrutiny for the quality of both its food and its medical care, had no explanation for the spike in deaths, other than the fact the prison population is getting older.

"Maybe it's an anomaly," said Gautz, who blamed the inaccurate death counts in recent statistical reports on a combination of errors that resulted in some deaths being counted twice and other deaths not being counted at all.

Lois Pullano, the founder of the Corrections Department's family advisory board, said she is "increasingly concerned about the medical and mental health care inside the prison system," and said families need to know about all prison deaths to assess whether investigations are needed.

"These are people's lives, not just the one who passed on, but families impacted out here in our communities, some with children involved," said Pullano, who is also president of the Michigan group Citizens for Prison Reform.

"These families deserve answers."

State Sen. Sylvia Santana, D-Detroit, said she wants all prison deaths reported to the Legislature, regardless of the cause, as a way of ensuring oversight of both Corrections Department managers and the way the department's health care contractor are performing. The department's errors in counting deaths