

INMATE NAME/NUMBER: *Amos*
FEDERAL CORRECTION COMPLEX-ALLENWOOD
P.O. BOX 1000
WHITE DEER, PA 17887

20229-045
Rudy Davis
PO BOX 2088
Forney, TX 75126
United States

75126-2088



Dear Rudy,

January 16, 2019

Thank you for sending that book. It is a little after 1^{PM} and they haven't done mail yet but I know it will be here soon enough. Enclosed are some documents related to my latest adventures. A previous essay I was working on has been delayed so I can throw all of this stuff in it as well.

As you can see I'm back on the hand washing kick 😊 Still waiting for medical's standard response - talk to safety. Maybe they've gone to Plan B which is just ignore me.

The notary documents are being sent just in case I "steal govern-
ment documents" again. My sticky fingers are unpredictable. If you wish to post them is up to you. Might do some good, someone might be familiar with the law or policy in the BOP.

Lastly, a recent newsletter an attorney sends out caught my eye. Apparently the US Marshals are as corrupt as the rest of Fed Gov. They spent \$22,000 for a conference table! Check it out. Bet there was a bunch of really bad stuff that got swept under the rug. And what will be the outcome? More funding!

Take care Rudy and let Erin know I said hi.

Sincerely,

Jason

FROM: Sample, Brandon
TO: 20229045
SUBJECT: Brandon Sample Newsletter (Part 2)
DATE: 01/13/2019 11:21:02 PM

U.S. MARSHALS:
A CULTURE OF MISMANAGEMENT

Nothing shakes society's trust in law enforcement institutions more than when officers of the law violate their oaths to uphold the Constitution. What is so pernicious about dirty cops is that they know the law, they are entrusted to uphold it, and they knowingly violate it anyway. The end result is that we all feel less secure, less safe, and with fewer civil liberties.

That is why a memo from outgoing Senator Chuck Grassley (R-Iowa), who is also chairman of the Senate Judiciary Committee, is so jarring. Several days ago, Sen. Grassley said that the Judiciary Committee discovered "a culture of mismanagement, abuse of authority and lax accountability" at the U.S. Marshals Service. "This culture must change," said Grassley.

-Years of Forged Subpoenas by the U.S. Marshals Service

The Judiciary Committee memo outlines abuses that have occurred for years, the most important of which was a years-long practice of deputy marshals forging hundreds of subpoenas to obtain telephone records. Specifically, U.S. Marshals served approximately 800 fraudulent subpoenas on telephone companies in order to obtain phone records of people connected to fugitive investigations. The practice went on for a 10-year period ending in 2005.

The fraudulent subpoenas contained a pre-printed signature from a judge who later told investigators that he never issued those subpoenas, and was not even assigned to the relevant court for five of the 10 years the practice went on.

The fraudulent subpoena scandal came to light as a result of investigations by the Judiciary Committee and the Justice Department's inspector general. The investigation could not determine how the phony-subpoena practice got started, but many of the subpoenas were used in Indiana.

The real injustice is that there were many whistleblowers who informed of the phony-subpoena practice, but no criminal charges were ever filed, and only one Marshals Service employee was reprimanded. Two employees who were part of the practice were later promoted. In fact, there were actually repeated attempts to retaliate against the whistleblowers who brought the scandal to light.

-Other Misdeeds at the U.S. Marshals Service

The misconduct at the Marshals Service did not stop with the phony subpoenas. The investigations also revealed that the agency's former director, Stacia Hylton, failed to follow federal rules in hiring employees and misspent money. Some of the inappropriate spending included the use of taxpayer money for a \$22,000 conference table. The memo of the investigations also noted the hiring of "a speechwriter who received contracts totaling over \$1 million."

One senior U.S. Marshals official was allowed to retire with full benefits despite the fact that two separate inspector-general investigations revealed that he misused government resources, committed sexual harassment, and threatened and retaliated against employees who participated in the investigations against him.

The retaliation against whistleblowers seemed to be a pattern. The memo also revealed that when other senior officials came under investigation, the response was to find and punish the whistleblower responsible.

-A Lack of Accountability

The Justice Committee's memo decried a "very troubling overall lack of accountability." Sen. Grassley added, "Poor leadership and pervasive misconduct cripples morale and corrodes trust of employees tasked with apprehending criminals and keeping communities safe."

-Major Legal Exposure

With the release of this memo, the U.S. Marshals Service must now be aware that it is vulnerable to a massive amount of legal exposure. As a threshold matter, every single time the U.S. Marshals Service obtained telephone records with a fraudulent

subpoena, they violated the Fourth Amendment as having conducted a search and seizure without judicial approval, and without probable cause. It is difficult to begin to surmise what type of remedy would be available to those who have had their information turned over to the U.S. Marshals in violation of the Constitution.

Further, those who used the subpoenas with the pre-printed judge's signature are likely open to charges of criminal fraud and forgery. The deputy marshals are also clearly vulnerable to ethics charges for violation of their oath as law enforcement officers.

Finally, it is clear that the U.S. Marshals Service will be faced with major civil liability for damages based upon its actions. That liability stems from not only the phony subpoenas, but also the retaliation against whistleblowers and the lavish spending of taxpayer money, to name a few. What is most unfortunate is that more taxpayer money will likely be spent defending the U.S. Marshals Service because it is a government entity. That is until all lawsuits have been resolved.

-What's Next?

Based on the reporting on the Judiciary Committee's memo, it is unclear what will happen next. The allegations are very serious, and most likely, the allegations will be referred to the appropriate agency for action. That said, the reputation of the U.S. Marshals Service will take years to repair.

MEGA LAW UPDATE RECENT APPELLATE DECISIONS

A. HABEAS

Williams v. Wilson, 2019 WL 141070 (4th Cir., Jan. 9, 2019)

(Remanding sec. 2241 petition for reconsideration in light of Lester v. Flournoy which held that inmates could use savings clause to challenge their sentence. Noting in passing that Williams was released from BOP custody already but still satisfied "in custody" requirement for sec. 2241 habeas petition).

Thomas v. United States, 2019 WL 141060 (11th Cir., Jan. 9, 2019)

(Thomas' motion to amend her 2255 filing to include Johnson II claim after her original 2255 motion was denied was actually an unauthorized second or successive sec. 2255 motion. FRCP 15 has no application after judgment is entered. Appeal dismissed).

Eason v. United States, 2019 WL 138292 (8th Cir., Jan. 9, 2019)

(Eason's properly authorized successive sec. 2255 asserting valid Johnson challenge to Eason's ACCA designation was not improperly denied when the district court applied the discretionary concurrent sentence doctrine. Eason's invalidated ACCA enhancement did not impact Guideline range, and sentence imposed was well-above ACCA mandatory minimum. Affirmed).

[EDITOR'S NOTE: Eason pleaded guilty to 1 count of distributing cocaine-base in violation of 21 U.S.C. 841(a)(1) and (b)(1)(A), and 1 count of possessing a firearm under ACCA at the same time. Eason did not object to PSR using priors for ACCA at sentencing because Descamps decision not out at the time. Sentencing court imposed a concurrent 220-month sentence on both counts. The District court denied Eason sec. 2255 relief despite acknowledging that ACCA sentence was no longer valid, reasoning in part that the career offender designation was what drove the sentence. Here is the rub: if the Court had given Eason 2255 relief on the ACCA count then Eason's entire plea would have been undone, and Eason would be resentenced under current law. EASON WOULD NOT BE A CAREER OFFENDER if sentenced today, but because of Beckles v. U.S. Eason could not assert that claim directly in the 2255. This is absurdity.]

CONCLUSION

That is all that I have for now. Take care.

BRANDON SAMPLE, Esq.
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PLEASE SEND ALL RETENTION INQUIRIES TO INFO@BRANDONSAMPLE.COM

FROM: 20229045
TO: LSCI Quality Assurance
SUBJECT: Re: Concealed
DATE: 01/04/2019 08:42:57 PM

Thank you for this opportunity to address the esteemed LSCI Quality Assurance department. On December 3rd and December 27, 2018 I was "randomly picked" for a hygiene survey, what are the odds of that? I should play the lottery! Unfortunately, I am not too concerned with the cleanliness of my care provider so much as the cleanliness of my fellow inmates. Inside the bathroom located in the Health Services Department for inmate use there is absolutely no soap or paper towels. No hand dryer either. This seems to be a bit problematic as the inmates who are coming to health services wouldn't strike me as those who are currently in their healthiest state.

Outside of the bathroom is a DED SBS FIRST STEP Aero-Instant foaming hand sanitizer dispenser. Posted to this dispenser are the following helpful instructions:

1. Remove gloves [a very helpful suggestion if I may say so myself]
2. Place hands UNDER dispenser and allow product to dispense [yes, "under" is actually underlined]
3. Thoroughly rub product throughout hands and/or affected areas until hands are dry
4. Follow-up immediately with regular hand washing with soap and water

As you can see this hand sanitizer claims that soap and water are to be used afterwards. The problem lies in the fact that no soap is available. And in all fairness to the Health Services department no soap is available in a majority of inmate accessible bathrooms on the compound. Not too long ago the soap dispensers in the housing units were removed after being used as a prop for the American Correctional Association reaccreditation a couple of years ago. Besides that initial fill up they were never filled again.

While having a care provider wash their hands is a wonderful idea to stop the spread of disease I think you might be missing the bigger issue here of no soap being available for inmates with fecal matter all over their hands. Just a thought for the Quality Assurance department to ponder.

Sincerely,

Jason Gerhard
-----LSCI Quality Assurance on 12/27/2018 10:37 AM wrote:

>
Subject: Health Services Hand Hygiene Survey/ENCUESTA SOBRE LA
HIGIENE DE LAS MANOS

You were seen by a Health Services or Dental Provider between 12-7-2018 and 12-17-2018. The Infection Control Office is conducting a monthly hand hygiene survey and your name was randomly picked. Please respond via e-mail to the following question, with a "Yes" or "No" response. No requests for other services, like sick-call, will be answered. Please follow established procedures for all requests for service.

Did your provider clean their hands during your visit?
¿Su proveedor de servicios médicos se lavo las manos durante su visita?

If "No", please tell me when they did not wash their hands. All responses need to be SUBMITTED by no later than January 15, 2019.

Thank you

FCC

Allenwood Infection Control Office

Pennsylvania Department of State
Division of Commissions, Legislation and Notaries
210 North Office Building
Harrisburg, PA 17120
717-787-5280

January 16, 2019

To whom it may concern,

Last month I wrote to the Attorney General asking for them to look into the notary services here at the Allenwood Federal Prison Complex. Maneval's Notary and Tag charges inmates \$30 for a document to be notarized. This breaks down to a \$5 document fee and a \$25 clerical fee. See enclosed flyer.

At my previous federal prison a secretary was the notary and there was ^{no} cost for the service. According to a number of inmates they have never seen a fee for notarization. Of course it is outside your control whether the BOP utilizes a contractor, but if this contractor, which is a state office holder as far as I understand, is price gouging that would be under your purview.

Can you please look into this matter and let me know whether this is a common practice in your state.

Respectfully,

Jason Gerhard

Jason Gerhard 20229-045
LSCI Allenwood
P.O. Box 1000
White Deer, PA 17887



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

JOSH SHAPIRO
ATTORNEY GENERAL

CONSTITUENT SERVICES
16th Floor Strawberry Square
Harrisburg, PA. 17120
717-787-3391

December 21, 2018

Jason Gerhard 20229-045
Federal Correctional Complex-Allenwood
PO Box 1000
White Deer, PA 17887

Dear Mr. Gerhard,

Thank you for contacting the Office of Attorney General Josh Shapiro. We received your letter regarding notary services at the Allenwood Federal Prison complex. We have determined that the agency that is best equipped to handle this issue is the Department of State, their Division of Commissions, Legislation and Notaries. If you wish to contact them directly, you may do so using the following information:

Pennsylvania Department of State
Division of Commissions, Legislation and Notaries
210 North Office Building
Harrisburg, PA 17120
717-787-5280

You may want to consider consulting a lawyer about this issue. If you do not already have a lawyer, you can contact the Pennsylvania Bar Association's Lawyer Referral Service at 717-238-6807 or toll-free at 1-800-692-7375. They can also assist you if you need a lawyer but cannot afford to pay for one. For additional information, you can visit their website at <http://www.pabar.org/site/Public/lrsblurb>.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephen St. Vincent".

Stephen St. Vincent
Director of Policy and Planning

Maneval's Notary & Tag

Prison Service Policies

Effective 1/1/2017

Fees:

1. Beginning 1/1/2017 the fee will be \$30.00 per inmate per service. (\$5.00 document fee; \$25.00 clerical fee)
2. Fees are generally non-refundable. (Note stipulations below)

Maneval's will provide the following services for the above fee:

1. Travel to the prison.
2. Notarize documents for inmates on site.

Stipulations:

1. Fees must be collected prior to Maneval's providing service.
2. If fees are collected and an inmate does not appear for appointment, the fees are non-refundable.
3. Fees may be refunded in the event that Maneval's Notary & Tag fails to provide service for reasons under its own control. Refunds are not available for inmates who fail to appear for appointments with Maneval's Notary & Tag.
4. Unless otherwise determined, Maneval's Notary & Tag will provide service to prisoners on the 2nd & 4th Thursday of every month (excluding holidays).