

Washington,
Mack
7027060
5046209

November 5, 2014

MS. Governor Haley;

My name is Mack Washington and im a prisoner at the Lieber Correctional Institution, im writing this petition because I have a fundamental Constitutional right to use the system. This is based on the First, Fifth and Fourteenth Amendments to the Constitution. Under the First Amendment I have the right to 'petition the government for a redress of grievances,' and under the Fifth Amendment and Fourteenth Amendments I have a right to 'due process of law'.

This action also falls 'Under Color of State Law'. This means that my rights must have been violated by a State or local official, this includes people who work for the state or local official; this includes people who work for the state, city, county or other governments. Since I am in a state prison, anything done to me by a prison guard, prison doctor, or prison administrator (like the warden) is an action 'under color of state law'.

My petition is in concern of Wolff v. McDonnell, 418 U.S. 539 (1974), the Supreme Court found that when prisoners lose good time credits because of a disciplinary offense they are entitled to; (1) written notice of the disciplinary violation; (2) the right to call witnesses at their hearing; (3) assistance in preparing for the hearing; (4) written statement of the reasons for being found guilty; (5) a fair and partial decision-maker in the hearing. In other words if a decision by prison officials results in conditions that are severe enough to meet the significant and a typical standard or prolongs any inmates time in prison the prison must give a procedure like a hearing and a chance to present evidence.

I was sentenced to prison while at the county jail in Colleton county, I caught an escape charge on March 23, 2014. I came here to Lieber April 16, 2014 and was sent a dorm on the yard, April 18, 2014 I was placed on Security Detention (SD) and placed in the smu (lockup). I was told by the Associate Warden that I have my privileges and could receive visitation and make telephone calls. I didn't have hearings where I was told that I lost any privileges. I spoke to caseworker here Ms. Ravenel and she told me that once I went to court on the escape charge and either had the alleged kidnapping dropped or nolle prossed, I went to court on July 25, 2014 and plead to 1 year on the escape and the kidnapping nolle prossed. Being that there's no kidnapping there's no aggravating circumstances so the class I ~~then~~ escape should of been changed to a class II escape. Im sitting here on smu with no privileges, Can't contact my Appellate Attorney, Can't call my family. According to SCDC Policy/Procedure a class I escape could be placed on SD if not placed in an ME dorm, once there's no aggravating circumstances the inmate should be classified a class II escape and place in an ME dorm.

1. e difference between Class I escape and class II is there's no violence in a class II escape, the inmate don't have to be in snu, the inmate has all his/her privileges. I sent several inmate requests out trying to inform classification here and at Columbia that according to policy im being held on lockup for no reason, SCDC is violating a law. It's clearly in policy/procedure 67.5, I filed 4 inmate grievances; 9-22, 9-28, 9-30, 10-5-14. I haven't heard anything back from any of the grievances, the only response I got back was from Mr. Michael Matthews - classification in Columbia and he feels that I should remain in snu. My family don't have the money to hire an attorney to fight this matter, I don't seek any kind of civil suits against SCDC. I just want SCDC to follow their policy/procedure, this is their rules and the law. I have a pending appellate case going and I'm being denied legal telephone calls, a grievance have been filed that also. The Warden and Associate Warden gave a direct order to the Captain Brightman 'is over snu, they told him to give me a telephone call so I could contact my attorney. As of now my telephone call have been ignored, I have everything in writing. Im seeking relief. Ms. Haley I understand your a busy woman and don't have time to deal with my issues but I have done all I could of and I have nowhere to hear my cry. Im seeking to get off of snu and/or get my visitation and telephone privileges. Ive been getting my visitation from May 27, 2014 - July 8, 2014, then my privileges been taken from me. Ms. Haley when you get a minute please look into this matter for me, im being denied due process, my 8th amendment is being violated; access to the courts. I have other issues that needs to be addressed but I'll deal with this issue first.

Thank You
May God Bless.

Mack Washburn
MACK WASHINGTON