



Reporting Staff Misconduct at California Men's Colony

by Dr. Angela Cotellessa

OBJECTIVES OF THIS SUBMISSION:

The purpose of this presentation is to share the below information with the Office of Internal Affairs, the Director of the Division of Adult Institutions within the California Department of Corrections and Rehabilitation, and the California Governor's Office.

The Office of Inspector General of California will also be receiving this slide deck. It will also be provided to KCRA news reporter Lysee Mitri and Sacramento Bee reporter Sam Stanton.

1. We hereby provide evidence of repeated cases of staff misconduct, and subsequent cover-ups, at the California Men's Colony (CMC).
2. We suggest the appropriate and permanent dismissal of Correctional Officer Montez, and Lt. Shawna Robinson, based on their pattern of abusive and unprofessional behaviors, as described in CDCR's Staff Disciplinary Matrix.
3. We are hereby formally reporting what appears to be CMC's non-compliance with the requirement to send staff misconduct grievances to the Office of Internal Affairs, as CDCR policy requires.

OBJECTIVES: (continued)

4. To highlight the unfair denial of a cross-country visit for family to see Shawn Rodriguez at the California Men's Colony on June 28, 2024, due to the prison's refusal to provide the now required clothing. When Rodriguez was told that the blue, state-issued clothing he had was unacceptable for visiting, and was asked to wear the scrub-style, chambray clothing, Rodriguez reported to staff his had gone missing. Rodriguez asked for a clean pair of the required clothing for visiting, but staff refused to provide it; as a result of their refusal, they cancelled our visit but mischaracterized what had occurred, saying that Rodriguez "refused the visit." If CDCR requires a certain kind of clothing to attend visits, then it is incumbent upon CDCR to provide the required clothing (clean), even if an inmate's last and only pair goes missing.
5. To formally appeal the restricting of our visiting for 2 months (late June through late August), with their justification being that Dr. Cotellessa tapped her fingertip on CO Smith's hand to get his attention when he appeared to not hear Dr. Cotellessa speaking. They are claiming that Dr. Cotellessa "laid hands" on a Correctional Officer. This grossly mischaracterizes the interaction. The excessive punishment is clearly whistleblower retaliation from Shawna Robinson, the Lieutenant on duty that day for Visiting, for having reported misconduct to her in the past. Whistleblower retaliation is expressly forbidden for all CDCR personnel to engage in.
6. To propose that CDCR require all personnel with staff misconduct complaints to be required to wear body cams while at work, given non-compliance with departmental policies and repeated cover-ups, all of which have consistently harmed the interests of incarcerated persons and their families.

OBJECTIVES (continued)

7. Given it appears that CMC administration cannot control its staff, we are requesting Shawn's transfer to San Quentin or California Medical Facility. We do not want to continue to endure staff misconduct and hostilities we do not deserve. Reports of staff misconduct should be properly handled, and that has never happened at CMC. San Quentin or California Medical Facility would allow Shawn to be closer to family and avoid taking away Shawn's level 3 override and ensure his non-designated, level 3 programming continue. Wherever he is housed should include access to continued programming in a prison with a culture that is more consistent with the California Model.
8. To suggest that all CDCR corrections staff be provided training on what NOT to do, based on Montez and Robinson as examples as provided herein. The California Model should be implemented, and the behavior of Montez and Robinson is in complete opposition to the California Model. Staff can learn much from their mistakes.
9. Although the California Model is only required at a handful of institutions, as pilots, Warden Danny Samuel at CMC has voluntarily opted to implement the California Model at CMC. However, the actual culture of CMC has not shifted yet to the California Model. I suggest headquarters develop appropriate strategies to require compliance with the California Model for all staff in all institutions, and for those who cannot follow these orders, to be dismissed permanently from employment with CDCR.

OBJECTIVES: (continued)

10. To request the appropriate staff at CDCR to review Shawn's case and propose his immediate resentencing and release from incarceration, per penal code 1170(d). This part of the penal code allows for CDCR to propose prisoners for resentencing, and I would like to formally request the necessary office of staff at CDCR be given the information on this page, to pursue and support Shawn Rodriguez's prompt resentencing.

- Shawn is factually innocent of kidnapping and conspiracy to commit murder, and is being wrongfully imprisoned.
- Shawn qualifies to be resentenced and immediately released from incarceration.
- The fact that we are enduring harassment by Montez and Robinson is made all the more painful since Shawn does not even deserve the incarceration he continues to be subjected to.
- See www.heplfreeshawn.com for more information, and specifically see
- <https://img1.wsimg.com/blobby/go/c3b8d1ca-bf93-4212-bdeb-9be8069f3aco/downloads/Slide%20Deck%20for%20Placer%20County%20FINAL%20in%20PDF%20Form.pdf?ver=1719179854863>

OBJECTIVES (continued)

II. To request financial remuneration for damages.

Lt. Robinson inappropriately ruined our summer as we had planned it. We had plans to be together for 11 days as a family.

COMPENSATORY DAMAGES:

- Roundtrip, Cross-Country flights for Angela and Lily Cotellessa: \$2,097.76
- Lodging expenses: 25 days @ \$150 per day: \$3,750

5

COMPENSATORY DAMAGES: \$5,847.76

OBJECTIVES: (continued)

PUNITIVE DAMAGES

Lt. Robinson's behaviors were malicious, reckless, and fraudulent, as well as harmful and outrageous. Her behavior cannot be tolerated. She engaged in repeated acts of "intentional infliction of emotional distress" as well as malicious, willful misconduct. Because of her abusive harassment of the Cotellessa/Rodriguez family, Lily will have to go two entire years without seeing her stepfather, and Angela and Shawn (spouses) will have to go months longer without seeing each other, after months of separation already. Given the stress this has caused us, additional work/time to fight the misconduct and bring it to light, as well as the trauma our family has experienced at the hands of Robinson and Montez, the punitive damages are sizeable.

PUNITIVE DAMAGES: TO BE DETERMINED



On January 17, 2024, the following slide deck was submitted to Warden Danny Samuel and the Sgt. in charge of Visiting, Sgt. Stewart, at the California Men's Colony.

Please review the following 25 pages to understand what had occurred in January of 2024, with regard to Correctional Officer Montez, who I reported for staff misconduct.



A REPORT OF AN UNFORTUNATE INCIDENT

SUBMITTED BY DR. ANGELA
MEYERS COTELLESA

Real Quick: Who is Dr. Angela Meyers Cotellessa?

Intern for California Governor Gray Davis
(1999)

White House Intern (2005)

Spent nearly 15 years working in
government (2007 – 2021), including at
the Executive Office of the President,
under Presidents Bush and Obama.

Doctorate in Human & Organizational
Learning from George Washington
University; Scholar, Academic.
Researcher. Speaker, Author


After graduating with her doctorate, Dr.
Cotellessa extended her research in a
prison setting. That is how she met
Shawn Rodriguez.



January 7, 2024: What Happened

TIME AND PLACE: California Men's Colony (East) Visiting Room, at approximately 2:25 pm

MAIN CHARACTERS:

- Correctional Officer Montes (who has not worked in Visiting for at least two years, after being removed from that duty station for poor performance)
 - Incarcerated Person, Shawn Rodriguez
 - Visitor, Dr. Angela Cotellessa – Member of the Inmate Family Council
 - Eyewitnesses John Trivino (inmate) and his visitor, Cassandra Camarene
- 

The Facts of What Occurred on January 7, 2024, in Visiting (East)

January 7, at approximately 2:25 pm, in CMC Visiting: CO Montes began an interaction, by shouting from a distance, to Shawn and Angela "Sit Properly!" Montes' tone was loud, hostile, and aggressive. It was unclear to Shawn and Angela what "properly" meant, especially given Shawn and Angela sit the same way every single visit and have done so for hundreds of visits over two years.

Shawn attempted to ask a question, to clarify what Montes was requesting. Rather than answer Shawn's question calmly and professionally, she escalated the situation with unprofessional behavior such as swearing and yelling at Shawn he cannot ask her questions.

Because of Shawn asking questions, Montes handcuffed him. Montes created a big scene in the visiting room even when children were present. In addition, while escorting Shawn out, Montes jerked Shawn around physically while he was handcuffed behind his back.

Montes wrote a 115 rules violation report which mischaracterized the facts and omitted information about her own misconduct. She stated Shawn was on the brink of physical aggression and that he was being disrespectful to her.

It should be noted from the video footage from January 7, at approximately 2:25 – 2:45 pm that Shawn was not threatening or violent, and in fact Montes was the one acting inappropriately.

Statements Made by Correctional Officer Montes

- When Shawn asked Montes to clarify what sitting “properly” meant, Montes replied, “You cannot question me!” Shawn also asked if this policy is in writing as well. Montes replied, “You don’t fucking tell me what to do.”
- “This is why you’re in prison”
- “Shut your fat fucking mouth.”
- She swore at Shawn, insulted Shawn, and was verbally violent towards him, as well as being physically aggressive, restraining then jerking Shawn around while he was handcuffed behind his back.

QUESTIONS FOR YOU:

Are these statements made by one of your staff members professional? Clearly not.

Is this the kind of behavior CDCR wants their staff to engage in? Clearly not.

Was Montes’ behavior in line with the guidelines/requirements of the new California Model? Clearly not.



Montes' Behavior Versus Professional Behavior

What Montes Did	What Should Have Happened
From a distance of approximately 10 – 15 feet away, while walking by, Montes disrespectfully shouted "Sit Properly!" Her tone was hostile.	If Montes believed Shawn and Angela were not abiding by the rules, she should have calmly approached their table and privately explained the adjustment that was necessary to their seating position. The focus should have been on education done in a respectful manner.
Montes shouted at Shawn "You don't fucking tell me what to do," and "You cannot question me!"	As a Peace Officer, Montes is paid to keep the peace, and rehabilitate inmates. This includes responding to questions if inmates have them. By treating Shawn as she did, and by insisting he cannot ask questions, she failed to do the duties of her job.
Montes gave no warnings.	It is standard to offer a warning especially for a minor issue such as improper seating position.
Montes used excessive force, handcuffing Shawn and manhandling him as she walked him out of the room.	Handcuffing was clearly unnecessary when there was no threat of violence. It was further inappropriate that she tried to inflict physical harm by manhandling and jerking Shawn around while he was handcuffed behind his back
Montes overreacted, giving Shawn a 115 Write-Up, in which she mischaracterized and lied about critical facts, and lied by omission about her own misconduct. Montes also put Shawn and Dr. Cotellessa on restricted visiting status.	<p>Montes should have handled the whole situation calmly and professionally. Giving a Rules Violation Report was totally inappropriate and unnecessary given the nature of what had just occurred.</p> <p>Shawn's 115 and the associated Visiting Restrictions now in place should be removed immediately.</p>

Montes: Already Removed From Working in Visiting For Being Inappropriate

It should be noted that Montes has a history of aggressing upon incarcerated persons and their visitors unnecessarily. Sgt. Stewart had Montes REMOVED from working in Visiting for the past 2 years.

This says a lot about Montes' capacity to work appropriately in the Visiting environment that she had already been removed from before.





Montes' Reputation

Montes worked in visiting on West.

After harassing Tina and Bernard Henderson, Tina said she would be filing a citizen's complaint. Sgt. Stewart responded to Tina, "Let me handle this," and then Montes was removed from working in Visiting on West.

Two years later, Montes returned to working in Visiting despite her past inability to perform well in that environment.

Many other visitors have reported that she is a hostile and inappropriate Correctional Officer.



Strangers Volunteered To Make Statements Out of Concern for Montes' Abuses Towards Shawn

Eyewitnesses (who Shawn and Dr. Cotellessa do not even know) volunteered to give their statements, because they were so disturbed by what Montes had done.

Feedback from Witness #1: John Trivino (BV9673)

“I observed and heard him ask to see if he can read the policy...she violently told him to come to her and he simply just asked politely if she can say it in front of his visitor. She said “No, come here,” and he got up as she required him to and he walked over to her and I overheard her (Ms. Montes) say “You don’t tell me what to fucking do around here, I tell you.” And I was like, Wow. I kept looking back and he was not being violent at all and was showing no type of aggression to her. She just started being real loud and told him to turn around and put his hands behind his back and he did with no hesitation. She cuffed him in front of all those visitors that were there watching Montes be rude.

He didn’t deserve none of that at all and does not deserve a 115...I was shocked. The whole thing she was doing was not right at all.”



Feedback from Witness #2

Cassandra Camarene

(She may be reached on 831-313-3735)

"I cannot believe that woman!! Totally abusing the power she has. Definitely write a letter to the Warden just in case it results in a write-up. And let him know others heard. The people next to us heard too. I'm very sorry that happened to you both. Very dehumanizing to handcuff someone for asking for the rules. Shame on her. Tina said she was removed from visiting on West. That needs to be public knowledge. Why was she removed and why is she back to Visiting?? She is new to Visiting in our area because my sister-in-law just told me Montes told her she hadn't done visiting in a while when she checked her in.

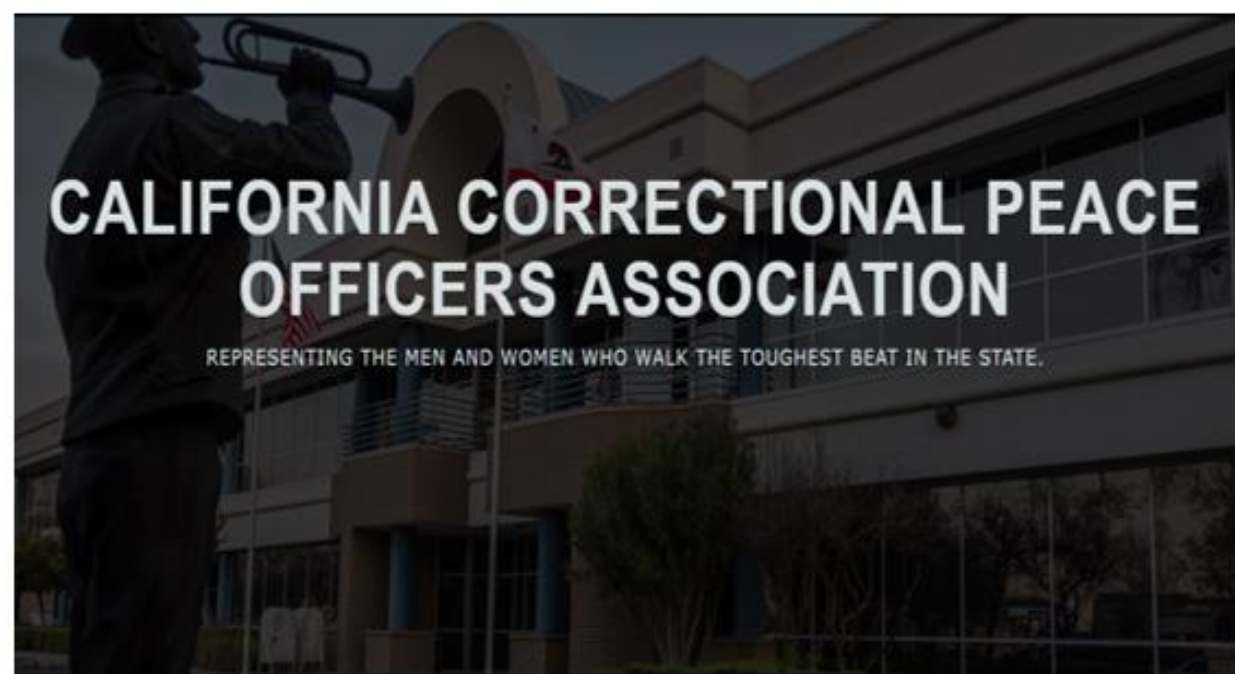
I'm telling my in-laws about what happened, and I was getting emotional. Only because it easily could be anyone. Me, the mom and son that was next to us. Anyone.

I haven't had any bad interactions with her, but I definitely witnessed her cuff him for wanting to see the policy. The way she spoke to him was belittling. I wouldn't want anyone talking to my loved one like this. I too would have left crying. I was shaken up and it wasn't even me or my loved one. It went from 0 to 100 in seconds just by being asked for policy. I think we are all respectful of the COs and their position. I think asking to see a policy is normal.

This could have served as an educational moment for us all had she cited the policy so we all know. But, instead those who saw will just be nervous to be around given that we now do not know what is considered "not allowed." What's written in the lobby is open to interpretation.

Now, in CMC's defense, I will say the usual visiting staff is very friendly. I'm not sure why she escalated that to that extent today. I'm so sorry this happened to you, Angela. It was not pleasant to witness. It's hard to watch and listen to, especially when things like this can result in write ups for our loved ones."





The Mission of the California Correctional Peace Officers Association

"The mission of CCPOA is to fight on behalf of our members for the enhancement of wages and benefits, as well as the provision of a positive work environment."

The CCPOA says nothing in its mission about protecting staff misconduct.

Other CCPOA members should be expected to abide by the morals and ethics of their profession, not to blindly protect their colleagues no matter how poorly they perform or how much damage they cause to the people they are tasked with rehabilitating.

Who Is Shawn Rodriguez?



Shawn has lived at CMC nearly two years now. In that time, he has received no write-ups for anything.

He successfully completed the vocational electronics program and is now working hard in the knitting mill, where he is a valued team member and leader.

Shawn and Angela Cotellessa have been regularly visiting one another at the California Men's Colony (East) for nearly two years, without problems. They follow the rules and are respectful.

Shawn's Achievements While Incarcerated

The next series of slides are provided to highlight Shawn's commitment to personal development, learning, and giving back while he has been incarcerated.

Please note: Not all of his achievements, laudatory chronos, and certificates are included herein because there are a lot of them; but the following slides will give you a sense of his commitment to self-improvement by providing just a sample of his achievements while incarcerated.



Shawn's Accomplishments

National Center for Construction
Education & Research (NCCER) Core
Curriculum Certificate and the NCCER
Electronics Systems Technician Level 1
Certification (which gives Shawn the
necessary education to obtain a job as an
electrician)

Certified in Word and Excel

Lead Cook 2013-2014

Law Library Clerk 2014

Building Porter 2014 - 2015

Barber 2015

Yard/Facilities Maintenance 2015 -
2016

Building Clerk 2016 - 2017

Lead Law Library Clerk 2019

Recreation Clerk 2019 - 2020

Yard/Facilities Maintenance 2020 -
2021

Healthcare Facilities Maintenance
Custodian 2021





More of Shawn's Accomplishments

Building Porter 2022

Dialectical Behavior Therapy Certified
2017

Alternatives to Violence Project 2018

The B.R.A.I.N. Project 2020

PACE Learning Systems Lifeskills 2021

R.I.S.E. (Rehabilitate, Implement, Succeed,
Excel) by the Life Support Alliance 2021

American Community Correctional Institute
Certifications in: Anger Management,
Contentious Relationships, Substance
Abuse, Domestic Violence, Bad Credit,
Shoplifting, Drunk Driving

The Change Companies Certifications in
Anger Management, Self-Esteem, Victims
Impact

Criminals and Gang Members Anonymous
2023

Proudly drug-free his entire prison term

Proudly gang-free his entire prison term

Read over 1,000 books while incarcerated

Letters From CDCCR Employees About Shawn

“LAUDATORY CHRONOS” FROM CORRECTIONS STAFF ON WHAT
THEY OBSERVED ABOUT SHAWN



“I also have...noticed personal growth in Rodriguez”

“I have supervised inmate RODRIGUEZ (V16387 FAB-230L) for over seven years. In that time I have observed him to be a hard worker with a tireless work ethic; a self-starter who is organized, efficient, analytical and who completes all tasks asked of him promptly and satisfactorily...I also have in this time noticed personal growth in RODRIGUEZ, who has become calmer and more patient, a sign of increasing maturity, and he appears to have more empathy now than when we met in 2013. He is a team player I have come to rely on when he is needed. Inmate RODRIGUEZ is capable of being a great asset to any environment he is in.”

NAME and NUMBER **RODRIGUEZ**

V16387

A8-230L CSP-SAC


CDCR-128-B (Rev. 4/14)

I have supervised inmate RODRIGUEZ (V16387 FAB-230L) for over seven years. In that time I have observed him to be a hard worker with a tireless work ethic; a self-starter who is organized, efficient analytical and who completes all tasks asked of him promptly and satisfactorily. Beginning in 2013, when he repaired several buffers for this prison and saved us a significant amount of time and money; I asked him to create and maintain a library for the mentally ill segregated population of A Facility, which he did in a manner that surprised many people, staff and inmate alike; he was willing to give his attention to task whenever he was asked, as in the late evening request that he fix the A Facility's Treatment Center laminator after he had gone back to his cell for the night, but was need to ensure laminated notices could be posted on time the following day.

Most recently, in 2019 and 2020, he has, again on a voluntary basis, repaired several buffers, and a computer printer for the A Facility Watch Office to ensure continuity of the duties of the staff and inmates that were reliant upon it, as well as broken or damaged property for prisoners to compensate them via the appeals process.

I have also in this time noticed personal growth in RODRIGUEZ, who has become calmer and more patient, a sign of increasing maturity, and he appears to have more empathy now than when we met in 2013. He is a team player I have come to rely on when he is needed. Inmate RODRIGUEZ (V16387) is capable of being a great asset to any environment he is in.

ORIG: CENTRAL FILE
cc: COUNSELOR
WRITER
INMATE


H. Ng
Correctional Sergeant
California State Prison-Sacramento

DATE 1/11/2021

(INFORMATIONAL CHRONO)

GENERAL CHRONO

“Rodriguez is a hard worker and respectful at all times.”

“I have observed inmate RODRIGUEZ for several years. In that time I have observed his conduct and work ethic. He is punctual and a self-starter, with follow through and commitment. He has a tireless work ethic. This past winter on a **voluntary basis** before he was assigned to the yard crew, he and another inmate replaced almost all of the grass on A-Facility. This included first turning over the soil with shovels and then with a rototiller, clearing the soil of debris and then re-seeding the areas with new seed and watering it by hand. He also cut new drainage ditches and replanted where needed. Through it all he mowed and maintained the lawn as well as the sprinkler systems and maintaining the equipment and replacing sprinklers broken blades on the mowers. Inmate RODRIGUEZ is a hard worker and respectful at all times.”

NAME and NUMBER	RODRIGUEZ	(W)	#V-16387	FA8-131L	SAC	CD03-125-8 (Rev. 4/74)
<p>I have observed inmate RODRIGUEZ for several years. In that time I have observed his conduct and work ethic. He is punctual and a self-starter, with follow through and commitment. He has a tireless work ethic. This past winter on a voluntary basis before he was assigned to the yard crew he and another inmate replaced almost all of the grass on A-Facility. This included first turning over the soil with shovels and then with a rototiller, clearing the soil of debris and then re-seeding the areas with new seed and watering it by hand. He also cut new drainage ditches and replanted where needed. Through it all he mowed and maintained the lawn as well as the sprinkler systems and maintaining the equipment and replacing sprinklers broken blades on the mowers. Inmate RODRIGUEZ is a hard worker and respectful at all times.</p>						
ORIG: CENTRAL FILE						
CC: COUNSELOR						
WRITER						
INMATE						
DATE	8/23/21					
				J. TERRY Correctional Officer CSP-Sacramento		
				(LAUDATORY CHRONO)		GENERAL CHRONO

“He is still one of the hardest workers I have ever known.”

“I have known Shawn Rodriguez #V16387 for almost eight years. **In that time I have seen a very substantial change in him.** When Shawn came to work in my dining hall in 2013, he was what we needed; our dining hall was hard to run and he took charge quickly. **He is still one of the hardest workers I have ever known.** he was timely, efficient and a self-starter. **He quickly found issues and resolved them, often in common-sense ways that were creative and effective.** Before he left to pursue a Clerk Position and avoid personal conflict brewing with another dining hall worker, **he set routines and taught other workers habits that made our dining hall the most clean and efficient in the prison.** **In the last several years, I have noticed notable growth in Shawn; he is calmer and a better communicator, and I have at times referred other prisoners to him for advice and guidance when it seemed appropriate and productive to do so. I have come to respect his judgment as much as his work ethic. I would hire him again on the spot if the rules allowed him to work in the dining hall anymore.”**

NAME and NUMBER **RODRIGUEZ** (W) **V16387** **FA8-230L** **CSP-SAC** CDCR-128-B (Rev. 4/74)

I have known Shawn Rodriguez #V16387 for almost eight years. In that time I have seen a very substantial change in him.

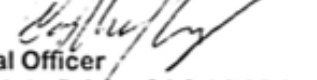
When Shawn came to work in my dining hall in 2013, he was what we needed; our dining hall was hard to run and he took charge quickly. He is still one of the hardest workers I have ever known, he was timely, efficient and a self-starter. He quickly found issues and resolved them, often in common-sense ways that were creative and effective.

Before he left to pursue a Clerk Position and avoid personal conflict brewing with another dining hall worker, he set routines and taught other workers habits that made our dining hall the most clean and efficient in the prison.

In the last several years, I have noticed notable growth in Shawn; he is calmer and a better communicator; and I have at times referred other prisoners to him for advice and guidance when it seemed appropriate and productive to do so. I have come to respect his judgment as much as his work ethic.

I would hire him again on the spot if the rules allowed him to work in the dining hall anymore.

ORIG: CENTRAL FILE
CC: COUNSELOR
WRITER
INMATE

H. Dang 
Correctional Officer
California State Prison-SAC A3 Dining

DATE 01/15/21

(LAUDATORY CHRONO)

GENERAL CHRONO

“These skills and personality characteristics should serve him well...upon his release from prison.”

“I have known Inmate Rodriguez V16387 for several years. I know Rodriguez to be courteous, respectful, and a problem solver socially. Before Shawn was assigned to the Yard Crew, he did hard work on a volunteer basis for several months. After being assigned he further proved himself to be a harder than average worker, who is very punctual, follows instructions well, and who is a very creative problem solver when necessary to complete the tasks asked of him. He has stood out as someone who is always willing to help when he sees a need, and a very capable multi-tasker who works towards his goals thoughtfully, methodically and with foresight. Importantly, I have consistently observed him resolve social conflict, personal and sometimes otherwise, appropriately and in the least damaging way that seemed practical. Increasing his value on the job, he has frequently proven capable of solving various mechanical or similar issues inherent in the function of the day-to-day operations of the Yard Crew/Grounds Maintenance worksite (i.e., Sprinklers, Landscaping equipment, or other more complicated equipment). These skills and personality characteristics should serve him well after his transition away from the Yard Crew to pursue an additional Vocation, and also upon his release from prison.”

Name and Number: Rodriguez

V16387 FA8-131L

CSP-SAC

CDCR-128-B (Rev. 4/74)

I have known Inmate Rodriguez V16387 for several years. I know Rodriguez to be courteous, respectful and a problem solver socially.

Before Shawn was assigned to the Yard Crew, he did hard work on a volunteer basis for several months.

After being assigned he further proved himself to be a harder than average worker, who is very punctual, follows instructions well, and who is a very creative problem solver when necessary to complete the tasks asked of him.

He has stood out as someone who is always willing to help when he sees a need, and a very capable multi-tasker who works toward his goals thoughtfully, methodically and with foresight.

Importantly, I have consistently observed him resolve social conflict, personal and sometimes otherwise, appropriately and in the least damaging way that seemed practical. Increasing his value on the job, he has frequently proven capable of solving various mechanical or similar issues inherent in the function of the day-to-day operations of the Yard Crew/Grounds Maintenance worksite (i.e. Sprinklers, Landscaping equipment, or other more complicated equipment).

These skills and personality characteristics should serve him well after his transition away from the Yard Crew to pursue an additional Vocation, and also upon his release from prison.

Original: Central File

CC: Counselor

Writer

Inmate

Date 11/12/2021



T. Guerra, Correctional Officer

California State Prison Sacramento

(Laudatory Chrono)

General Chrono

Certificates Shawn Has Obtained

Certificate in Anger Management

Rehabilitate, Implement, Succeed, Excel
Certificate of Completion

Life Skills 25 Curriculum Certificate of
Achievement

Anger Management Workbook and Curriculum

Basic Course in Nonviolent Conflict Resolution

Advanced Second Level Course in Nonviolent
Conflict Resolution

Certificate in Offender Corrections

Theft/Shoplifting Course Certificate of Completion

Adult Substance Abuse Course Completion
Certificate

Contentious Relationships Course Completion

Certificate in Parenting

Certificate in Adult Substance Abuse

The B.R.A.I.N Project Certificate of Recognition

Power Industry Fundamentals

Electronic Systems Technician Level One

Digital Literacy Certificate

Digital Literacy Certificate
C-Facility Readers

C-Facility Readers Certificate of Achievement

Certificate of Recognition for C-Facility Readers

OSTR-Level 1 – Computer Literacy Core

Microsoft Office Specialist Certificate for Word

Certificate of Completion: Dialectical Behavior
Therapy Informed



Dear Honorable Justice:

The purpose of this letter is to inform the court that I have been in contact with Shawn for almost five years, in a teaching and emotionally supportive capacity, via the mail. I am retired from the State of Alaska System after twenty years of service in the fields of Child Protection Social Work and Juvenile Probation. For approximately eight years I taught this cognitive / behavioral skill at the Youth Facility in Anchorage. Individual classes, for the more violent youth who requested them, were conducted as well as one hour groups, twice a week, with 5 to 13 youth. I have been teaching this skill nationwide by mail, in the prison system, for the last five years.

Because of the basic ABC homework format (Rational Self-Analysis form), adolescents and adults relate to this factual and common sense approach very well. The various, pictorial printouts and information on brain physiology also add to the clarity of this process for most levels of intellect. A strong focus on semantic ads even more clarity. This is very evident in the elimination of "demands and negative, non-factual self-labeling", in thinking, that are the major causes of almost all major, negative feelings.

Shawn readily filled out the Rational Self Analysis form, with vital background information, and I have completed and corrected the incorrect, irrational and non-factual thoughts that were the basic cause of his self-defeating and harmful behavior.

Shawn has been willing to entertain some of the information to better his situation and view the world and himself differently. His attitudinal change, for the better, since my initial contact with him, is very evident. He is more aware of his self-defeating thoughts and seems to have progressed well in the system, in regards to jobs, staying free of troubles and acting in a more altruistic manner to those less fortunate.

Over the last five years, Shawn has never given me the impression that he has an innate criminal, nature or any sociopathic thinking. He continues to have a sincere determination to better his life situation by engaging in honest work and staying connected to his supportive family members. Shawn is very intelligent and able to use his intellect to correct self-defeating thinking and better his future living situation. From the onset, I have not viewed him as a danger to society and do not view him this way now, after five years of contact. It is likely that a manic, depressive condition could have added to his previous harmful behaviors.

Brain Control: Rational Self-Counseling Skills is a clear thinking skill that teaches psychological independence, how to control your brain instead of it controlling you and how to better learn to think about your thinking. Physiological and psychological factors of feelings, and the brain, are discussed for the purpose of eliminating or lessening self-hate and the three major negative feelings of anger, depression and unnecessary fear which most people want to have less of.

I hope this information has been helpful in regards to any decision you make. Please contact with any questions regarding this matter.

Sincerely,



Roy Frye

726 "O" Place #404

Anchorage, Alaska 99501

rofrye2003@yahoo.com

907-332-0428(home)



Next Steps

**CANCEL THE 115 MONTES GAVE
SHAWN AND REINSTATE REGULAR
VISITING PRIVILEGES**



We Look Forward to Your Timely Response



❖ ACotellessa@gwmail.gwu.edu

❖ (213) 804-5151

❖ 6200 Rolling Road, #523142, Springfield, VA 22152



From: acotellessa@gwmail.gwu.edu
Date: January 12, 2024 at 10:23:14 PM EST
To: "Danny@CDCR Samuel" <danny.samuel@cdcr.ca.gov>, "Anne@CDCR Stewart" <anne.stewart@cdcr.ca.gov>
Subject: Request for Jan 7 video footage from Visiting

Warden Samuel, Sergeant Stewart,

CO Montes has given my husband a 115 that is uncalled for. She claims he was acting threatening or violent and that is simply not the case as many eye witnesses will attest to—but nothing beats raw footage.

Please obtain and retain the video footage from visiting on January 7, from approximately 2:15 - 2:45 pm.

I will be writing you separately regarding her misconduct.

Thank you,
Dr. Angela Cotellessa
213-804-5151

**Email Sent to Warden Danny
Samuel and Visiting Sergeant
Anne Stewart on January 12,
2024**

From: acotellessa@gwmail.gwu.edu
Date: January 17, 2024 at 12:34:13 PM EST
To: "Danny@CDCR Samuel" <danny.samuel@cdcr.ca.gov>, "Anne@CDCR Stewart" <anne.stewart@cdcr.ca.gov>
Subject: Request for dismissal of 115

Warden Samuel and Sergeant Stewart,

Ten days ago, Correctional Officer Montes, who has not worked in Visiting for quite some time, initiated a very poor interaction with me and my spouse, which she quickly escalated using unprofessional language and tone. She shouted at us from a distance to "Sit properly!" and when we were unsure what she meant due to the lack of specificity, she aggressed upon Shawn in uncalled for and inappropriate ways. Then she used excessive/unnecessary force, handcuffing and manhandling Shawn despite the fact that he was calm, and she was the loud, threatening one. She repeatedly swore at and insulted him. Then she gave him a 115 which mischaracterized the facts and omitted important details about her own poor performance in the interaction.

I was an eyewitness and have put together the attached slide deck with my statement: Please read all of it - shouldn't take more than 10 minutes of your time. Please also forward this to the Hearing Officer in charge of Shawn's 115 hearing.

Also, two complete strangers who Shawn and I did not know before January 7, who were sitting at the table next to us, witnessed the whole incident, from a close vantage point. Cassandra Camarene waited in her car for me to come out and volunteered that she wanted to be an eyewitness as well as the man she was visiting, John Trivino. They were deeply disturbed by Montes' conduct and wanted to help ensure Shawn is not penalized for her lack of professionalism.

There also should be video footage available that should be captured and referenced for the record as well. Please confirm when you have saved the footage and provided it to the Hearing Officer in charge of Shawn's hearing. I would also like a copy of the footage.

I trust that as leaders at CMC you will do all you can to ensure a fair and proper 115 hearing takes place, with as many data inputs as possible from eyewitnesses. Given I am reporting staff misconduct, relying on the very staff member whose conduct is in question, as the sole source of information for the hearing - letting this be her word versus Shawn's - would be unfair and would jeopardize the reliability of the findings.

Please ensure a proper investigation is done and all data sources including this 25 page slide deck are included and available to any decision makers involved in the 115 hearing. John and Cassandra's statements as eyewitnesses as well as the video footage will ensure a clear picture is understood rather than relying on Montes' mischaracterizations of what occurred and omissions regarding her own unprofessional misconduct.

Given Shawn is eligible for parole next year, a 115 could keep him imprisoned longer. And he truly did not deserve it - over our seating position (feet or knees too close?) and/or asking questions for clarity and understanding.

If you would like a printed version of this to be mailed to the Hearing Officer, or to anyone else, please provide their name and I'd be happy to get it off in the mail today.

Thank you.

Email Sent to Warden Danny Samuel and Visiting Sergeant Anne Stewart on January 17, 2024



N° 5R-23-01

OIG | OFFICE of the
INSPECTOR GENERAL

JANUARY 29, 2024

Amarak K. Singh
Inspector General
Neil Robertson
Chief Deputy
Inspector General
Independent
Prison Oversight

one year of discovery of the alleged misconduct and within three years of the alleged misconduct for all other staff. The department identified a one-year statute of limitations in each redirected grievance.⁵ Consequently, the failure to timely process the backlogged grievances resulted in the statutes of limitations expiring in 127 cases before the department began redirecting the allegations of staff misconduct back to prisons for handling. The department was precluded from initiating discipline even if investigators uncovered sufficient evidence supporting the allegations of staff misconduct.

We reviewed 22 of the 127 grievances that had expired statutes of limitations and found that they included allegations which, if substantiated, could have resulted in penalties ranging from a letter of reprimand through dismissal. Eight of the 22 grievances alleged misconduct such as fabricating evidence and forging documents, which could have resulted in dismissals.⁶ Twelve of the 22 allegations could have resulted in suspensions or salary reductions, while two could have resulted in letters of reprimand.

The department also redirected 129 grievances alleging staff misconduct with statutes of limitations that were set to expire within 60 days after they were redirected. This is significant because departmental policy states that investigations should generally be completed at least 60 days prior to the statute of limitations expiring to allow the department sufficient time to initiate discipline if warranted. Therefore, it is unlikely that the department would have had sufficient time to complete a thorough investigation and initiate discipline in an additional 129 cases if investigators substantiated the allegations of staff misconduct.

5. For purposes of this report, we did not review the accuracy of the department's determination.

6. *California Code of Regulations*, Title 15, section 3392.5 outlines the department's employee disciplinary matrix misconduct categories, and penalty ranges and levels.

The Department Did Not Adequately Address or Investigate Allegations of Staff Misconduct That Were Redirected as Routine Grievances

We reviewed 71 grievances the department closed and redirected as routine grievances to determine whether prison grievance offices adequately addressed them. All grievances we reviewed contained at least one allegation of staff misconduct that included complex issues requiring specialized investigative skills or resources according to current departmental regulations and policies. Regulations require that all allegations of staff misconduct containing complex issues be referred for investigation by the Office of Internal Affairs. Instead, 16 of the cases we reviewed (23 percent) were processed by staff who were not identified as locally designated investigators and likely did not receive Office of Internal Affairs' training to conduct allegation inquiries or investigations of staff misconduct.

As shown in the table on the next page, the most common staff misconduct allegations in the grievances we reviewed were categorized as "Other Misconduct" on the department's Allegation Decision Index, a tool established in departmental policy to identify complex issues. Included in that category is threatening incarcerated people, misconduct that results in significant injury or death of an incarcerated person, or actions that endanger others. Allegations that staff lacked integrity or retaliated against incarcerated people were also common.

Grievance office staff did not address all allegations of staff misconduct in at least three grievances we reviewed. For example, one incarcerated person alleged discrimination and harassment because a correctional officer reportedly called him "Maxine Waters, [sic] grandson," because he is African American. The incarcerated person perceived the moniker to be derogatory. Despite the allegations of harassment and discrimination, the grievance office did not address them in its decision.

In another grievance, an incarcerated person alleged a correctional officer threatened him, stating that he

The January 29, 2024 Office of Inspector General report has exposed repeated examples of Staff Misconduct Reports being improperly handled.

From: acotellessa@gwmail.gwu.edu
Date: January 22, 2024 at 11:01:36 PM EST
To: "Danny@CDCR Samuel" <danny.samuel@cdcr.ca.gov>, "Anne@CDCR Stewart" <anne.stewart@cdcr.ca.gov>
Subject: In Response to CO Montes' Rules Violation Report/115 - Littered with Lies

Warden Samuel and Sgt. Stewart:

Today I received in the mail a copy of the 115 that Montes gave to Shawn. It is fraught with many misleading statements and completely inaccurate, flat-out lies.

Below I have summarized what she claims in the 115, versus what I observed and know to be true:

What Montes Put in Her Report	The Facts As I Observed Them
"Inmate Rodriguez had one leg in between Cotellessa's legs."	This is not accurate to say Shawn's leg was in between my legs. We were sitting back in our chairs, and perhaps our knees/feet/ankles were close. She characterized this as if something sexual was happening and it was not. Furthermore, Shawn and I sit that exact way every visit and not a single other staff member has ever told us it is a problem. Montes is not familiar with the culture of Visiting on East since she hasn't worked in Visiting for a couple of years and when she did, it was on West.
"I approached their table"	Montes never approached our table a single time ever. The video footage will show this. This is an outright lie, one of many in her report that makes it sound like she was professional when she wasn't. She did not come to our table and privately discuss/correct whatever her concern was. The accurate fact is: Montes shouted at us from a distance, with hostility in her voice, "Sit properly!" She never

Email Sent to Warden Danny Samuel and Visiting Sergeant Anne Stewart on January 24, 2024 Part I

"Rodriguez raised his voice and stated, "what's the proper way?"	Saying Shawn "raised his voice" makes it sound like he was being aggressive. If he did raise his voice at all, it was so she could hear him given she was at a 10 – 15 feet distance when she barked "Sit properly!" which was unclear, not specific at all. "Sit properly!" is open to interpretation and guesswork. We did not want to guess what she meant, and Shawn asked for clarification. In Montes' mind, there was a problem, and her attempt to communicate that there was an issue (though no other COs were bothered by our seating position) was entirely unprofessional.
"Rodriguez was agitated and kept raising his voice that there was nothing in the visiting area."	This did not happen. Shawn was not raising his voice. Montes was raising her voice repeatedly, however. Shawn also stayed calm, so saying he was "agitated" makes it sound like he was threatening or going to commit a violent act, which is also a blatant mischaracterization. If anyone was "agitated" and raising their voice, it was Montes.
"I asked Rodriguez to come and speak to me away from his visitor."	Actually, Montes did not ask Shawn to come speak to her, she shouted at Shawn to get over to where she was, approximately 10 – 15 feet away from our table. It was hostile in its tone. She did not ask him, she ordered him.
"Rodriguez refused and stated, "you will speak to me in front of my wife...he was still demanding for me to speak to him in front of his wife and to see the rules of visiting."	Shawn asked if I could be a part of the conversation since it pertained to our mutual seating position. Obviously, we were both confused what she meant by "properly" given it contained no specifics on what she wanted us to change. Shawn did not "refuse" and he did not "demand" that Montes speak to him in front of me. Shawn asked for me to join him and Montes immediately told me to sit down, that this did not pertain to me. I was very confused how what they were discussing did

Email Sent to Warden Danny Samuel and Visiting Sergeant Anne Stewart on January 24, 2024 Part II

<p>"I informed Rodriguez that he doesn't get to tell me what to do."</p>	<p>What she actually said is something closer to "You don't fucking tell me what to do! You cannot question me! Shut your fat fucking mouth!" Because Shawn had questions regarding the policies Montes was referencing, she yelled at and berated him, in a dehumanizing and offensive way. There was nothing professional about the way she engaged in this interaction.</p>
<p>"At this point Rodriguez is not being receptive to counseling."</p>	<p>I would not call what Montes did "Counseling." There was nothing edifying or educational about it. She was hostile from the start, when she yelled from a distance "Sit Properly!" and when we did not know what she meant she escalated the situation with hostility and aggression.</p>
<p>"I told Rodriguez that we needed to go and speak in the control corridor due to his behavior. He refused. I then told him he was going to be cuffed up and escorted out of the visiting area."</p>	<p>Montes did not tell Shawn that she needed to speak to him in the control corridor. She cuffed him up after he asked a couple of questions.</p> <p>Shawn NEVER "refused" as she stated in her official report.</p> <p>She also failed to put in her report the way she manhandled him on the way out while he was restrained, with his hands handcuffed behind his back.</p>

Email Sent to Warden Danny Samuel and Visiting Sergeant Anne Stewart on January 24, 2024 Part III

"I placed Rodriguez in hand cuffs for his safety and the Visitors safety."	Shawn was no threat to himself or anyone else; this was a completely unnecessary and therefore excessive use of force, and an abuse of her position. It was entirely unnecessary. Saying she did it for anyone's safety is ridiculous; Shawn was no threat to anyone whatsoever including Montes.
"At this point Rodriguez tensed up and refused to walk."	This is a lie. Shawn submitted and allowed her to handcuff him, and he participated in walking out even as she manhandled him.
"Once in the control corridor I told Rodriguez that he was not in any position to give me any kind of orders."	Since when is asking to see a State of California policy which a Correctional Officer is referencing, and enforcing, an "order?" Incarcerated persons are allowed to ask questions about policies. Montes, in her agitated stated, interpreted his questions incorrectly as giving her "orders."
"I told Rodriguez that the situation didn't have to go to where it went. It was his actions and behavior that dictated my response."	I would argue that it was Montes actions and behaviors that dictated the whole situation from the start. She could have been professional, but instead she was aggressive and hostile from the beginning. She was repeatedly unprofessional, and also demanded we "sit properly" without providing any actual guidance as to what that meant

Email Sent to Warden Danny Samuel and Visiting Sergeant Anne Stewart on January 24, 2024 Part IV

	<p>exactly. She did all of this over such a minor "offense" such as our knees/ankles/shoes being too close, apparently. The rules in visiting state that sitting on a lap, straddling a person, or draping a body part is not allowed. The policy states you cannot massage someone or do their hair. We did none of those things.</p> <p>Then she repeatedly lied in an official report to make her look good as if she had been professional when she had been quite inappropriate in my view, just so she could try to make Shawn look bad for things he didn't do.</p>
"He chose to be obnoxious of the situation."	She is insulting Shawn now, in a formal State of California report, calling him "obnoxious."
Montes said Shawn's offense was "Behavior which could lead to violence."	<p>Shawn was not violent, did not raise his voice in an aggressive way other than to ensure she heard him from a distance to ask for clarification on what she meant by "properly." Other than that he never raised his voice.</p> <p>Shawn did not physically position himself in any threatening way.</p> <p>John Trivino, who we did not know prior to this, who was sitting at the table next to us, can validate this as a close eyewitness. When Montes told Shawn to cuff up he quickly turned around and complied. When she told Shawn to leave visiting, he did so quietly and cooperatively. There was NO risk of violence.</p>

Email Sent to Warden Danny Samuel and Visiting Sergeant Anne Stewart on January 24, 2024 Part V

I am deeply disturbed that Montes' report has so many blatant lies, mischaracterizations, and glaring omissions regarding her own unprofessional behavior.

Please ensure this 115 is overturned. Montes' behavior was over the top unacceptable, and the amount of stress this is causing Shawn and me could have been completely avoided had Montes just acted like a professional on January 7th.

I can see why Sargent Stewart removed Montes from working in Visiting two years ago. That makes a lot of sense given our interactions with her on January 7.

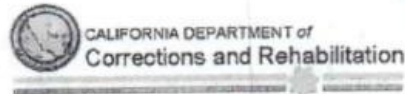
Please confirm when this is settled and what the outcome is.

I trust you all will make sure that a thorough and proper investigation is done, including taking statements from eyewitnesses, as well as the written materials I have submitted.

Please do not rely on Montes' report and make it her word against Shawn's; she has littered her report with repeated mischaracterizations and flat-out lies. The video footage will validate what I have stated above, and that Montes told many lies in her 115 report.

Thank you,

**Email Sent to Warden Danny
Samuel and Visiting Sergeant
Anne Stewart on January 24,
2024 Part VI**



Dear witnesses:
How much of this is
True
How much is lies??

RULES VIOLATION REPORT

CDC NUMBER V16387	INMATE'S NAME RODRIGUEZ, SHAWN M.	MEPD 11/14/2027	FACILITY CMC-Facility C	HOUSING LOCATION CMC-C - C 006 2 - 220001L
VIOLATION DATE 01/07/2024	VIOLATION TIME 14:45:00	VIOLATION LOCATION CMC-Central Service - VISITING		WITH STG NEXUS No

Did the reporting employee ensure the inmate understands (to the best of his/her ability) the consequences of the continued misconduct? N/A

Did the reporting employee take into consideration the severity of the inmate's disability and the need for adaptive support services when determining the method of discipline? N/A

CIRCUMSTANCES OF VIOLATION

On January 07, 2024, while working post RO242 S Visit 2, at approximately 1445 hours, while monitoring visiting, I observed inmate Rodriguez, S (V16387) C-6220 and his visitor Cotellesa, Angela. Inmate Rodriguez had one leg in between Cotellesa's legs. I approached their table and, told them they needed to sit the proper way. Which Rodriguez raised his voice and stated, "what's the proper way". I then explained to Rodriguez, that his leg should not be in between his visitor. Rodriguez proceeded to raise his voice and stated, "there's nothing in the visiting area that says how am supposed to be seated". I told him all the information is in the title 15 in the visiting section. At this time Rodriguez was agitated and kept raising his voice that there was nothing in the visiting area. I asked Rodriguez to come and speak to me away from his visitor. Rodriguez refused and stated, "you will speak to me in front of my wife". At this point I told Rodriguez I needed to speak to him alone. Once I got Rodriguez one on one his demeanor did not improved he was still very agitated and became very argumentative. He was still demanding for me to speak to him in front of his wife and, to see the rules of visiting. I informed Rodriguez that he doesn't get to tell me what to do. At this point Rodriguez is not being receptive to counseling. I told Rodriguez that we needed to go and speak in the control corridor due to his behavior. He refused I then told him he was going to be cuffed up and escorted out of the visiting area. I place Rodriguez in hand cuffs for his safety and the Visitors safety. At this point Rodriguez tensed up and refuse to walk. I gave Rodriguez a direct order to walk to the control corridor which he complied. Once in the control corridor I told Rodriguez that he was not in any position to give me any kind of orders. I told Rodriguez that the situation didn't have to go to where it went. It was his actions and behavior that dictated my response. It was a simple fix in his part that he neglected to rectify he chose to be obnoxious of the situation. Rodriguez asked, if he was going to have the opportunity to go back to his visit. I told him "no" due to his behavior. Rodriguez requested to go back to his housing. This concludes my involvement in this report.

REPORTING EMPLOYEE B. Montez <i>Perjurer?</i>	TITLE OFFICER	ASSIGNMENT	RDO	DATE: 01/09/2024
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RVR LOG NUMBER: 000000007392523 VIOLATED RULE NUMBER: 3005(a)

SPECIFIC ACT: Behavior which could lead to violence

CLASSIFICATION

The Rules Violation Report that Montez issued Shawn Rodriguez – filled with lies

From: acotellessa@gwmail.gwu.edu
Date: February 1, 2024 at 12:53:40 PM EST
To: "Danny@CDCR Samuel" <danny.samuel@cdcr.ca.gov>
Subject: Feb 9-11 visiting

Warden Samuel,

I'm not sure if Sgt. Stewart is working today, I'm pretty sure she's off today, so I am reaching out to you.

My husband received a bogus write up/115 from CO Montes; Shawn (V16387) did not deserve this. I was an eye witness and several strangers also volunteered to make statements - which amount to, Montes was unprofessional, hostile, inappropriate, and unfamiliar with the culture of visiting having been removed from that post once before. All the eyewitnesses know Shawn did nothing to deserve that 115, and all that interaction really proved is that Montes embarrassed herself.

I've written to you a couple of times now including requesting a copy of the video footage for my records; I have received no responses. If I need to submit a formal Freedom of Information Act request to obtain the footage, which is proof of what actually occurred rather than Montes' twisted and dishonest version of it, please let me know.

It's been nearly four weeks since she wrote Shawn up, and he has had no hearing yet.

I am flying to San Luis Obispo in a week, in order to attend the Inmate Family Council meeting, and would like to visit my husband as we normally do, for the full time, in a contact visit, Feb 9-11.

However, given the pending 115, and that no hearing has taken place, I am concerned that I will fly cross country to be there, and then be told we have no visits or non-contact visits only - both of which are uncalled for in this case.

I reserved this visit for Feb 9 in the online reservation system and it allowed me to do so. I am hoping you will confirm if we will be allowed to visit normally Feb 9-11, or if we will not be allowed to see one another as we normally do.

Please write back and confirm what I can expect.

Thank you,
Dr. Angela
213-804-5151

Email Sent to Warden Danny Samuel on February 1, 2024

Memorandum

Date: March 12, 2024

To: Inmate Rodriguez, Shawn (V16387)
California Men's Colony
Facility C, C 006 2-220001L

Subject: **ALLEGATION OF STAFF MISCONDUCT RESPONSE REGARDING
ALLEGATIONS AGAINST STAFF TRACKING SYSTEM LOG NUMBER (20057716)**

The California Department of Corrections and Rehabilitation (CDCR) received an allegation of staff misconduct on January 22, 2024. Within the complaint it is alleged:

- CMC received an Email from your visitor contesting Rules Violation Report Log 7392523 and contended the incident was not portrayed correctly by the reporting employee, Officer Montes. Within the Email it is alleged Officer Montes was unprofessional on January 7, 2024 in the visiting room when she stated towards you, *"You don't fucking tell me what to do! You cannot question me! Shut your fat fucking mouth."*

The allegation(s) was/were processed in accordance with the CDCR staff misconduct regulations set forward in the California Code of Regulations (CCR), Title 15, Section 3486, Allegations of Staff Misconduct Towards an Incarcerated Person or Parolee.

The processes set forth in CCR, Title 15, Section 3486.01 have concluded and the Hiring Authority has made the following determination regarding each allegation:

- These allegations you were subjected to unprofessional and discourteous treatment has been reviewed and determined to be NOT SUSTAINED.

No information related to any personnel action will be conveyed in this/these matter(s).


N. GAUGHAN
Chief Deputy Warden
California Men's Colony

Our report of Montez's Misconduct Was Dismissed. Shawna Robinson was behind this result, in violation of policy. Many complaints were made about Montez's misconduct. The only issue that was addressed in this memorandum was Montez's use of curse words/"unprofessional and discourteous treatment" but none of the many other allegations were addressed whatsoever; a proper, full investigation was NOT done.

What does this prove? Montez and Robinson both falsified records to a supervisor to lead to this unjust outcome. The video footage proves their allegations were fabricated.

ONE CURRENT ISSUE:

Cross-Country Visit Denied



My 7-year-old daughter and I flew from Washington, D.C. to visit my spouse, Shawn Rodriguez, an incarcerated person in California Men's Colony. Lily and I live on the east coast, so the summertime is the only time of year when we can all be together as a family. Due to Lt. Robinson's unwillingness to provide the required clothing, they cancelled our visit on 7/28/24. Then they removed visiting privileges for 2 months.

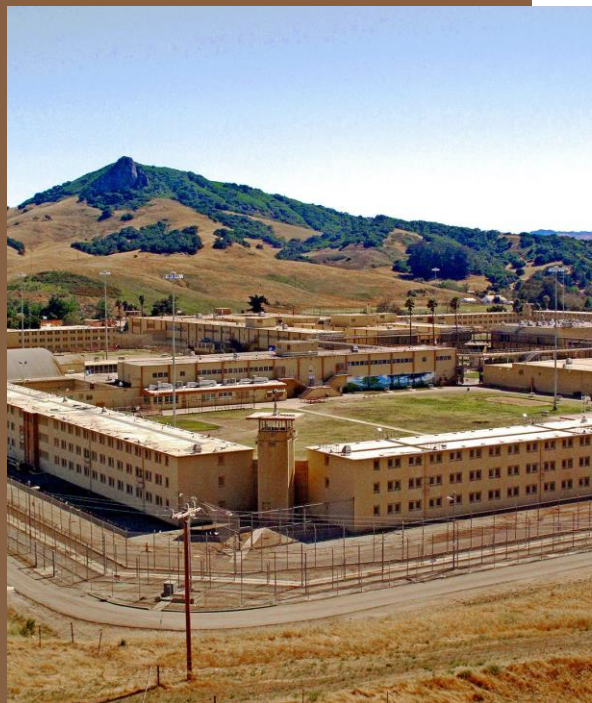
Clothing Issue Caused Loss of Visit

What Shawn Was Wearing: Shawn was wearing state-issued blue clothing to attend his visit.

The Problem: The style of Shawn's state-issued blue clothes was unacceptable; they said he had to change. Shawn reported he no longer had the clothing in the style they now require, and Shawn requested a clean pair be provided.

Proposed Solution by Staff: Swap dirty shirts with a random inmate on the yard (unsanitary and against the prison's rules to trade property)

Outcome: Staff say Shawn "refused the visit" which is a lie. Staff refused to provide the required attire, so that's why our visit was cancelled.



Violation of Title 15 Regulations

- Regulation:** Title 15 in the Department Operations Manual for the California Department of Corrections and Rehabilitation
- Issue:** The rules posted on the wall in Visiting described Shawn's clothing he was wearing (state-issued and blue). Shawn asked CO Ricaldy to look up in the Department Operations Manual what the documented rules say, and he refused, with hostility and anger.
- The new clothing rules saying only ***certain styles*** of state-issued blue clothing may be worn to visiting is ***not documented and provided***, as required by regulations/policy.
- Implication:** Our visit was cancelled over arbitrary and **undocumented** rule enforcement, and an unwillingness by staff to provide the very clothing they require for Visiting.

Lt. Shawna Robinson's Misconduct Includes:

- In spring of 2023, Shawn was summoned to testify in a court case in San Diego, regarding Correctional Officer abuses he witnessed against inmates at RJ Donovan Prison. Shawn was going to be transferred to stay at RJ Donovan Prison, while testifying against the staff at RJ Donovan Prison, which presented safety concerns. Given Shawn's transfer was coming up very soon, while Shawn and Angela were in person, visiting, we asked for the staff nearby to help with our concerns, given Shawn's transfer was imminent. When Robinson was alerted, she became irate that she was being bothered to help with an issue that was not related to Visiting. This also alerted her that Shawn was a prisoner reporting against abusive Correctional Officers. Ever since that day, she has consistently been abusive towards us.

Lt. Shawna Robinson's Misconduct Includes:

- In January of 2024, I verbally reported to Lt. Robinson and Sgt. Stewart the abusive behaviors we enduring by CO Montez.
 - Before Robinson conducted any investigation whatsoever, she was already telling me “If you can’t follow the rules, you can’t be on the IFC.” I had not broken any rules, but she assumed I had before
 - engaging in any fact-finding. She PRESUMED our guilt. Shortly thereafter, I was told I cannot be on the Inmate Family Council by members of the current IFC. The IFC includes former staff member, Lorie Adoff, who is friendly with Shawna Robinson. Prior to Robinson’s intervention, I had already been approved to be a member of the IFC. I believe Robinson was pulling the strings through Lorie Adoff to exclude me from the Inmate Family Council because they know that I stand up against abuses when I witness them, and they want to keep abuses hidden so Robinson can continue to perpetuate them.

Lt. Shawna Robinson's Misconduct Includes (Continued):

- Robinson told my spouse that he better shut me up from reporting Montez's misconduct, and if he did not silence me, then they would write him up. When we refused to be silent about the abuses we endured, Montez issued him a fabricated write-up a few days after the incident (against the same-day policy for write-ups) with outright lies in it—proven to be lies by camera footage from Visiting. Shawn's write-up was dismissed, and he was found not guilty at a formal hearing. Even though Montez's fake write up of my husband was dismissed, the proper handling of the issue was never realized. Montez was never fired for "falsification or making intentionally misleading statements in official reports or records," which is what should have happened. She was also never reprimanded for her excessive use of force

Lt. Shawna Robinson's Misconduct Includes (Continued):

- CDCR employees are never authorized to investigate something that they participated in. When Shawn was called to talk to Robinson, Shawn told her he cannot trust her to be objective because she had already voiced her opinion that Montez did not commit any misconduct.

Robinson was already involved with a bias, and unable to be a neutral fact finder.

- She was required to report that she couldn't investigate this matter especially since Shawn said he did not feel comfortable providing his testimony to her; instead, she simply did her part to ensure Montez was exonerated from any wrongdoing and reported to nobody that Shawn had reported his discomfort with Robinson's involvement.

Lt. Shawna Robinson's Misconduct Includes (Continued):

Robinson was the Lieutenant on duty along with Sgt. E. Valencia on June 28, 2024.

- Their unwillingness to compromise, by stopping at the laundry facility both Valencia and Rodriguez walked past, to obtain the required clothing. It was open and full of staff. This unwillingness to compromise led to our family losing precious visiting time on June 28, 2024. This also resulted in the escalation of petty retaliatory acts of aggression. Under
- the supervision of Robinson and Valencia, staf4f9 fabricated reports which led to a 60-day suspension of our family being allowed to visit. I did not "lay hands" on an officer. I tapped a fingertip on CO Smith's hand, to ask an important and time-sensitive question, like normal people do to get someone's attention when the other person seems to not hear you. I received no verbal warning or progressive disciplinary actions.

On one prior visit, Robinson, with anger and hostility, told me I could not have a chair *with a back* like other visitors had. It was only when I spoke with Sgt. Anne Stewart that she allowed me to sit in a chair with a back on it.

Lt. Shawna Robinson's Misconduct Includes (Continued):

Robinson consistently:

- Exhibits anti-social behaviors (a pervasive pattern of disregard for, and violation of, the rights of others. This includes chronic lying and fabricated reports, high levels of aggressiveness and irritability, a lack of remorse, a lack of empathy, e tc.
- Robinson is consistently lacking in professionalism, integrity, and honesty. She is willing to encourage misconduct of her staff in order to victimize and abuse prisoners and their loved ones, then cover up her own and other staff members' misconduct. These repeated infractions indicate that Robinson should be fired, or at a minimum, re required to wear a body cam 100% of the time while at work. She is abusing her power and covering up abuses done by her colleagues, which is antithetical to what the Justice System stands for.

Staff Disciplinary Matrix

E. INTEGRITY AND DISHONESTY	BASE PENALTY	PENALTY RANGE
6) Making intentionally false or intentionally misleading statements regarding a material fact, or intentionally omitting material facts, during an inquiry or investigation conducted by the department's Office of Internal Affairs.	9	7 8 9
7) Making intentionally false or intentionally misleading statements regarding a material fact or intentionally omitting material facts to a public safety officer on or off-duty.	7	5 6 7 8 9
8) Making intentionally false or intentionally misleading statements regarding a material fact or intentionally omitting material facts during an investigation conducted by any local, state, or federal entity; state or federal licensing agency; or professional peer review board.	9	7 8 9
9) False testimony under oath.	9	9
10) Falsification of material facts in reports or official records.	9	7 8 9
11) Falsification of a time record or financial record for fraudulent purposes.	9	4 5 6 7 8 9
12) False claim for Leave Entitlement.	5	4 5 6 7 8 9
13) Falsification by an employee of a medical note or record obtained from a dental, medical, mental health, or health care provider.	9	4 5 6 7 8 9
14) Entering false or intentionally misleading statements in a dental, medical, mental health, or other health care record.	9	4 5 6 7 8 9
15) Altering or destroying dental, medical, or mental health care records in violation of department policy or state or federal law.	9	5 6 7 8 9
16) Falsification, alteration, planting, or destruction of evidence.	9	7 8 9
17) Falsification, alteration, or destruction of department records, documents, or communications in violation of department policy.	9	7 8 9
18) Repeated unintentionally failing to start, shutting off, or disabling Audio-Visual Surveillance System or Body-Worn Cameras.	2	1 2 3

3392.45. Employee Disciplinary Matrix.

(a) Employee Disciplinary Matrix Penalty Levels:

1. Letter of Reprimand	4. Salary Reduction 10% for 7-12 Qualifying Pay Periods; or Suspension Without Pay for 14-24 Qualifying Work Days.	7. Salary Reduction 10% for 31-45 Qualifying Pay Periods; or Suspension Without Pay for 62-90 Qualifying Work Days.
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2. Salary Reduction 5% for 1-2 Qualifying Pay Periods; or Suspension Without Pay for 1-2 Qualifying Work Days.	5. Salary Reduction 5% for 25-36 Qualifying Pay Periods; or Suspension Without Pay for 25-36 Qualifying Work Days.	8. Temporary Demotion to a lower class for 12-24 Qualifying Pay Periods; or Permanent Demotion.
3. Salary Reduction 5% for 3-12 Qualifying Pay Periods; or	6. Salary Reduction 10% for 19-30 Qualifying Pay Periods; or	9. Dismissal.

- The minimum penalty for what CO Montes did is number nine, "Dismissal."
- Lt. Robinson should also be dismissed based on the Staff Disciplinary Matrix for falsifying material facts in reports or official records, retaliation, lack of integrity, discrimination/harassment, and dishonesty.

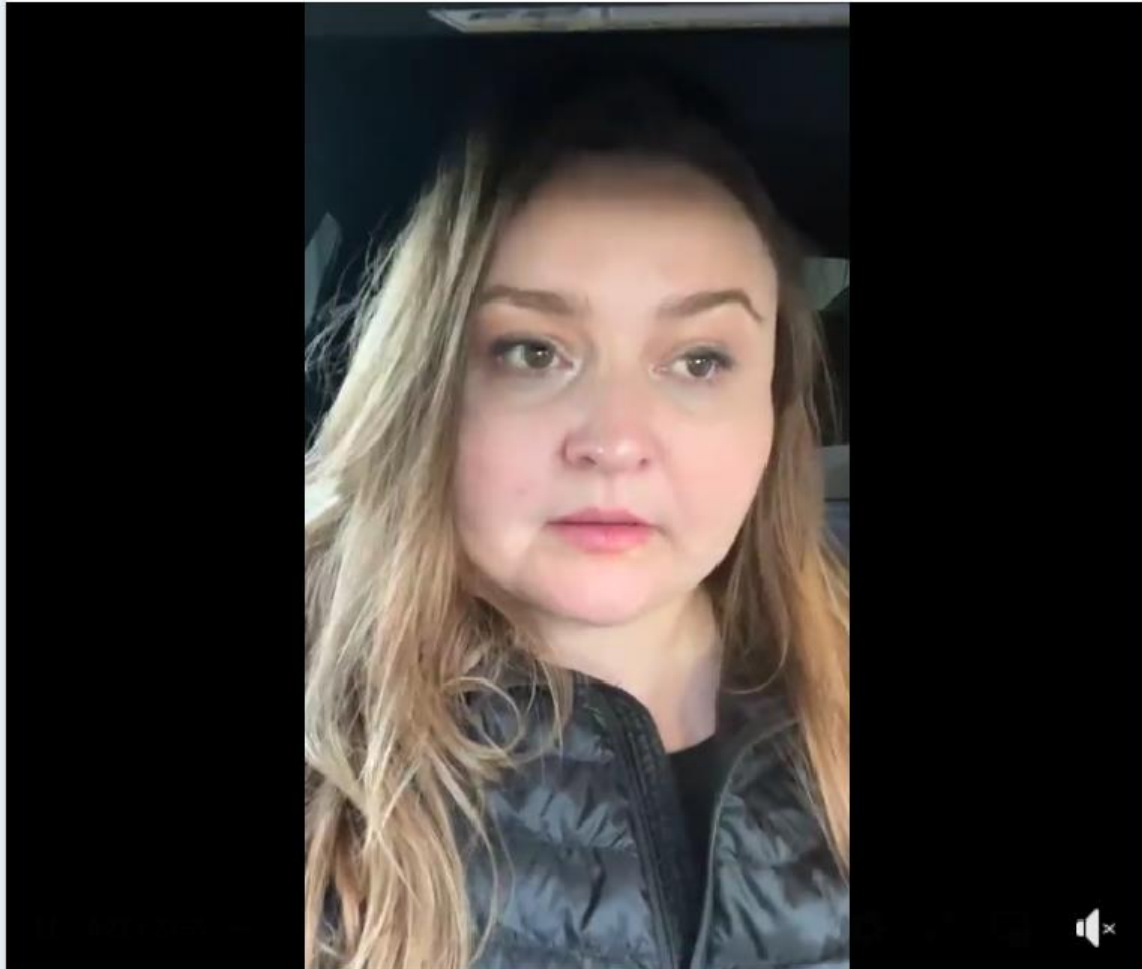
Eyewitness Testimony was Repressed

- Multiple eyewitnesses volunteered to give testimony for Shawn's hearing. Under Lt. Robinson's leadership, eyewitness testimony was never obtained or included in any of the reports.
- In the Title 15, in the Disciplinary Matrix, 3392.5d, it says "Conduct or Job Performance: disruptive offensive or vulgar conduct which discredits the department. Base penalty 3, range 2 – 6. What Montez did caused many people to talk about what had occurred on social media, which discredits the CDCR. Therefore, what Montez and Robinson did discredits the CDCR. For departmental officials to keep eyewitnesses away from sharing what they had observed proves that the investigative process is corrupted. Eyewitnesses who volunteer to share what they witnessed should, in fact, be allowed, rather than forbidden. This includes other non-inmate visitors who were in the room and witnessed what happens. Shawn was told he could NOT call them as witnesses, which unfairly denies evidence. That evidence existing should show that the conduct of Officer
- Montez brought discredit upon the department which makes her guilty of D14 on the Staff Disciplinary Matrix. The public wouldn't know unless the public witnessed it, especially when they talk about it online.

Social Media Discussions about Montez's Abusive Behavior

Angela Meyers was live.
[Admin](#) [Group expert](#) +1 · January 7 · 🌐

We were harassed by Correctional Officer Montez employed at the California Men's Colony today. Shawn left our visit in handcuffs and I left crying.



[View insights](#) 142 post reach >

Angela's Post

Susanne Rodriguez
My man was transferred there and I haven't visited yet but he's had problems just sitting in his cell. He wrote a co up and I feel like now they are watching him more closely and interfering with us and will make my visit hard. Thanks for the warning and I'm so sorry about this
23w Like Reply Share

Jennifer Tuttle Brown
Red lipstick lady? Does she look almost dressed or made up for a different kind of job? Almost as if she is looking for attention?
25w Like Reply Share

Michael Morgan-Lynch
Have him file a grievance post haste! You recall the instance in a letter to the warden.
25w Like Reply Share

Joe Aasved
Damm. That's heartbreaking. I'm sorry that happened
25w Like Reply Share

Angela Meyers [Author](#) [Admin](#) +2
Doc M Elnakib
25w Like Reply Share

Tina Henderson
It's called the "green wall"
25w Like Reply Share

Tina Henderson

Comment as Angela Meyers
👤 😊 📷 🗨️

Montez's Misconduct Embarrassed CDCR

Angela's Post

**Tina Henderson**
Definitely file a citizens complaint!! Especially if the Lt and Sgt didn't listen to your side. But be prepared for more harassment. I filed one 10 years ago and it was ugly. Witnesses are great!!!
25w Like Reply Share

**Tina Henderson**
Lt Was the "side kick"
25w Like Reply Share 🤔

**Tina Henderson**
You must report her attitude to Stewart. Very non professional and no cause for profanity. She was removed from visiting on West. I don't know how she got back in visiting. Either tell Stewart or file a citizens complaint against her. It will stay in her file for 5 years! Please let Stewart know.
25w Like Reply Share

**Lisa Carbajal**
You should have received a warning first. Then if not was followed then termination of visit. This is insane.
25w Share

**Tina Henderson replied · 1 Reply**

**Cassandra Camarena**
I haven't had any bad interactions with her, but I definitely witnessed her cuff him for wanting to see the policy. The way she spoke to him was belittling. I wouldn't want

Angela's Post

**Cassandra Camarena**
I haven't had any bad interactions with her, but I definitely witnessed her cuff him for wanting to see the policy. The way she spoke to him was belittling. I wouldn't want anyone talking to my LO like this. I too would have left crying. I was shaken up and it wasn't even me or my LO. it went from 0 to 100 in seconds just by being asked for policy. I think we are all respectful of the COs and their position. I think asking to see a policy is normal. This could have served as an educational moment for us all had she cited the policy so we all know. But, instead those who saw will just be nervous to be around given that we now do not know what is considered "not allowed". What's written in the lobby is open to interpretation. Now, in CMCs defense I will say the usual visiting staff is very friendly. I'm not sure why she escalated that to that extent today. I'm so sorry this happened to you Angela
25w Love Reply Share Edited 3

**Angela Meyers** Author Admin +2
Cassandra Camarena thank you for being a witness and sharing what you observed. ❤️
25w Like Reply Share 2

**Tina Henderson**
Cassandra Camarena because that's Montes, she is out of control. See was removed from visiting 2 yrs ago on West and idk why she is back
25w Like Reply Share

**Cassandra Camarena**
Tina Henderson it was not pleasant to witness. It was hard to watch and listen to. Specially when things like this can result in write ups for our loved ones.
25w Like Reply Share

**Tina Henderson**
Cassandra Camarena she will only get worse if she gets away with it
25w Like Reply Share

FINDINGS

Subject was found: based on a preponderance of evidence.

Lesser Included Charge:

Level:

Offense Division:

Offense Occurrence:

Comments:

RODRIGUEZ has been found not Guilty of CCR Section 3005(a) behavior which could lead to violence a Div. F offense. The evidence included the rules violation report (RVR,) AVSS footage, and investigative report. "CCR 3005(a) states, inmates and parolees shall obey all laws, regulations, and local procedures, and refrain from behavior which might lead to violence or disorder, or otherwise endangers facility, outside community or another person. In this case, the rules violation report documents RODRIGUEZ engaged in behavior that could lead to violence. The reporting employee documents in the RVR, "Rodriguez proceeded to raise his voice and stated, "there's nothing in the visiting area that says how am supposed to be seated". I told him all the information is in the title 15 in the visiting section. At this time Rodriguez was agitated and kept raising his voice that there was nothing in the visiting area. I asked, Rodriguez to come and speak to me away from his visitor. Rodriguez refused and stated, "you will speak to me in front of my wife". At this point I told Rodriguez I needed to speak to him alone. Once I got Rodriguez one on one his demeanor did not improved he was still very agitated and became very argumentative. He was still demanding for me to speak to him in front of his wife and, to see the rules of visiting. I informed Rodriguez that he doesn't get to tell me what to do. At this point Rodriguez is not being receptive to counseling. I told Rodriguez that we needed to go and speak in the control corridor due to his behavior. He refused I then told him he was going to be cuffed up and escorted out of the visiting area. I place Rodriguez in hand cuffs for his safety and the Visitors safety. At this point Rodriguez tensed up and refuse to walk. I gave Rodriguez a direct order to walk to the control corridor which he complied. " The SHO took into consideration RODRIGUEZ' plea and defense during the hearing. The intent of RODRIGUEZ to engaged in behavior that could lead to violence is not shown in the evidence during the hearing. The AVSS footage and the investigative report does not support the circumstances of the RVR. The SHO finds that the evidence does not constitute a preponderance of evidence that Inmate RODRIGUEZ is guilty of the charge of behavior which could lead to violence. In the interest of justice, SHO elects to dismiss this RVR.

MENTAL HEALTH ASSESSMENT CONSIDERATION

(Documentation of opinions to be used for consideration by the hearing official and the reasoning shall be documented in this section.)

Comments:

EVIDENCE

The following evidence was used to support the findings:

AVSS Available:

AVSS Impact: The audio/video evidence was relied upon to determine the finding in this case. The decision may have been based at least in part to other evidence that was presented.

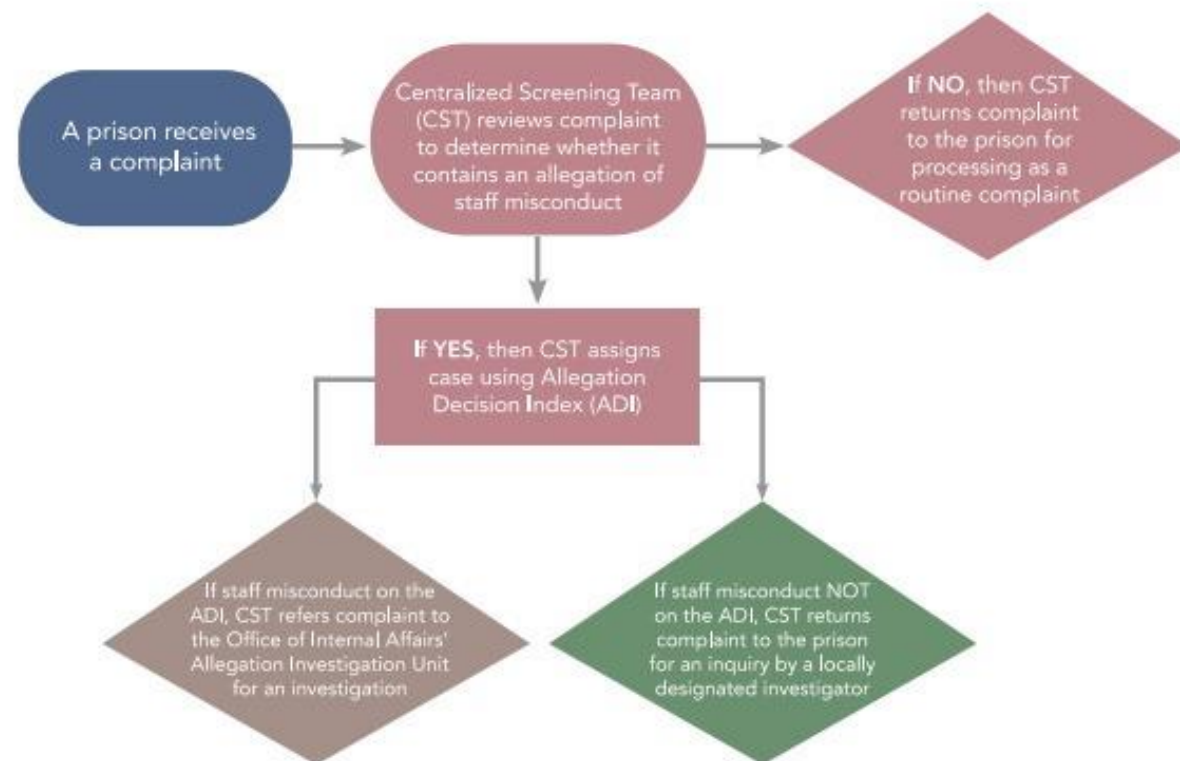
Comments:

1. Rules Violation Report, authored by Correctional Officer B. Montes, whom documents "Rodriguez proceeded to raise his voice and stated, "there's nothing in the visiting area that says how am supposed to be seated". I told him all the information is in the title 15 in the visiting section. At this time Rodriguez was agitated and kept raising his voice that there was nothing in the visiting area. I asked, Rodriguez to come and speak to me away from his visitor. Rodriguez refused and stated, "you will speak to me in front of my wife". At this point I told Rodriguez I needed to speak to him alone. Once I got Rodriguez one on one his demeanor did not improved he was still very agitated and became very argumentative. He was still demanding for me to speak to him in front of his wife and, to see the rules of visiting. I informed Rodriguez that he doesn't get to tell me what to do. At this point Rodriguez is not being

Eventually, Shawn was found NOT GUILTY of Montez's accusations. The video footage proved she lied in her report, and Shawn was NOT GUILTY of what she had accused him of.

The Proper Staff Misconduct Process Was NOT Followed

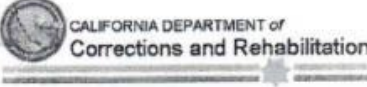
Figure. An Overview of the Department's Staff Misconduct Investigation and Review Process



Source: The California Department of Corrections and Rehabilitation.

Given the nature of the misconduct, we are concerned that CMC staff may not have followed proper procedure to elevate our Staff Misconduct Complaint to the Office of Internal Affairs, as CDCR policy requires. Therefore, all who were involved are complicit in breaking CDCR's processes for staff misconduct grievances. We are not confident that CDCR's Allegation Inquiry Management Section was alerted of our grievances. Our staff misconduct allegation may have been simply processed as a routine grievance, just as the OIG's report recently exposed as rampant and improper. Still, these same patterns persist. In this case, Lt. Shawna Robinson is the main reason why policy was disregarded.

Rules Violation Report Supplemental

 <div>1/M</div>				
RVR SUPPLEMENTAL				
CDC NUMBER V16387	INMATE'S NAME RODRIGUEZ, SHAWN M.	FACILITY CMC-Facility C	LOG NUMBER 000000007392523	DATE 02/06/2024
<input checked="" type="radio"/> SUPPLEMENTAL REPORT <input type="radio"/> INVESTIGATIVE REPORT <input type="radio"/> STAFF ASSISTANT REPORT				
<p>On January 18, 2024, I was assigned as the Investigative Employee (I.E.) for Inmate RODRIGUEZ, SHAWN (V16387, Cell 6220), pertaining to RVR Log#7392523. RODRIGUEZ did not object to my assignment.</p> <p>INTERVIEW OF INMATE RODRIGUEZ, SHAWN (V16387, Cell 6220): On January 18, 2023, at approximately 1730 hours, I interviewed RODRIGUEZ, and asked him the following question:</p> <p>Q1) "Do you have a statement in regards to Rules Violation Report #7392523, dated January 7, 2024, "Behavior which could lead to violence"?"</p> <p>A1) "I will make my statement at the time of the hearing."</p> <p>It should be noted that RODRIGUEZ handed me a handwritten document with his witness names and questions he has for them. This document is attached with the I.E Report and has been uploaded into the Related Electronics Documents. The witnesses RODRIGUEZ is requesting are the following: Correctional Officer Kessler, Spale, Del Real, Neri, I/M John Trivino CDCR# BV9673, Visitor Angela Cotellessa and Visitor Cassandra Camarene.</p> <p>Interview with Correctional Officer Kessler On January 20, 2024, at approximately 1726 hours, Correctional Officer Kessler was interviewed via email and asked the following questions of behalf of Inmate RODRIGUEZ:</p> <p>Q1) "Did you personally observe me refuse any direct order?" A1) No, I was in the control corridor</p> <p>Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?" A2) No, I was in the control corridor</p> <p>Q3)" Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?" A3) No, I was in the control corridor</p> <p>Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?" A4) I do not recall officer Montez response</p> <p>Interview with Correctional Officer Spale: On January 23 2024, at approximately 1400 hours, Correctional Officer Spale was interviewed via email and asked the following questions of behalf of Inmate RODRIGUEZ:</p> <p>Q1) "Did you personally observe me refuse any direct order?" A1) I was not in the visiting room when this interaction took place.</p> <p>Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?" A2) I was not in the visiting room when this interaction took place.</p>				

<p>Q3) " Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?" A3) I was not in the visiting room when this interaction took place.</p> <p>Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?" A4) I do not recall.</p> <p>Interview with Correctional Officer Del Real: On February 6 2024, at approximately 0852 hours, Correctional Officer Del Real was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:</p> <p>Q1) "Did you personally observe me refuse any direct order?" A1) No.</p> <p>Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?" A2) Not inside the visiting room.</p> <p>Q3)" Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?" A3) Not inside the visiting room.</p> <p>Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?" A4) I did not hear you make that statement.</p> <p>Interview with Correctional Officer Neri: On January 25, 2024, at approximately 1400 hours, Correctional Officer Neri was interviewed via email and asked the following questions of behalf of Inmate RODRIGUEZ:</p> <p>Q1) "Did you personally observe me refuse any direct order?" A1) No.</p> <p>Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?" A2) No.</p> <p>Q3) " Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?" A3) No.</p> <p>Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?" A4) I do not recall officer Montez response when being asked the following statement by Inmate RODRIGUEZ:</p> <p>Interview with I/M John Trivino CDCR# BV9673 Cell 2243: On January 19 2024, at approximately 1945 hours, I/M Trivino was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:</p> <p>Q1) "Did you observe me refuse any direct order from Officer Montez at Visiting on January 8, 2024?" A1) No</p> <p>Q2) "Did you observe me act in any way, hostile, aggressive, threatening, or indicate and level of violent intention in that incident?" A2) No</p>
--

Q3) "What did you observe?"

A3) Both people were sitting with their knee's close together but not touching. C/O Montez was not calm, she was upset Rodriguez requested to see where it says they can't sit close together.

Q4)"Have you ever met me prior to or after that day, or my visitor?"

A4) No

Interview with Visitor Angela Cotellessa (213) 804-5151:

On January 18 2024, at approximately 1730 hours, Correctional Officer Palacios was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1) "Did you observe me refuse any direct order from Officer Montez in visiting on January 7, 2024?"

A1) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q2) "Did you observe me act in any way, Hostile, aggressive, threatening, loud, or indicate and level of violent intention in that interaction with officer Montez?"

A2) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q3)"What did you observe?"

A3) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Interview with Visitor Cassandra Camarene (831) 313-3735:

On January 18 2024, at approximately 1730 hours, Correctional Officer Palacios was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1)"Did you observe me refuse any direct order from officer Montez at Visiting on January 7, 2024?"

A1) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q2)"Did you observe me act in any way, Hostile, aggressive, threatening, loud or indicate any level at all of violent intention in that interaction with Officer Montez?"

A2) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q3)"What did you observe that day during the interaction I had with Officer Montez?"

A3) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q4)" Have you ever met or known me or my visitor prior to that day in visiting?"

A4) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q5)"Did you wait for my visitor to exit to volunteer your witness of these events?"

A5) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

This concludes my investigation.

SIGNATURE OF WRITER:

T. Sinclair

TITLE:
C/O

DATE:
02/06/2024



1/M

RVR SUPPLEMENTAL

CDC NUMBER	INMATE'S NAME	FACILITY	LOG NUMBER	DATE
V16387	RODRIGUEZ, SHAWN M.	CMC-Facility C	000000007392523	02/06/2024

☒ SUPPLEMENTAL REPORT ☒ INVESTIGATIVE REPORT ☐ STAFF ASSISTANT REPORT

On January 18, 2024, I was assigned as the Investigative Employee (I.E.) for Inmate RODRIGUEZ, SHAWN (V16387, Cell 6220), pertaining to RVR Log #7392523. RODRIGUEZ did not object to my assignment.

INTERVIEW OF INMATE RODRIGUEZ, SHAWN (V16387, Cell 6220):

On January 18, 2023, at approximately 1730 hours, I interviewed RODRIGUEZ, and asked him the following question:

Q1) "Do you have a statement in regards to Rules Violation Report #7392523, dated January 7, 2024, "Behavior which could lead to violence?"

A1) "I will make my statement at the time of the hearing."

It should be noted that RODRIGUEZ handed me a handwritten document with his witness names and questions he has for them. This document is attached with the I.E Report and has been uploaded into the Related Electronics Documents. The witnesses RODRIGUEZ is requesting are the following:
Correctional Officer Kessler, Spale, Del Real, Neri, I/M John Trivino CDCR# BV9673, Visitor Angela Cotellessa and Visitor Cassandra Camarene.

Interview with Correctional Officer Kessler On January 20, 2024, at approximately 1726 hours, Correctional Officer Kessler was interviewed via email and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1) "Did you personally observe me refuse any direct order?"

A1) No, I was in the control corridor

Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?"

A2) No, I was in the control corridor

Q3) "Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?"

A3) No, I was in the control corridor

Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?"

A4) I do not recall officer Montez response

Interview with Correctional Officer Spale:

On January 23 2024, at approximately 1400 hours, Correctional Officer Spale was interviewed via email and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1) "Did you personally observe me refuse any direct order?"

A1) I was not in the visiting room when this interaction took place.

Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?"

A2) I was not in the visiting room when this interaction took place.

Q3) "Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?"

A3) I was not in the visiting room when this interaction took place.

Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?"

A4) I do not recall.

Interview with Correctional Officer Del Real:

On February 6 2024, at approximately 0852 hours, Correctional Officer Del Real was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1) "Did you personally observe me refuse any direct order?"

A1) No.

Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?"

A2) Not inside the visiting room.

Q3) "Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?"

A3) Not inside the visiting room.

Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?"

A4) I did not hear you make that statement.

Interview with Correctional Officer Neri:

On January 25, 2024, at approximately 1400 hours, Correctional Officer Neri was interviewed via email and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1) "Did you personally observe me refuse any direct order?"

A1) No.

Q2) "Did you personally observe me raise my voice or present any aggressive, hostile or violent tone or posture/Body language to officer Montez?"

A2) No.

Q3) "Did you personally observe any behavior from me, inside CMC visiting room which was dangerous, Aggressive, Hostile, Violent or Threatening to any person or property?"

A3) No.

Q4) "What did you observe Officer Montez's Response was When I Calmly asked her to stop Cussing at me and treat me with the aame respect and dignity which I was treating her?"

A4) I do not recall officer Montez response when being asked the following statement by Inmate RODRIGUEZ.

Interview with I/M John Trivino CDCR# BV9673 Cell 2243:

On January 19 2024, at approximately 1945 hours, I/M Trivino was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1) "Did you observe me refuse any direct order from Officer Montez at Visiting on January 8, 2024?"

A1) No

Q2) "Did you observe me act in any way, hostile, aggressive, threatening, or indicate and level of violent intention in that incident?"

A2) No

Q3) "What did you observe?"

A3) Both people were sitting with their knee's close together but not touching. C/O Montez was not calm, she was upset Rodriguez requested to see where it says they can't sit close together.

Q4)"Have you ever met me prior to or after that day, or my visitor?"

A4) No

Interview with Visitor Angela Cotellessa (213) 804-5151:

On January 18 2024, at approximately 1730 hours, Correctional Officer Palacios was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1) "Did you observe me refuse any direct order from Officer Montez in visiting on January 7, 2024?"

A1) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q2) "Did you observe me act in any way, Hostile, aggressive, threatening, loud, or indicate and level of violent intention in that interaction with officer Montez?"

A2) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q3)"What did you observe?"

A3) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Interview with Visitor Cassandra Camarene (831) 313-3735:

On January 18 2024, at approximately 1730 hours, Correctional Officer Palacios was interviewed and asked the following questions of behalf of Inmate RODRIGUEZ:

Q1)"Did you observe me refuse any direct order from officer Montez at Visiting on January 7, 2024?"

A1) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

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Q3)"What did you observe that day during the interaction I had with Officer Montez?"

A3) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q4)" Have you ever met or known me or my visitor prior to that day in visiting?"

A4) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

Q5)"Did you wait for my visitor to exit to volunteer your witness of these events?"

A5) It should be noted, this question was deemed IRRELEVANT to the charge of "Behavior which could lead to violence Officer" by the SHO.

This concludes my investigation.

SIGNATURE OF WRITER:

T. Sinclair

TITLE:
C/O

DATE:
02/06/2024

CDCR SOMS ISST122 - RVR SUPPLEMENTAL

PROGRESSIVE DISCIPLINE REQUIREMENTS WERE DISREGARDED AND OBFUSCATED

Cal. Code Regs. Tit. 15, § 3176.1 - Visitor Violation Process Any person seeking entry into an institution/facility for the purpose of visiting an inmate shall be subject to all applicable laws, rules and regulations. Any person violating a law, rule or regulation while visiting shall be subject to warning, termination, suspension, and/or revocation as described below:

(a) **Warning.** Visitors may be **verbally warned** about violations of applicable law, rules, regulations or of local procedures governing visits. **When a verbal warning achieves corrective action, a written report of the misconduct or warning is not necessary.**

(b) **Termination.** **When verbal warnings and/or restrictions fail to achieve compliance, or fail to deter conduct by a visitor that if committed by an inmate would constitute a serious rules violation, the visit shall be terminated and documented in writing.**

PROGRESSIVE DISCIPLINE REQUIREMENTS WERE DISREGARDED AND OBFUSCATED (continued)

(c) **Suspension up to six months.** For **serious or repeated** violations of the rules, regulations, or procedures, and/or upon belief of the visitor's involvement in a criminal act and pending the outcome of an investigation, the official in charge of visiting may impose a suspension of the visitor's access to the visiting program for up to 6 months. The length of suspension shall be commensurate with the seriousness of the violation.

THERE HAVE BEEN NO SERIOUS OR REPREATED VIOLATIONS TO JUSTIFY TWO MONTHS OF VISITING RESTRICTIONS.

(d) **Suspension up to 12 months.** The institution head or designee may impose a suspension of visiting for up to 12 months when a visitor is involved in criminal activity on institution/facility property which constitutes a misdemeanor.

(e) **Suspension up to 24 months.** The director or designee may impose a suspension of visiting privileges up to 24 months when a visitor is involved in criminal activity on institution/facility property that constitutes a felony.

(f) **Revocation.** Subsequent discovery of information that would have resulted in disapproval or disqualifying conduct are grounds for revocation of the previously granted permission to visit an inmate.

(g) The visitor and the inmate shall be notified in writing of all formal warnings, terminations, suspensions and revocations. The notice shall clearly state the reason for the action and length of time any sanction will apply.

Visits were cancelled with NO notice provided in writing.

The notification shall also include the signature of the official taking the action and advise the visitor of the right to appeal in accordance with section 3179. The notification shall be provided to the visitor at the time of the action or mailed to the visitor's last known address within five working days of the action. Notes Cal. Code Regs. Tit. 15, § 3176.1 1. New section filed 2-18-2003; operative 3-20-2003 (Register 2003, No. 8). Note: Authority cited: Section 5058, Penal Code. Reference: Section 5054, Penal Code. 1. New section filed 2-18-2003; operative 3-20-2003 (Register 2003, No. 8).

LACK OF COMPLIANCE WITH CDCR POLICY

by Lt. Shawna Robinson



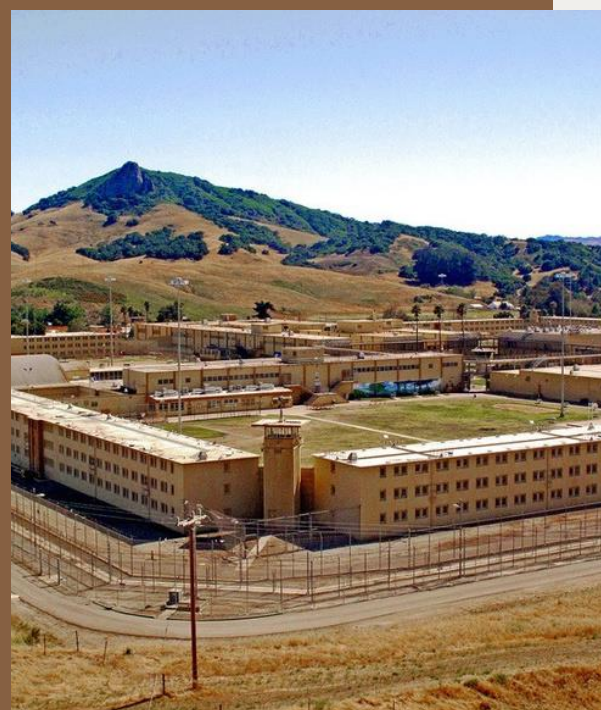
- **NO SUCH VERBAL WARNINGS WERE PROVIDED WHATSOEVER.**
 - Angela was given NO verbal warning.
 - Angela was given NO written report before her visits were cancelled.
 - Angela was given NO written report after her visits were cancelled.
 - Angela was told the Warden approved this two-month suspension of visits, yet no staff have provided anything with the Warden's signature on it.
 - There was NO progressive discipline as required in the Title 15.
- Angela was only informed after she left CMC, the next day, that her visits were being terminated for two months, for "laying hands on an officer," which never happened. A single fingertip tapped an officer's hand momentarily to get his attention, and that is IT.
- Misleading fabrications and a lack of compliance with CDCR's documented policies should be concerning to CMC and CDCR leadership.

This is Clearly Whistleblower Retaliation, which is Forbidden by CDCR Policy

Background: In the past, Angela and Shawn have reported/exposed staff misconduct.

Previous Incidents: History of abusive behavior by Lt. Robinson towards Shawn Rodriguez & Angela Cotellessa

Current Incident: Denial of visiting privileges as retaliation for exposing ethical concerns with CO Montes at CMC, previously



CMC Staff then waited until after Angela left CMC on June 28 2024, to go looking for a way to penalize us, and settled on “incidental contact” between Angela and CO Smith to deny our visits for the whole summer. Angela was not aware this was a rule. Angela shook Nathan Gaughan’s hand at the Inmate Family Council meeting in January. Shawn recently shook Gaughan and Danny Samuel’s hands, both, at Anti-Recidivism Coalition graduation, as well as the 8th Annual Charitable Foundation Ceremony. So how was Angela supposed to know tapping her fingertip on an officer’s hand to get his attention was such an atrocity?

Angela had no reason to believe she could not touch a staff member’s hand. Nobody said anything to me in the moment. I received no progressive discipline. This was all done just to get back at me for reporting staff misconduct in January.

This retaliatory treatment is expressly forbidden by CDCR policy.

Shawn at a ceremony at the California Men's Colony, standing next to the Warden Danny Samuel and Chief Deputy Warden N. Gaughan



STATE OF CALIFORNIA

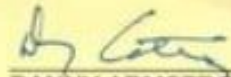
DEPARTMENT OF CORRECTIONS
CDCR-128-B (Rev 10/01)


NAME: RODRIGUEZ, SHAWN **CDC #:** V16387 **DORM/BED:** 6220

RODRIGUEZ, SHAWN is to be commended for his voluntary donation for the 8th Annual Charitable Foundation Fund sponsored by California Prison Industry Authority at the California Men's Colony. The donation is to benefit the nonprofit organization which is titled Boys Scouts of America.

THE BOYS SCOUTS of AMERICA, who operates the outdoor school at Los Padres, located at the Rancho Alegre property, has hosted thousands of kids for outdoor activities like hiking and outdoor classrooms, serving students from the TRI-Counties area

By donating to this cause, Mr. RODRIGUEZ demonstrates his willingness to serve and also demonstrates a desire to better himself and his community as a whole.


DANNY ARMSTRONG
CALPIA Administrator
California Men's Colony


NEAL FITZGERALD
CALPIA Industrial Supervisor
Charitable Foundation Director
California Men's Colony

Orig: ERMS
cc: PIA File
Factory File

DATE: 5/15/2024 **LAUDATORY / CHARITY DONATION** **GENERAL CHRONO**



CALPIA's 8th Annual Charity Foundation Fundraiser

When you live outside of yourself your life takes on meaning and purpose, here you will find inner peace.

Misconduct and Deception by Staff

Staff Deception:

- Several staff lied to Angela about Shawn refusing the visit
- Staff lied to Shawn saying Angela had already left when she had not

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Impact on Family:

Emotional trauma, particularly on the 7-year-old daughter who cried throughout the wait in Visiting when Shawn was not coming out, and afterwards.

What Should Have Happened Regarding Shawn's Attire

Required Clothing Should Have Been Provided

The Laundry Facilities at CMC were nearby. Any member of the staff could have retrieved a clean pair of the required clothing and provided it to Shawn since he told them his was missing. Shawn could have also gotten it.

An Exception Could Have Been Made for One Day

Given Shawn was, in fact, wearing state-issued blue clothing, just not the style/cut of attire they want based on their new but undocumented rules, an exception could have been made for one day to facilitate the visit.

What Should Have Happened Regarding Angela's Finger Tap

A Verbal Warning Should Have Been Provided

A fingertip touching a hand is a normal human interaction, not a crime. If CO Smith was concerned that I tapped his hand, he could have said something. Other CO's could have told me that's not allowed. NOBODY SAID ANYTHING.

Afterwards, they called the touching of a fingertip "laying hands on an officer" which is a mischaracterization of the facts, and used this fabrication as a means to ruin our family's summer.

What Should Have Happened Regarding a 60 Day Removal of Visiting Privileges

A 60-day removal of visiting privileges was uncalled for and inappropriate. However, even if it was valid, a Written Report Must Be Provided to Remove Visiting Privileges, per CDCR Policy. Visits cannot be deleted and blocked with no documentation.

Staff at CMC have inappropriately deleted visits and removed visiting privileges despite no written approval or report to do so; if there is a report, it was never provided to Angela, which represents non-compliance with CDCR policy.

Broader Implications

Misuse of Power:

Prison staff's refusal to solve problems with common sense and humanity

Call for Accountability:

Need for better treatment of inmates and their families

Appeal for Justice:

Demanding fair and humane treatment not only for Shawn Rodriguez and his family, but for every single inmate and their family



Conclusion and Call to Action

Summary:

Angela and Lily Cotellessa flew cross-country from Washington, DC, to visit Shawn Rodriguez at the California Men's Colony. Shawn and Angela have previously exposed staff abuses and misconduct, and are now facing severe retaliation now as a result. Lt. Robinson and Sgt. Valencia enforced an undocumented clothing rule, preventing the visit despite compliance with the documented and posted state-issued clothing regulations for Visiting. They refused to provide the very clothing they require for Visiting.

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Retaliation is believed to be due to whistleblowing about fireable offenses of CO Montez in January 2024, which were covered up by Lt. Robinson.

Angela and Lily Cotellessa waited for hours but were denied the visit, causing our family unnecessary trauma.

The incident highlights misuse of power by prison staff and their refusal to address issues with common sense, humanity, and professionalism according to CDCR policies.

Conclusion and Call to Action

Request:

We request immediate action to address the misconduct and we ask for fair treatment not only for Angela, Lily, and Shawn but for all the inmates and their families. Prisoners are human beings too and should be treated in a humane manner, by professionals working for CDCR.

If a proper decision is made to remedy this situation, we can still salvage at least part of our summer together as a family. The abuses we have endured are uncalled for and against CDCR policy.



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