

OPEN STATEMENT RELATED TO SECURITY REVIEW SCHEDULED FOR JUNE 9, 2015

To All Concerned:

I write this statement for consideration by ODRC staff in determining security level, and for my legal counsel, and for scanning and posting online.

In September 2012, just a week after I was recommended for level 2 placement, I was tortured and recommended, first, for level 5 placement and, second, for level 4 placement. Then-ManCI Warden Terry Tibbals made these recommendations on the basis of my "ability to cause a major disturbance within a lower level correctional institution" (DRC 2003 E, signed 17 June 2013). It was on this basis that I left level 3 in the first place to spend 2 years at level 4 before coming before you to determine whether or not I should be returned to level 3 again.

I think it is significant to note that I was approved for level 4 not based upon my conduct, but based upon my "ability," a characteristic that I am alleged to possess. It was always my understanding that security increases were based on conduct, not characteristics. That is, a prisoner goes to level 4 for "punching" a guard in the face, which is conduct, not based upon his "ability" to punch a guard in the face.

It seems to me that everyone has an "ability" to cause a major disturbance at a lower level institution. A case manager, for instance, can run naked around the compound, shooting roman candles from his butt crack until security staff tackle him. I would suggest that such an event would constitute a "major disturbance." So, even staff have the "ability" to cause a "major disturbance," though I have not seen a recommendation for all case managers to be confined at level 4 for it.

The irony is, ManCI Warden Terry Tibbals, who signed my recommendation for level 4 based on my "ability" to cause a major disturbance, himself created a far greater disturbance than I ever could have. Through his bungling, ManCI was plagued by embezzlement, prisoner deaths, an uprising, and escape. I would suggest that Terry Tibbals was a walking "major disturbance," but he never came here to level 4. Instead, he was assigned as warden at London Correctional.

Perhaps if I proved to be monumentally disruptive like Terry Tibbals, Director Mohr will remove me from level 4 and put me in charge of a prison?

So, it seems, based on the rationale for my level 4 placement, that the question before you is whether or not I still possess an "ability" to cause a "major disturbance" at a lower level institution. It is a question for which I can provide no help. I do not know where "abilities" derive or where they go. Could it be, perhaps, that I have lost this ability, the way some people lose their car keys? I do not know.

If I have lost the ability to cause a major disturbance at a lower level security institution, then I may be returned to level 3 security to await the next irrational round of harassment by central office sociopaths. If I have not lost the ability, that qualifies me to be a warden.

So, the question before you is whether I should return to level 3 or whether I should be provided a six-figure salary and a mediocre dental plan for taking charge of a prison and making it completely unmanageable the way Terry Tibbals did.

Thank you,

Respectfully Submitted,

Sean Swain