

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOSHUA D. ZOLLICOFFER a/k/a
PASSION STAR,

Plaintiff,

versus

BRAD LIVINGSTON, personally and in his
official capacity as Executive Director of the
Texas Department of Criminal Justice
("TDCJ"); *et al.*,

Defendants.

Case No. 4:14-cv-03037

STATE OF TEXAS)

) §§

COUNTY OF POTTER)

REDACTED AFFIDAVIT OF JOSHUA D. ZOLLICOFFER a/k/a PASSION STAR

I, Joshua D. Zollicoffer a/k/a Passion Star, having been duly sworn, upon my oath state as follows:

1. I am the plaintiff in this lawsuit. I am a 31-year-old adult, and I am competent to testify as a witness in this case. Except where otherwise noted, the facts set forth herein are of my own personal knowledge, and if called upon as a witness, I could and would testify competently to such facts. I have reviewed my complaints, grievances, appeals, and related documents and am familiar with their contents.

2. I am a transgender woman, meaning that I was assigned the sex of male at birth, but I identify as a woman. Since I was a teenager, I have known that I was attracted to men.

3. I have been in the custody of the Texas Department of Criminal Justice ("TDCJ") since 2003. I have been housed in sex-segregated male facilities.

4. From 2003 to 2006, I was housed in the Telford Unit in New Boston, Texas ("Telford"). From 2006 to 2007, I was housed in the Allred Unit in Iowa Park, Texas ("Allred"). From 2007 to 2008, I was housed in the Smith Unit in Lamesa, Texas ("Smith"). From 2008 to 2011, I was housed in the Coffield Unit in Tennessee Colony, Texas ("Coffield"). From 2011 to 2013, I was housed in the Hughes Unit in Gatesville, Texas ("Hughes"). From December 2013 to November 2014, I was housed in the Robertson Unit in Abilene, Texas ("Robertson"). In November 2014, I was transferred to the Clements Unit in Amarillo, Texas ("Clements"). From November 2014 to the present, I have been housed in Clements.

5. In each of these seven facilities, male inmates have directed unwanted sexual advances at me. Male inmates have demanded that I perform sexual acts for them or pay them for protection and have threatened to assault me if I did not submit and perform sexual acts for them.

6. In all of these facilities, a large number of the male inmates have perceived that I am not a heterosexual man. While some inmates confuse being transgender with being gay, the fact that I am not a heterosexual male was generally known in the units where I lived. I believe that most of the male inmates in the units where I was housed thought I was a transgender woman or a gay man because of my feminine mannerisms, my soft voice, and the way that I walk and talk. I have heard inmates tell one another that I am a "punk," a term used to refer to feminine people in custody. As a result of my female gender identity and my perceived sexual orientation, male inmates in all the facilities where I have been housed have sexually harassed, threatened, and/or assaulted me.

7. There is a custom in TDCJ pursuant to which gay men and transgender women are targeted by other inmates, frequently inmates with power and influence in the unit, often gang

members, and forced to perform sexual acts as a means of survival because otherwise they will be assaulted. Sometimes we are made to perform sexual acts for many members of the same gang. This is called "riding." Because gay men and transgender women are not protected by TDCJ staff, we are often coerced unwillingly into unwanted sexual encounters to escape physical assault if we try to resist.

8. Since 2003, I have complained numerous times to TDCJ officials about the sexual abuse, the threats, and the violent attacks against me. I have informed TDCJ staff that I am transgender or homosexual (because I thought they would understand the term "homosexual"). I have exhausted dozens of grievances related to threats against me and asked dozens of times to be housed in safekeeping, but each time my requests for safekeeping have been denied. I have been left in the general population of the TDCJ facilities to fend for myself.

9. As a result of begging TDCJ staff to help protect me, I have found myself in more danger. Each time that I ask for help and am returned to the general population, other incarcerated people suspect that I am a "snitch." I have learned from my time in prison that the prison culture is one of retribution and violence against people who snitch. As a result of asking for help from TDCJ staff who have refused to take reasonable steps to protect me, I have been placed at greater risk of serious harm.

10. In Telford, I was identified as feminine and forced into a relationship with REDACTED REDACTED ("M.M."), who was a high-ranking member of a gang. I was nineteen. I thought that he could protect me from the other inmates in Telford who were sexually harassing me, but he forced me to perform sexual acts for him. When I tried to end the relationship, M.M. choked me, so I stayed in the "relationship" with him.

11. I was transferred to Allred in 2006, where I again received threats from gang members, demanding that I perform sexual acts. Even though I begged and pleaded with TDCJ staff to protect me, they put me in a cell with [REDACTED] ("C.X."), who sexually propositioned me. I told the guard that I did not feel safe around C.X., but he did not remove me or C.X. from the cell. On March 29, 2007, C.X. threatened me with a knife, held me down, and raped me. I told a guard that C.X. had raped me. When C.X. found out, he threw a fan at me that resulted in a cut to my head. A true and correct copy of my medical records from March 29, 2007 and March 30, 2007 is attached hereto as Exhibit A.

12. After the rape, I was transferred to Smith. Because the rape was documented, I thought that it would be obvious to TDCJ employees that I needed more protection than was available in the general population. I begged to be put in safekeeping, but I was placed back in the general population without protection where I was sexually harassed and threatened with rape again by several different men incarcerated in Smith. One cellmate, [REDACTED] ("O.R."), threatened to assault me and forced me to watch him masturbate.

13. When I arrived in Coffield in 2008, I again faced threats of sexual violence from men incarcerated with me, including [REDACTED] ("K.H."), who is currently incarcerated with me in Clements. Soon after arriving, I was forced into a sexual "relationship" with [REDACTED] ("T.K."), a powerful inmate on the unit, because he threatened to assault me if I did not submit, and because the guards would not protect me. When I tried to end the relationship, T.K. punched me on the left side of my jaw, breaking one of my teeth and causing it to puncture my lip.

Transfer to Hughes

14. When I was transferred to Hughes in 2011, I experienced the same attempts to force me to perform sexual acts against my will and threats of sexual and physical violence. I

submitted and appealed numerous grievances related to the threats to my safety, but I was forced to remain in the general population among the inmates who were threatening and assaulting me.

15. As an example of some of the threats, on December 25, 2011, [REDACTED] ("T.X."), an inmate affiliated with the Crips gang, who regularly called me a "faggot," attacked me, punching my head, face, and torso. In or around March 2012, [REDACTED] ("H.X.") and other Bloods gang members demanded that I pay them for their protection or "ride," meaning perform sexual acts for their gang. In 2013, an inmate named [REDACTED] ("R.B.") threatened me with violence if I did not submit to his demands for sexual acts. In 2013, a Bloods gang member known as [REDACTED] ("A.X.") sent me sexually explicit letters, demanding that I perform sexual acts for him in return for his protection, and another Blood, known as [REDACTED] ("C.Y.X."), made similar demands.

16. I informed officers and submitted numerous grievances related to the threats to assault me and demands that I perform sexual acts, but TDCJ staff did not move me to the dorms, place me in safekeeping, or take others steps to protect me. Instead, Lieutenant Aragon called me a "snitch" and "punk" in front of other inmates during lineup. Officer Thompson and other officers routinely pretended to grab my buttocks, which they referred to as the "grab-ass game."

17. On May 12, 2013, C.Y.X. and A.X. jointly confronted me while I was at church and accused me of "snitching" on them. C.Y.X. said that a correctional officer had informed him that I had reported that he was a gang member. A.X. punched me on the right side of my jaw, causing swelling and pain to my jaw and face. I went to the infirmary.

18. In October 2013, [REDACTED] ("F.X.") threatened to assault me if I did not perform sexual acts with him. When I refused, he attacked me on or around October 2, 2013 in

the hallway by the dining hall, cut my lip and my left hand, caused swelling and bruising on the left side of my face and jaw line, and left a knot on the left side of my head.

19. In 2013, [REDACTED] ("J.T."), a member of the Crips gang, sexually propositioned and threatened me whenever he saw me. The situation with J.T. soon escalated.

20. On November 4, 2013, I met with the Unit Classification Committee ("UCC") headed by Defendant Ralph Marez, Jr.. I told Defendant Marez and the other members of the UCC that I was gay with a female alias, that I had been raped in the past, and that I had been repeatedly threatened with sexual and other violence. I explained that I feared for my life and requested to be reassigned to safekeeping and protected. The UCC denied my request for additional protection.

21. I submitted grievance step 1 #2014040489 on or around November 6, 2013, appealing the UCC's decision. When Defendant Blanchard denied my grievance, I appealed this grievance, step 2, on or around November 15, 2013. In the grievance, I wrote that I live with the "constant threat of being hurt" because I am gay and effeminate in the general population and that I have been assaulted and threatened in the past. I also wrote that transferring me from one pod to another pod or one unit to another unit was not sufficient to prevent assaults against me. A true and correct copy of grievance #2014040489 is attached hereto as **Exhibit B**.

22. On November 13, 2013, during a church service, J.T. threatened me again. He said loudly in front of other Crips that I "belonged" to him. He told me that refusal was not an option and that since I was gay, I had to "stay in a ho's place." The other Crips threatened to assault me if I did not submit to J.T.

23. I complained to TDCJ staff about the threats and asked for protection, but the staff did not take action to help me. Officer Johnson told me, "You've fought once. Fight again."

24. On November 19, 2013, I again appeared in front of the UCC, composed of Defendant Blanchard, Defendant Leslie Walters, and Defendant James Sigmund. I told them about the threats I received from J.T. and other inmates, the rape in 2007, and the recent assault by F.X., and I again requested to be placed in safekeeping. Defendant Blanchard, Defendant Walters, and Defendant Sigmund denied my request for protection and ordered me to be returned to "the next available cell" in my custody level in the general population.

25. On November 19, 2013, I was moved into 8 Building, L-Pod 52 Cell. This was the same pod where J.T. was housed.

26. I knew that I was going to be assaulted or possibly killed even though I had done everything in my power to be protected. I immediately filed an emergency grievance appealing the UCC's decision to deny me safekeeping and move me closer to J.T. I requested again to be moved to safekeeping and explained that I was gay and that J.T. and other Crips had threatened to assault me if I did not "ride." A true and correct copy of grievance #2014048625 is attached hereto as **Exhibit C**.

27. On this same day, on my way to the dining hall, I also appealed to Defendant Prince Pickett, the 8 Building supervisor, for help. I explained my history of threats and violence by other inmates against me, and told him that I had already received threats from Crips gang members since being moved to L Pod. Defendant Pickett told me that it was "not [his] problem" and did not do anything to help me.

28. The very next morning, November 20, 2013, the assault that I had been begging to be protected from occurred (the "Razor Attack"). J.T. and other Crips gang members brutally attacked me from behind as I headed to breakfast. J.T. called me a "snitching faggot." As others watched, J.T. repeatedly slashed my face with a razor while I struggled. I thought he was going

to kill me. One cut came within a quarter of an inch of my right eye. I bled profusely and suffered intense pain. As a result of this brutal attack, I was taken to Correctional Managed Care. A true and correct copy of my medical records from November 20, 2013 is attached hereto as **Exhibit D**.

29. On November 20, 2103, after the Razor Attack, I submitted another step 1 grievance, asking to be placed in safekeeping. A true and correct copy of grievance #2014049246 is attached hereto as **Exhibit E**.

30. On November 22, 2013, two days after the Razor Attack occurred, Defendant Rene Maldonado denied my emergency step 1 grievance #2014048625 in which I requested assignment to safekeeping that I had submitted on November 19, 2013, prior to the Razor Attack. Defendant Maldonadowrote that the "committee did not find sufficient evidence to support your allegations" even though by that time I had physical injuries from the brutal attack by J.T. and had been treated by Correctional Managed Care (*See Ex. C*).

31. On November 22, 2013, the UCC, composed of Defendant Blanchard, Defendant Walters, and Defendant Sigmund, again denied my request for safekeeping and instead recommended that I be transferred to the general population of another unit. I believe that they knew that recommending unit transfer was not sufficient to protect me and knew that I would still be vulnerable to sexual assault and retaliation, that gangs operated throughout TDCJ, and that I would be targeted by members of J.T.'s gang in the new unit. While informing me on November 22, 2013 of the UCC's decision to transfer me rather than place me in safekeeping, Defendant Blanchard told me, "Now I bet you really feel like your life is in danger." When he said this, I felt like I wanted to cry.

32. On November 29, 2013, I wrote step 2 to grievance #2014049246, appealing the decision to send me to the general population in a new unit. I wrote:

simply recommending that I be transferred off the unit isn't enough to ensure that I am no longer victimized. . . . I followed instruction and was placed back into a position to be hurt—knowingly. So, I request safekeeping away from the general population of offenders that have victimized me and will continue to do so.

(Ex. E). On January 8, 2014, Defendant Armstrong denied my appeal, indicating that I had been designated “not for same unit” as J.T., transferred to Robertson, and that no further action was warranted. (*Id.*).

Transfer to Robertson

33. On December 6, 2013, TDCJ officials transferred me to the general population in Robertson.

34. Soon after, I learned from other inmates that J.T. had been housed in the general population of Robertson prior to his transfer to Hughes and was well known among inmates at Robertson as a high-ranking member of the Crips. Soon after I arrived, I learned that [REDACTED] (“T.T.”), a Crip, spread the word among the Crips in Robertson that I was a “snitching faggot” and told me that the Crips in Robertson would finish what J.T. started. Other inmates in Robertson asked me about the lacerations on my face and figured out that J.T. was the one who had done it. From my prior assaults and grievances, TDCJ staff knew that I was the enemy of a well-known Crips gang member (J.T.), but TDCJ staff took no measures to protect me in this new unit.

35. I requested an Offender Protection Investigation on (“OPI”) or around December 11, 2013. Sergeant Juan Lopez (“Lopez”) reviewed the paperwork in front of me. He told me to “suck dick, fight or quit doing gay shit but quit running me with OPIs.” He was very clear that he cared more about not having extra paperwork than protecting my life.

36. On December 12, 2013, I appeared before the UCC in Robertson headed by Assistant Warden Adam Gonzales ("Gonzales"). I told Assistant Warden Gonzales and the other members of the UCC that I was gay; had a history of coercion and sexual and physical assaults in other TDCJ facilities, including the recent Razor Attack by J.T.; and was afraid that I would be targeted by the Crips in Robertson once they learned about the incident with J.T. I explained that I feared for my life and requested to be placed in safekeeping.

37. Assistant Warden Gonzales and the other members of the UCC denied my request for safekeeping and placed me in the general population in Robertson.

38. On January 30, 2014 and February 6, 2014, Defendant Armstrong denied my step 2 appeal of grievances #2014040489 and #2014048625, in which I had requested to be placed in safekeeping, even though I told him that I was gay; that I had been sexually assaulted, raped, and threatened in the past; and that I was afraid that I would be assaulted again if I had to remain in general population. (See Exs. B & C).

39. Incarcerated people in Robertson also identified me as feminine because of my mannerisms and the way that I dressed and talked. Other inmates also frequently used female pronouns to refer to me, sometimes used derogatory terms like "punk" and "faggot," and propositioned me for sex. For example, a Crips gang member known as [REDACTED] ("C.G.X.") repeatedly pressured me to perform sexual acts for him in return for my safety. C.G.X. told me that I had to find a man to protect me or be raped.

40. In or around March 2014, I received a letter threatening to kill me from an inmate known as [REDACTED] ("P.N."), also a member of the Crips.

41. I felt desperate and fearful, so in or around March 2014, I sent letters to Defendant Joni White because she was the head of the State Classification Committee ("SCC"), and I hoped

that she would approve my transfer into safekeeping. I told Defendant White that "I've been called a 'snitching faggot,' told that [J.T.] should have cut my throat and that if [I] try the same mess over here they will finish what he started and do what he should have did. I've been told that I need to find a man and threatened with rape." I also wrote to Defendant Ralph Bales, the PREA Ombudsman, begging for help. True and correct copies of my letters to Defendant White, including one dated March 18, 2014, are attached hereto collectively as **Exhibit F**.

42. I appeared in front of the UCC headed by Assistant Warden Gonzales on April 7, 2014, and again explained the threats to my safety, including the "kite" from P.N., the sexual threats from C.G.X., and the threats to my life from T.T. Assistant Warden Gonzales and the other members of the UCC denied my request to be placed in safekeeping. Instead, they recommended that I be transferred to the general population of yet another unit.

43. I appealed the denial of my request to be moved to safekeeping on April 9, 2014 in step 1 of grievance #2014125239. I wrote that the dangers to me were:

all rooted in the fact that I am a homosexual housed in the gang influenced general population of offenders. . . Just recommending that I be transferred to another unit will not ensure my safety, just as it did not after the 3-29-07 sexual assault, nor after the 11-20-13 assault with a weapon. I am an offender with a 'potential for victimization', otherwise I wouldn't be constantly victimized and threatened by other offenders.

A true and correct copy of grievance #2014125239 is attached hereto as **Exhibit G**.

44. I also submitted requests in May 2014 to Officer Scott, the Safe Prisons Program's Coordinator at Robertson, formally requesting to be identified as transgender and informing him that I had received threats as a result of my identity in the past. A true and correct copy of requests submitted to the Safe Prisons' Coordinator is attached hereto as **Exhibit H**.

45. I also submitted and appealed grievance #2014140325, where I laid out the threats to my safety. I wrote that, "I've been traumatized by past experiences and fear repeating them.

This can only be rectified by housing me on safe keeping away from the general population of offenders looking to victimize me." A true and correct copy of grievance #2014140325 is attached hereto as **Exhibit I**.

46. On May 30, 2014, I learned that the SCC, headed by Defendant White, had not only rejected my request to be moved to safekeeping, but that the SCC had also rejected the UCC's recommendation that I be transferred to a different unit. This meant that the SCC thought I should be placed back in the general population in Robertson in the midst of the inmates whom members of the UCC had been informed were threatening me. I was terrified. (*See Ex. G*).

47. On this same day, May 30, 2014, I spoke to Ms. Trail, an officer attached to the Safe Prisons Program's Office in Robertson. I explained that I was gay and feared for my life. She recommended that I be placed in safekeeping.

48. On June 5, 2014, I appeared in front of the UCC headed by Assistant Warden Gonzales. He informed me that the UCC had adopted the Safe Prisons coordinator's recommendation that I be placed in safekeeping. Assistant Warden Gonzales told me that the UCC was forwarding the recommendation that I be placed in safekeeping to the SCC, headed by Defendant White, but added that, "They probably won't grant it."

49. On June 17, 2014, I learned that the SCC has denied the UCC's recommendation that I be placed in safekeeping. This was confirmed to me later in writing in grievance #2014205241 by Defendant Webb, who wrote: "You were reviewed by UCC on 6-5-14, and recommended for safekeeping status. On 6-16-14, this request was denied by SCC." A true and correct copy of grievance #2014:205241 is attached hereto as **Exhibit J**.

50. On this day, June 17, 2014, Senior Warden Fox moved me to a different building, Building 3, in the general population at Robertson, where I feared that I would continue to be targeted by the Crips gang and other inmates.

51. Soon after I was returned to the general population, I learned from another inmate that T.T. had spread word to the Crips gang members in Building 3 that I was a "snitching faggot" who should be killed. [REDACTED] ("T.K.X."), a Crips gang member in Building 3, told me that I would be killed. He called me a "snitch" and a "faggot" and said that I could not "run forever" but will sooner or later "have to face the consequences" because I rejected J.T. and tried to press charges against him. I received similar threats of assault and murder from other members of the Crips in Building 3.

52. I filed step 1 of grievance #2014187421 on July 21, 2014, detailing the threats I had received from Crips gang members in the new building. I said that the Crips wanted to retaliate against me because of my conflict with J.T. while at Robertson. I wrote, "I have been told that I will be killed if I remain in population." A true and correct copy of grievance #2014187421 is attached hereto as **Exhibit K**.

53. On July or around 25, 2014, the day after I first met with an attorney to discuss what had happened, Sergeant Marquez moved me into "lock-up," a cell in solitary confinement, which is used to discipline inmates. I remained in solitary until August 8, 2014, when I was transferred to "transient" status to await a decision from the SCC. The transient cell is essentially the same as the solitary confinement cell, and the restrictions are nearly the same. The only real difference is that in transient status, I have electricity. Being confined in isolation is its own form of torture because I have little human contact; I cannot sleep; I continuously think about past traumatic experiences; and I suffer psychological distress. I have felt deterred from filing

complaints about threats of sexual abuse because I do not want to be placed in isolation again. While in transient status, I was also afraid that at any moment I could be released back into the general population and killed.

54. When I asked Defendant Lopez why I was stuck in solitary without a hearing or a disciplinary infraction, Officer Lopez told me to "quit filing OPIs" if I did not want to be in solitary.

55. On August 1, 2014, I appeared in front of the UCC headed by Assistant Warden Webb. I again explained my problems and the death threats that I had received from inmates at Robertson. I told the UCC members that my problems related to me being a transgender woman confined in the general population in a male prison. Defendant Webb replied, "It's a man's prison. You can't expect to walk around acting like that and not have problems."

56. Assistant Warden Webb denied my request for safekeeping and recommended that I be transferred to the general population in a different unit, even though I believe he understood that as a transgender woman, I would have the same problems in general population of a new unit.

57. On or around August 4, 2014, I submitted grievance #2014192951, and on August 11, 2014, I submitted grievance #2014196990, outlining the threats made to my safety by gang members and requesting placement in safekeeping. In the August 11, 2014 grievance, I wrote:

[T]ransferring me from unit to unit in general population does nothing to rectify this problem that is pervasive. . . . I have been threatened with my life as well as threatened with rape. Housing me in general population to repeat the same cycles with different offenders is absurd. . . .

A true and correct copy of grievance #2014196990 is attached hereto as **Exhibit L**.

58. The next day, on August 12, 2014, I again wrote directly to SCC, headed by Defendant White, requesting placement in safekeeping. I identified myself as a transgender

woman and again explained that my "life is in danger." A true and correct copy of my August 12, 2014 letter to the SCC is attached hereto as **Exhibit M**.

59. I was terrified waiting to learn what the SCC would decide. After so much time in solitary and transient status, I was feeling depressed, upset, alone, isolated, and hopeless. I was having trouble sleeping. The transient status cells (which are materially the same as administrative segregation and solitary confinement cells used to punish inmates) are very small, approximately 10 feet by 8 feet, and I was confined to this cell for 23 hours each day. While housed in transient status or solitary, there were restrictions on my calls with family, visits from my family, working, going to church, and going to the law library or the regular library. My mother and sister had to cancel a trip to visit me planned for or around October 17, 2014 because I was in transient status. Because I was in transient status, I was also prevented from participating in the Cognitive Intervention Program and the College Trades Program, both programs that I would like to join.

60. While waiting in isolation to find out whether I would be sent back to the general population in Robertson or sent to the general population of a new unit, I constantly thought about being raped, coerced and assaulted, and the fact that it could occur again in the future. I had nothing else to do but think about these things. I have known inmates who have gone "crazy" or committed suicide after being locked in isolation, and I do not want this to happen to me.

61. On October 6, 2014, I learned that on or around September 17, 2014, the SCC had rejected the UCC's recommendation that I be transferred to a new unit. This means that even though they knew all of my history and all of the current threats against me, the SCC thought it

was best to send me back into the general population of Robertson, where it was all but certain that I would have been seriously hurt, if not killed.

62. On September 26, 2014, Defendant Fernando Fuster denied my step 2 grievance #2014187421. (See Ex. K).

63. On or around October 7, 2014, I learned that the UCC has appealed the SCC's decision to send me back into the general population in Robertson.

Transfer to Clements

64. ON NOVEMBER 17, 2014 I WAS TRANSFERRED FROM ROBERTSON TO CLEMENTS.

65. ON OR AROUND NOVEMBER 18, 2014, I MET WITH THE UCC AT CLEMENTS. I REQUESTED TO BE PLACED IN SAFEKEEPING AND EXPLAINED TO THE UCC THAT I AM A TRANSGENDER WOMAN AND HAVE A HISTORY OF BEING TARGETED FOR SEXUAL ABUSE AND ASSAULT WHILE IN THE GENERAL POPULATION. ONE OF THE MEMBERS OF THE UCC, CAPTAIN DEAN, RECOGNIZED ME FROM COPFIELD, WHERE HE HAD PREVIOUSLY WORKED, AND TOLD THE OTHER OFFICERS ABOUT MY FEMALE GENDER IDENTITY AND MY COERCED RELATIONSHIP IN COPFIELD. INSTEAD OF PROTECTING ME, THE MEMBERS OF THE UCC ASSIGNED ME HOUSING IN THE GENERAL POPULATION AND MADE FUN OF MY IDENTITY.

66. FROM THE BEGINNING, IT WAS CLEAR THAT THE SAFE PRISONS PROGRAMS OFFICE WOULD DO NOTHING TO PROTECT ME AND THAT THEY WOULD RETALIATE AGAINST ME IF I TRIED TO COMPLAIN. ON OR AROUND NOVEMBER 18, 2014, I MET WITH THE SAFE PRISONS PROGRAMS COORDINATOR AT CLEMENTS, SERGEANT MAES, AND HER ASSISTANT, OFFICER GARCIA. I ALSO TOLD THEM THAT I AM TRANSGENDER AND HAVE A HISTORY OF BEING ASSAULTED. OFFICER GARCIA TOLD ME THAT THEY WOULD NOT TOLERATE MY FILING OPIs IN CLEMENTS LIKE I HAD DONE IN OTHER UNITS. HE THREATENED TO CAUSE ME PROBLEMS FOR ME, INCLUDING WRITING ME UP AND PROVOKING FEUDS BETWEEN ME AND MY CELLMATE, IF I CONTINUED TO FILE REQUESTS FOR PROTECTION AND GRIEVANCES. AS A RESULT, I FEEL THAT I CANNOT GO TO SAFE PRISONS PROGRAM WITH ANY CONCERNS FOR MY SAFETY AND THAT I

WILL FACE ADDITIONAL PROBLEMS IF I TRY TO SEEK PROTECTION.

67. SOON AFTER ARRIVING AT CLEMENTS, I BEGAN TO HAVE PROBLEMS WITH MEN INCARCERATED ON THE UNIT WHO SAW ME, RECOGNIZED ME AS FEMININE AND TARGETED ME FOR SEXUAL ABUSE. OTHER INMATES REFERRED TO ME WITH FEMALE PRONOUNS AND SOMETIMES USED DEROGATORY TERMS LIKE "PUNK" AND "FARTROT" TO REFER TO ME. ALMOST IMMEDIATELY, [REDACTED] ("T.C."), A MEMBER OF THE MANDAWK WARRIORS GANG WHO WAS HOUSED WITH ME IN 7 BUILDING, H-POD, BEGAN TO PROPOSITION ME AGGRESSIVELY TO PERFORM SEXUAL ACTS FOR HIM. T.C. CALLED ME A "HO" AND TOLD ME "ALL OF THE GIRLS ON THIS UNIT ARE ACCOUNTED FOR," AND "YOU HAVE TO HAVE A MAN." IN FEBRUARY 2015, T.C. CONFRONTED ME IN THE DINING HALL AND DEMANDED THAT I "GIVE HIM SOME PUSSEY." I WALKED AWAY WHEN HE SAID THIS TO ME, BUT I AM AFRAID THAT HE WILL FOLLOW THROUGH ON HIS THREAT AND ASSAULT ME. WE ARE HOUSED ON THE SAME POD, AND HE HAS EASY ACCESS TO ME.

68. AN INMATE CALLED [REDACTED] ("E.T.") ALSO BEGAN TO AGGRESSIVELY SEXUALLY PROPOSITION ME WHEN HE SAW ME IN THE DINING HALL. I TRIED TO AVOID HIM, BUT THE SITUATION ESCALATED WHEN HE GRABBED MY BUTTOCKS AND DEMANDED THAT I PERFORM SEXUAL ACTS FOR HIM. I WANTED TO REPORT THE INCIDENT TO THE SAFE PRISONS OFFICE BUT WAS CONCERNED THAT THIS WOULD BE COUNTERPRODUCTIVE.

69. IN CLEMENTS, I ALSO RECOGNIZED SEVERAL PEOPLE WHO WERE PREVIOUSLY INCARCERATED WITH ME EITHER AT COFFIELD OR HUGLIES AND AM CONCERNED THAT THEY WILL RESURRECT PROBLEMS THAT I HAD ON OTHER UNITS. FOR EXAMPLE, [REDACTED] [REDACTED] ("J.C."), A CRIP AND A CLOSE FRIEND OF J.T., WAS PREVIOUSLY AT HUGLIES WHEN I WAS THERE AND IS NOW AT CLEMENTS. J.C. WAS PRESENT WITH J.T. WHEN HE THREATENED ME ON NOVEMBER 19, 2013 - THE DAY BEFORE THE RAZOR ATTACK.

70. IN PARTICULAR, I HAVE HAD PROBLEMS WITH K.H., A CRIP WHO IS ALSO NOW AT CLEMENTS, AND WHO WAS INCARCERATED AT COFFIELD WHEN I WAS THERE. WHEN WE WERE IN COFFIELD, K.H. MADE UNWANTED, AGGRESSIVE SEXUAL ADVANCES TOWARDS ME UNTIL T.K., WITH WHOM I WAS IN A VIOLENT, COERCED SEXUAL RELATIONSHIP, MADE K.H. STOP. AT CLEMENTS, K.H. BEGAN TO

PROPOSITION ME AGAIN AGGRESSIVELY FOR SEX. HE TOLD ME THAT HE WANTED ME TO BE HIS "BITCH" AND THAT HE WAS GOING TO COME TO MY POD TO HAVE SEX. I TRIED TO AVOID HIM. IN JANUARY, K.H. STARTED TELLING OTHER INCARCERATED PEOPLE AT CLEMENTS, INCLUDING MANY CRIPS, THAT I BELONGED WITH HIM. HE TOLD CRIPS IN MY POD TO WATCH ME, AND HE SENT MESSENGERS TO ARRANGE A MEETING BETWEEN US. I HAVE AVOIDED ALL THESE MEETINGS AND TRIED TO GET HIM TO LEAVE ME ALONE. I AM CONCERNED THAT HE IS PLANNING TO SEXUALLY ASSAULT ME AND WILL HURT ME IF I REFUSE HIS SEXUAL ADVANCES.

71. I ALSO LEARNED THAT [REDACTED] ("C.G."), A CRIP WHO WAS HOUSED WITH ME ON BOTH COFFIELD AND HUELLES, HAD BEEN RECENTLY TRANSFERRED TO CLEMENTS AND IS HOUSED IN 3 BUILDING. C.G. IS A CLOSE FRIEND OF J.T. - THE INMATE RESPONSIBLE FOR THE RAZOR ATTACK. IN FEBRUARY, I RECEIVED A MESSAGE FROM ANOTHER PERSON IN CUSTODY THAT HE WAS LOOKING FOR ME.

72. IN ADDITION, I HAVE RECEIVED THREATS FROM OTHER INMATES, INCLUDING [REDACTED] ("S.B.") WHO IS ALSO A MEMBER OF THE CRIPS GANG AND WAS PREVIOUSLY HOUSED ON THE HUELLES UNIT AT THE SAMETIME AS I WAS.

73. I WAS DESPERATE TO GET SOME PROTECTION FROM THE PEOPLE WHO WERE THREATENING ME. STILL I WAS AFRAID THAT TDCJ STAFF WOULD RETALIATE AGAINST ME IF I COMPLAINED, AND I WOULD BE IN MORE, NOT LESS DANGER.

74. ON OR AROUND FEBRUARY 19, 2015, MY SITUATION HAD GROWN SO DESPERATE THAT EVEN THOUGH I WAS TERRIFIED ABOUT RETALIATION, I FILED A REQUEST FOR AN OPI AND A GRIEVANCE RELATED TO THE THREATS AGAINST ME. IN THESE DOCUMENTS, I DESCRIBED THE THREATS THAT I HAD RECEIVED FROM FOUR MEN, ALL MEMBERS OF THE CRIPS GANG - E.T., K.H., C.G., S.B. - I EXPLAINED THAT THESE FOUR MEN HAD THREATENED TO ASSAULT ME AND THAT 2 OF THEM, E.T. AND K.H. ATTEMPTED TO FORCE ME TO PERFORM SEXUAL ACTS WITH THEM, AND BEGGED TO BE PLACED IN SAFEKEEPING.

75. I ALSO WROTE AND SENT LETTERS TO DEFENDANT

WHITE AT THE SCC COMMITTEE AND DEFENDANT LYNNE SHARP, THE NEW PREA OMBUDSMAN, EXPLAINING THE THREATS I WAS RECEIVING AND THE DANGER I FACED AND ASKING THEM TO PLACE ME IN SAFE KEEPING.

76. ON FEBRUARY 20, 2015, I WAS PLACED IN LOCK UP OR ISOLATION AS A RESULT OF MY REQUEST FOR AN OPI. I WAS GIVEN AN OPI TO FILL OUT, AND I USED THAT TO RECORD, AGAIN, EVERYTHING I HAD TOLD STATE CLASSIFICATION AND THE PREA OMBUDSMAN.

77. ON FEBRUARY 21, 2015, I WAS CALLED TO 1 BUILDING BY LIEUTENANT MURRAY. SHE TOLD ME THAT IF I HAD ANYTHING MORE TO ADD, I SHOULD TELL HER. SHE TOLD ME THAT THERE IS AN OFFICIAL TAG IN MY FILE THAT SAYS I AM CLASSIFIED AS TRANSGENDER.

78. ON THE MORNING OF FEBRUARY 23, 2015, I WAS PULLED FROM MY CELL, WHILE DRESSED IN BOXERS AND SHOWER SLIDES, AND WAS TAKEN BEFORE THE UCC (COMPRISED) OF MAJOR HARDEGREE, CAPTAIN THOMAS, AND CLASSIFICATION SPECIALIST GRANT. I TOLD THEM THAT I WAS TRANSGENDER AND EXPLAINED MY HISTORY OF BEING ASSAULTED AND THE THREATS THAT I HAD RECEIVED AT CLEMENTS. MAJOR HARDEGREE TOLD ME, "OH, I'M GOING TO DO ABSOLUTELY NOTHING FOR YOU AND PUT YOU BACK IN GENERAL POPULATION."

79. THE AFTERNOON OF THE SAME DAY, FEBRUARY 23, 2015, I WAS MOVED TO 4 BUILDING, TRANSIENT POD, WHERE I WAS HOUSED WITH INCARCERATED PEOPLE CLASSIFIED AS E4s, A SIGNIFICANTLY HIGHER SECURITY THAN MINE. I AM CURRENTLY CLASSIFIED AS A62, A LOWER SECURITY LEVEL, SO IT DID NOT MAKE SENSE THAT I HAD BEEN MOVED INTO A HIGHER SECURITY UNIT. I WAS AFRAID OF THE PEOPLE WHO WERE CLASSIFIED AS E4 AND BELIEVED THAT SOME OF THE PEOPLE WHO HAD THREATENED ME WOULD HAVE ACCESS TO ME. C.G. AND S.B. ARE BOTH CLASSIFIED AS E4s, AND THEY ARE ABLE TO COMMUNICATE EASILY WITH CRIPS CLASSIFIED AS E4s ON THE TRANSIENT POD. I WAS TOLD BY C.G. THAT IT WAS ONLY A MATTER OF TIME BEFORE I WAS "CAUGHT" AND KILLED. I BELIEVED THAT I HAD BEEN MOVED TO 4 BUILDING AS

A PUNISHMENT FOR COMPLAINING ABOUT THE THREATS AGAINST ME AND AS A MEANS TO TRY TO GET ME NOT TO COMPLAIN IN THE FUTURE.

80. ON OR AROUND FEBRUARY 23, 2015, I WROTE AND TRIED TO SUBMIT A GRIEVANCE REGARDING BEING ASSIGNED HOUSING WITH #14'S. HOWEVER, THIS GRIEVANCE WAS RETURNED TO ME, AND I WAS TOLD THAT I WAS NOT ALLOWED TO SUBMIT IT BECAUSE IT WAS REDUNDANT.

81. ON OR ABOUT FEBRUARY 24, 2015, I WAS TRANSFERRED BACK TO GENERAL POPULATION IN 7 BUILDING, WHERE I WAS ASSIGNED TO SHARE A CELL WITH [REDACTED] ("I.D.") A WELL KNOWN, HIGH-RANKING MEMBER OF THE CRIPS GANG ON I-POD. ALMOST IMMEDIATELY, I.D. ACCUSED ME OF BEING A "SNITCH." HE TOLD ME THAT IF I "TOLD ON" HIM, I WOULD NOT LIVE TO "SNITCH" ON ANYONE ELSE. I UNDERSTOOD THAT HE OR MEMBERS OF HIS GANG WOULD KILL ME. IT IS IMPOSSIBLE FOR ME TO SUBMIT GRIEVANCES OR PROTECT MYSELF FROM OTHER CRIPS WHO ARE THREATENING ME WHEN I AM STUCK IN A CELL WITH I.D. I AM VERY AFRAID OF I.D.

82. IT DOES NOT MAKE SENSE FOR TDCJ TO PLACE ME IN A CELL WITH A CRIPS GANG MEMBER AFTER I HAVE FILED AN OPI REQUEST AND A GRIEVANCE ASKING THEM TO PROTECT ME FROM THREATS FROM FOUR CRIPS. I BELIEVE THAT TDCJ STAFF PUT ME IN A CELL WITH A KNOWN, HIGH-RANKING CRIPS GANG MEMBER ON PURPOSE TO PUNISH ME FOR COMPLAINING ABOUT THE THREATS AGAINST ME.

83. ON FEBRUARY 26, 2015, K.H. WAS TRANSFERRED FROM 8 BUILDING WHERE HE WAS PREVIOUSLY HOUSED INTO 7 BUILDING. I WAS VERY CONCERNED THAT K.H. WAS MOVED CLOSER TO ME, TO THE SAME BUILDING, WHICH MAKES IT MUCH EASIER FOR HIM TO GET ACCESS TO ME. K.H. SENT WORD THROUGH OTHER PEOPLE IN CUSTODY THAT HE IS "GOING TO COME" FOR ME "THE FIRST CHANCE HE GETS." I UNDERSTOOD THIS TO MEAN THAT HE WOULD COME TO SEXUALLY ASSAULT ME.

84. GOING INTO THE WEEKEND, I WAS CERTAIN THAT IF I REMAINED IN GENERAL POPULATION I WOULD BE FORCED

INTO UNWANTED SEXUAL ENCOUNTERS OR SEVERELY HURT AND POSSIBLY KILLED FOR TRYING TO RESIST. IT FELT JUST LIKE THE EVENING BEFORE THE RAZOR ATTACK WHEN TDCJ STAFF HAD REFUSED MY REQUEST FOR PROTECTION AND MOVED CLOSER TO THE PERSON FROM WHOM I HAD ASKED TO BE PROTECTED.

85. THERE ARE DELAYS, SOMETIMES SIGNIFICANT, BEFORE I CAN COMMUNICATE WITH MY ATTORNEYS. I INFORM MY ATTORNEYS WHAT IS HAPPENING BY LETTER, BUT I KNOW THAT DAYS AND SOMETIMES WEEKS PASS BEFORE THEY RECEIVE THE MAIL. WHILE SOMETIMES I AM ABLE TO CALL MY ATTORNEYS COLLECT, I CANNOT MAKE PHONE CALLS WHEN I AM IN LOCKUP, AND SOMETIMES, EVEN WHEN I AM IN GENERAL POPULATION, THE PHONES CALLS DO NOT GO THROUGH. I AM AFRAID THAT IF SOMETHING SERIOUS HAPPENS TO ME THAT DAYS OR EVEN WEEKS COULD PASS BEFORE MY ATTORNEYS CAN LEARN ABOUT IT.

86. I BELIEVE THAT I HAVE A MUCH BETTER CHANCE OF BEING PROTECTED FROM SEXUAL ABUSE IF I AM MOVED INTO SAFE KEEPING, THE STATUS SPECIFICALLY DEVELOPED TO PROTECT PEOPLE IN CUSTODY WHO ARE VULNERABLE TO ABUSE IN THE GENERAL POPULATION. GENERAL POPULATION CUSTODY LEVELS RANGE FROM G1 TO G5. I AM CURRENTLY CLASSIFIED AS G2 CUSTODY LEVEL, WHICH IS THE SECOND LOWEST CUSTODY LEVEL. SAFEKEEPING STATUS INMATES ALSO RANGE IN CUSTODY LEVELS FROM P1 TO P5.

87. THERE IS NOTHING IN MY DISCIPLINARY HISTORY THAT SHOULD PRECLUDE ME FROM BEING IN SAFEKEEPING. WHILE I HAVE RECEIVED DISCIPLINARY REPORTS FOR FIGHTING WITH OTHER PEOPLE IN CUSTODY, I HAVE NEVER STARTED A FIGHT, BUT HAVE ONLY TRIED TO DEFEND MYSELF FROM AGGRESSORS I DO NOT THINK THAT IT IS FAIR TO DENY ME PROTECTION FROM ASSAULT WHEN MY DISCIPLINARY HISTORY IN TDCJ MOSTLY STEMS FROM TRYING TO PROTECT MYSELF FROM SEXUAL ABUSE AND ASSAULT THAT TDCJ STAFF THEMSELVES HAVE LEFT ME TO CONFRONT, AND WHEN TDCJ

STAFF HAVE TOLD ME TO FIGHT IF I DID NOT WANT TO BE FORCED TO HAVE SEX. I DO NOT WANT TO FIGHT OR ASSAULT ANYONE. I JUST WANT TO BE SAFE.

88. BECAUSE SAFEKEEPING IS NOT AVAILABLE IN CLEMENTS, I WILL NEED TO BE TRANSFERRED TO A NEW UNIT TO BE HOUSED IN SAFEKEEPING. THERE IS SAFEKEEPING IN THE BOYD UNIT, AND THIS UNIT IS CLOSE TO MY FAMILY. MY MOTHER IS VERY ILL WITH LUPUS, AND ALTHOUGH SHE WOULD LIKE TO VISIT ME, SHE HAS BEEN UNABLE TO MAKE THE TRIP TO AMARILLO. I WOULD LIKE TO BE TRANSFERRED INTO SAFEKEEPING AT THE BOYD UNIT SO THAT I AM CLOSER TO MY FAMILY.

89. IF I AM LEFT IN THE GENERAL POPULATION AT CLEMENTS, LIKE PREVIOUS UNITS WHERE I HAVE BEEN HOUSED, I BELIEVE THAT I WILL BE SEXUALLY OR PHYSICALLY ASSAULTED AND POSSIBLY KILLED IF I RESIST. I ALSO DO NOT WANT TO BE LEFT IN ISOLATION BECAUSE IT IS TORTURE, AS DESCRIBED ABOVE.

90. I AM EXTREMELY AFRAID THAT THE SCC OR OTHER RELEVANT DECISION MAKERS WILL REQUIRE ME TO REMAIN IN THE GENERAL POPULATION IN CLEMENTS OR PUT ME IN GENERAL POPULATION ON A NEW UNIT WHERE THE CYCLE OF BEING TARGETED, SEXUALLY HARASSED AND ASSAULTED WILL REPEAT ITSELF YET AGAIN. IF I AM SENT INTO THE GENERAL POPULATION IN ANOTHER UNIT, I WILL ALSO BE AT RISK FOR ATTACK BECAUSE I WILL BE IDENTIFIED AS FEMININE BECAUSE THE WORD WILL SPREAD TO MEMBERS OF THE CRIPS GANGS ON THE NEW UNIT THAT THEY SHOULD KILL ME, AND BECAUSE THE SCARS ON MY FACE AS RESULT OF THE RAZOR ATTACK MARK ME AS A VICTIM. I AM TERRIFIED THAT IN THE GENERAL POPULATION OF ANY UNIT I WILL NOT HAVE ADEQUATE PROTECTION FROM TDCJ, ITS OFFICIALS, OR ANYONE ELSE - DESPITE MY NUMEROUS REQUESTS FOR PROTECTION.

91. THIS AFFIDAVIT IS MADE UNDER PENALTY OF PERJURY.
FURTHER AFFIANT SATHU NOT.

/
/
/
/

Joshua D. Zollicoffer
Joshua D. Zollicoffer a/k/a Passion Star

Subscribed and sworn to before me this 3 day of March 2015.

Melinda Lois MckeW
Notary Public.

My commission expires:

_____ [seal]



EXHIBIT A

**CORRECTIONAL MANAGED CARE
CLINIC NOTES - NURSING**

Patient Name: ZOLLICOFFER, JOSHUA **TDCJ#:** 1138161 **Date:** 03/29/2007 22:13 **Facility:** ALLRED

Age: 23 Years **Race:** B **Sex:** Male

Most recent vitals from 02/20/2007: BP: 156 / 90 (Sitting) ; Wt: 193 Lbs.; Height: ; Pulse: 91 (Sitting) ; Resp: 18 / min; Temp: 98.8 (Oral)

Allergies: NO KNOWN ALLERGIES

Patient Language: ENGLISH Name of interpreter, if required:

Today's Problem: ALLEDGED SEXUAL ASSAULT

S: I/M STATES WAS SEXUALLY ASSAULTED BY ANOTHER I/M. STATES WAS ANAL PENETRATION ONLY

O: HEAD TO TOE ASSESSMENT DONE. DRIED SECRETIONS TO ANAL AREA NOTED. VERY SMALL ABRASION NOTED TO TOP OF HEAD. I/M TOLD CHAPLAIN HE IS HAVING SUICIDAL IDEATIONS.

A: TAO FOR ABRASION, SAMPLE AND CONTROL OF DRIED SECRETIONS TAKEN USING STERILE Q-TIP DIPPED IN STERILE NS.

Plan is as follows: SAMPLES GIVEN TO MS. DIAMOND, OIG, ON CALL PSYCH PHYSICIAN NOTIFIED.

Electronically Signed by REMMERT, LINDA J R.N. on 03/29/2007.
##And No Others##

**Correctional Managed Care
MENTAL HEALTH SELF HARM RISK ASSESSMENT**

Patient Name: ZOLLICOFFER, JOSHUA **TDCJ#:** 1138161 **Date:** 03/30/2007 10:52

Facility: ALLRED ECB

Age: 23 Years **Race:** B **Sex:** Male

Most recent vitals from 02/20/2007: BP: 156 / 90 (Sitting) ; Wt: 193 Lbs.; Height: ; Pulse: 91 (Sitting) ; Resp: 18 / min; Temp: 98.8 (Oral)

Allergies: NO KNOWN ALLERGIES

Patient Language: ENGLISH **Name of interpreter, if required:**

SELF-HARM RISK ASSESSMENT (SHRA)

PRIOR TO THE INTERVIEW:

Summarize TDCJ self-harm gesture and threat history (particularly over the past year): **Threats to harm self on 2/20/06 due to LID issues. Patient was released the next day.**

For the PAST MONTH, describe any evidence of the following:

(1) Psychiatric decompensation, (2) Behavioral dyscontrol, (3) Significant stressors, (4) Self-harm ideations, threats or gestures. **Patient somewhat distressed at the present time. Patient was allegedly sexually assaulted last night and was placed in psych observation as a precaution. Patient denies self harm ideations but does not feel comfortable returning to a cell with a cellie.**

S) INTERVIEW QUESTIONS:

1. Are you having any thoughts of hurting yourself now or in the future?
 NO (If "NO" then skip to: "Interview Evidence of Psychiatric Decompensation")
 YES (If "YES" then continue)
2. What's causing you to think about hurting yourself?
3. What would you use to hurt yourself? (Note if offender currently has access to means)
4. Tell me about your plan, and when are you're planning on doing it?
5. Are you planning on giving away any possessions?
 NO
 YES (If "YES" then ask, "Have you already given them away?", "Who did (will) you give them to?")
6. Will you write a suicide note?
 NO
 YES (If "YES" then ask, "Have you already written it?", "Who did (will) you give it to?")
7. What might happen that could keep you from hurting yourself? (Religion, family, or other reasons)
8. What else you would like to tell me about your thoughts of hurting yourself?
9. Will you agree to tell staff before you actually hurt yourself?

O) Interview Evidence of Psychiatric Decompensation (Describe): Patient is alert and oriented. Behavior is cooperative and polite. Eye contact is good. Speech normal in rate but soft in volume. Mood is concerned. Affect restricted. Thinking is clear and goal-directed. Insight and judgment is limited. Memory is intact.

A) Summary of Risk and Rationale for Recommendations: Patient denies thoughts of self harm but is scared about returning to a house with a cellie. His risk for self harm is low at this time.

P) Specific Recommendations:

- A more restrictive environment IS **NOT** NEEDED at this time.
 A more restrictive environment IS NEEDED at this time.

Other recommendations: Consulted with Lt. Otto, ECB staff, and advised of discharge and housing concerns. He stated that he understands and at this time there is an OPI in progress. He expects patient to be moved to 11 building.

The following staff members were notified (If a more restrictive environment is recommended):

EXHIBIT D



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

11ph 10

OFFICE USE ONLY

Grievance #: 2014040489

Date Received: 11-6-13

Date Due: 12-16-13

Grievance Code: 209

Investigator ID #: TH77

Extension Date: None

Date Retd to Offender: NOV 14 2013

Offender Name: JOSUA D. LOLLICOFFER TDCJ # 1139161

Unit: AU Housing Assignment: S-K 301

Unit where incident occurred: AU

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? MAJOR MAREZ When? 11-4-13

What was their response? "I DENY YOUR REQUEST FOR SAFE KEEPING"

What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I AM AN EX-GANG MEMBER WHO IS ALSO OPENLY HOMOSEXUAL. SINCE BEING IN PRISON IVE HAD SEVERAL OPI'S FILED ON MY BEHALF BY OFFICERS BECAUSE OF THE PROBLEMS IM HAVING. IVE BEEN ASSAULTED & THREATENED IN THE PAST. ALL OF THESE THINGS HAVE BEEN DOCUMENTED. THE UNITS ADMINISTRATION'S HAVE REFUSED TO TAKE ACTION TO ENSURE MY SAFETY. IN 2007 I WAS ASSAULTED IN ALLRED UNIT IN WHICH DIS HAD TO BECOME INVOLVED. THE REASON WHY I WAS ASSAULTED WAS BECAUSE I AM A HOMOSEXUAL & PASSIVE. YET, I WAS REFUSED SAFE KEEPING. ON 11-4-13 I WAS TAKEN IN FRONT OF VCC HEARD BY MAJOR MAREZ FOR POSSIBLE HOUSING AND SAFE KEEPING. HE SAID THAT I "CLAIM TO BE HOMOSEXUAL" WHICH IS A STEREOTYPICAL & DISCRIMINATORY REMARK STATED AS IF THERE IS A CERTAIN WAY A HOMOSEXUAL IS SUPPOSED TO ACT OR LOOK TO BE DEEMED HOMOSEXUAL. YET, I AM GAY AND HAVE BEEN TAKEN ADVANTAGE OF IN THE PAST. ON RECORD IVE HAD 12 OPI'S FILED ON MY BEHALF SINCE JULY 2011 & ALL HAVE HAD TO DO WITH (1) MY PRIOR GANG AFFILIATION & (2) HOMOSEXUAL ACTIVITY. MY DOCUMENTED ALIAS IS "PASSION" WHICH IS NOT MASCULINE AT ALL. ALL OF MY PROBLEMS STEM FROM BEING A HOMOSEXUAL IN A GENERAL POPULATION OF OFFENDERS WHO HAVE CONSTANTLY ATTEMPTED TO TAKE ADVANTAGE OF ME OR REQUEST SEXUAL FAVORS.... JONES V. DIAMOND 636 F.2D 1364 (5TH CIR. 1981) STATES: "WE HAVE FOUND CONFINEMENT IN A PRISON WHERE TERROR REIGNS TO BE CRUEL & UNUSUAL PUNISHMENT. SPECIFICALLY, WE FOUND THAT FAILURE TO CONTROL OR SEPERATE PRISONERS WHO ENDANGER THE SAFETY OF OTHERS CAN CONSTITUTE CRUEL & UNUSUAL PUNISHMENT. ... THOMAS STOKES V. FUDA DELCAMBRE 710 F.2D 1120 (1983) PRISON KEY 13(1) STATES: "ALL TAILERS OWE CONSTITUTIONALLY ROOTED DUTY TO THEIR PRISONERS TO PROVIDE THEM REASONABLE PROTECTION FROM INJURY AT THE HANDS OF THEIR FELLOW PRISONERS."

DURING MY TIME IN PRISON, AFTER OPI'S HAVE BEEN FILED I HAVE ONLY BEEN MOVED FROM 170D TO ANOTHER OR SECTION IN GENERAL POPULATION WHERE THESE SAME OFFENDERS & THEIR GANG AFFILIATED HOMEBODYS STILL HAVE EASY ACCESS TO GET TO ME. TDCJ DOES NOT CONTROL THE GANG INFLUENCED GENERAL POPULATION ENOUGH TO ENSURE THE SAFETY OF HOMOSEXUAL OFFENDERS SAFETY FROM BEING

ASSAULTED, THREATENED OR EXTORTED. I AM HUMAN RIGHTS PROBLEMS & HAT PROBLEMS THAT CAN ONLY BE
RECTIFIED BY GRANTING ME HOUSING AND SAFE KEEPING.

Action Requested to resolve your Complaint.

I AM APPEALING JCC'S DECISION TO DENY ME SAFE KEEPING AS WELL AS REQUESTING TO BE PLACED ON
SAFE KEEPING.

Offender Signature: Joshua D. Lott

Date: 11-5-13

Grievance Response:

You did not meet the criteria to be placed in safekeeping.

Signature Authority: [Signature]

**BRIAN BLANCHARD
ASSISTANT WARDEN**

NOV 14 2013

Date: 11/17/2013

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY	
Initial Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
2nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____

Accept As Original

FEB 11 2014



7I-57B

Texas Department of Criminal Justice

STEP 2 OFFENDER GRIEVANCE FORM

RB

OFFICE USE ONLY	
Grievance #:	2014040489
UGI Recd Date:	11.20.13
HQ Recd Date:	NOV 25 2013
Date Due:	12-25
Grievance Code:	209
Investigator ID#:	2133
Extension Date:	1/29

Offender Name: Joshua D. Lolleoffer TDCJ # 1138161
 Unit: 111 Housing Assignment: 11-PLD-10
 Unit where incident occurred: 111

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...
 I AM A HOMOSEXUAL OFFENDER AND EX-GANG MEMBER. IVE HAD SEVERAL ALTERCATIONS WITH OTHER OFFENDERS BECAUSE I AM GAY. IVE BEEN PROSECUTED AS WELL AS THREATENED BY SEVERAL OFFENDERS AS WELL. IT IS THE RESPONSIBILITY TO ENSURE THE SAFETY OF ITS OFFENDERS FROM THREAT, PHYSICAL HARM OR SEXUAL ASSAULT. IN THE PAST (2007) I WAS SEXUALLY ASSAULTED. IT WAS REPORTED AND I CHOSE TO FILE SUIT. MY FAMILY REQUESTED I BE PLACED IN SAFE KEEPING TO ENSURE THIS HAPPENED NO MORE. I WAS TRANSFERRED TO ANOTHER UNIT. WHERE SIMILAR PROBLEMS ENDED. I HAVE HAD TO BE SEXUALLY ASSAULTED THE TIME TO ENSURE MY SAFETY AND TO PROTECT MYSELF FROM AGGRESSIVE CELLIES. ON RECORD SAID ONLY WITH SEVERAL CASES IN MY HOME 11 YEARS OF CONFINEMENT. THERE ARE SEVERAL OFFENDERS WHO ARE PLACED IN SAFE KEEPING WHO WOULD MORE THAN LIKE TO TAKE A VERY EXTENSIVE & AGGRESSIVE DISCIPLINARY HISTORY. YET I AM TOLD THAT I DONT MEET THE CRITERIA. MY FAMILIES REQUESTS & WIFE FOR PLACED IN SAFE KEEPING HAS FALLEN ON DEAF EARS. I FEAR THAT OVER THERE WILL BE MORE PRESSURE APPLIED TO ME AND I MAY BE FORCED TO DO THINGS THAT I DONT WANT TO DO. I AM TOLD BY WARDEN PLACED IN SAFE KEEPING WHO DONT MEET THE CRITERIA TO BE PLACED IN SAFE KEEPING HAVE BEEN VICTIMIZED. SEXUALLY ASSAULTED BY A FORMER WARDEN/STAFF WHO DROPPED IN THAT NUMBER (SEE) DISCIPLINARY CASE # 90711293758) WHO LIES IN ORDER TO THREAT OF FURTHER HURT BECAUSE OF THESE REASONS. I REQUEST SAFE KEEPING OR PROTECTIVE CUSTODY.

Offender Signature: Joshua J. LaPrade

Date: 11-15-13

Grievance Response:

You are currently housed at the Robertson Unit due to a unit transfer for an Offender Protection Investigation conducted on 11/20/13. Appropriately assigned. No further action warranted by this office.

B. Armstrong, Asst. Reg. Director

January 30, 2014

Signature Authority: BA

Date:

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
2nd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
3rd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	

EXHIBIT E



Accept as Original
 Texas Department of Criminal Justice
 Written in pen and ink
STEP 1 OFFENDER GRIEVANCE FORM

12421

OFFICE USE ONLY

Grievance #: 20140481025

Date Received: 11-20-13

Date Due: 12-30-13

Grievance Code: 209

Investigator ID #: 10774

Extension Date: None

Date Retd to Offender: NOV 25 2013

Offender Name: JOSLUIS D. ZOLLICOFFER TDCJ # 1138161

Unit: 24 Housing Assignment: 11-PLD-10

Unit where incident occurred: 24

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? WARDEN BLANCHARD When? 11-19-13 10:00 AM

What was their response? "NO ACTION TO TAKE PLACE"

What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON THE DATE OF 11-19-13 I WAS TAKEN IN FRONT OF THE UNIT CLASSIFICATION COMMITTEE FOR AN OPI THAT I FILED ON 11-14-13... I AM A HOMOSEXUAL OFFENDER WHO HAS BEEN PRESSURED, PROPOSITIONED BY 2 GANG RELATED OFFENDER + HIS HOMEBOYS. IN AN ATTEMPT TO KEEP HIM FROM PRESSURING ME I TOLD HIS HOMEBOYS (THE CRIPS) THAT HE WAS PRESSURING ME. IN TURN, THEY WENT TO HIM ON THE DAY OF 11-13 I WAS APPROACHED BY THIS OFFENDER AT CHURCH + TOLD THAT SINCE I AM A HOMOSEXUAL I NEED TO "STAY IN A HO" PLACE. THEN TOLD THAT SINCE HE WAS APPROACHED BY HIS HOMEBOYS ABOUT IF THAT I "BELONGS TO HIM." IN AN ATTEMPT TO MAKE ME "RIDE" (PAY FOR PROTECTION THROUGH SEXUAL FAVORS) OR FIGHT. I TOLD HIM "NO" + AN ARGUMENT ENDED BETWEEN US. DURING THIS ARGUMENT HIS CRIP HOMEBOYS SAW THIS, SURROUNDED ME + TOLD ME THAT THEY WERE GOING TO JUMP ON ME IF I FOUGHT WITH THEIR HOMEBOYS. I FILED AN OPI. WHEN I WENT TO USE IN FRONT OF CAPTAIN SIMMOND, MR. WALTERS + WARDEN BLANCHARD. THEY RECOMMENDED THAT NO ACTION BE TAKEN. DISREGARDING THE FACT THAT I AM A HOMOSEXUAL WHO HAS BEEN ASSAULTED IN THE PAST, THREATENED + HAVE HAD SEVERAL OPI'S FILED ON MY BEHALF AS IF TO SAY, "GO FIGHT OFF YOUR PROBLEM." WHICH IS UNCONSTITUTIONAL AS DEFINED IN STORES V. DELCAMBRE 710 F2D 1120 (1983) KEY 13/1) "ALL FAILERS OWE CONSTITUTIONALLY ROOTED DUTY TO THEIR PRISONERS TO PROVIDE THEM REASONABLE PROTECTION FROM INJURY AT THE HANDS OF THEIR FELLOW PRISONERS."

Action Requested to resolve your Complaint.

~~IN WRITING THIS GRIEVANCE TO APPEAL UCC'S DECISION + REQUEST HOUSING ON SAFE KEEPING.~~

Offender Signature: Joshua D. Hollinger

Date: 11-19-13

Grievance Response:

You were seen by UCC on 11/19/13 for an OPI. The committee did not find sufficient evidence to support your allegations. Due to lack of evidence you were released from transient and scheduled to move to the next available cell in your custody.

NOV 20 2013

RENE MALDONADO
ASSISTANT WARDEN

Signature Authority: [Signature]

Date: 11/22/13

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY	
Initial Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
2 nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3 rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____



RB 047

TI-57B

Texas Department of Criminal Justice

STEP 2

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014048025
UGI Recd Date:	11/21/13
HQ Recd Date:	DEC 05 2013
Date Due:	1-1-14
Grievance Code:	209
Investigator ID#:	
Extension Date:	2/5/0

Offender Name: JOSHUA D. ZOLISOFFER TDCJ# 1133161
 Unit: 2H Housing Assignment: 12-2-26-4K
 Unit where incident occurred: 2H

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

On 11-19-13 I WENT IN FRONT OF COMMITTEE EXPLAINING TO THEM THE SEVERITY OF THE PROBLEMS THAT I AM HAVING. SGT. SIMONID, WARDEN BLANCHARD + MS. WALTERS ALL 3 VOTED THAT NO ACTION BE TAKEN. I WAS THEN MOVED FROM 11 BUILDING TO 8 BUILDING, LPOD 52 CELL. THE EXACT SAME POD AS THE OFFENDER WHO HAS BEEN PRESSURING ME. AS SOON AS I GOT TO THE BUILDING I SPOKE TO SGT P. PICKET + TOLD HIM THAT I WAS IN DANGER. HE ASKED ME WHAT UCC SAID + WHEN I TOLD HIM HE SAID "THAT'S NOT MY PROBLEM." + SENT ME TO THE POD. - AT 4:30 A.M. 11-20-13, NOT EVEN 24 HOURS AFTER THE COMMITTEE I WAS ATTACKED BY OFFENDER [REDACTED] WHO LIVED IN 8L46, WHO I'D FILED THE OPI ON IN THE 1ST PLACE. THE RESULTING ATTACK LEFT ME WITH 5 CUTS ACROSS MY FACE WHICH REQUIRED 36 STITCHES. THE HUGHES UNIT ADMINISTRATION GROSS NEGLIGENCE IN ASSESSING MY OPI HAS CAUSED THIS TO HAPPEN. I AM A HOMOSEXUAL OFFENDER WHO WAS BEING PREYED UPON, I WENT TO THE ADMINISTRATION FOR HELP + GOT NOTHING BUT BEING LEFT OUT TO BE HURT + PLACING MY PHYSICAL WELL BEING IN DANGER. I REQUEST HOUSING ON SAFE KEEPING.

Offender Signature: Joshua D. L. [Signature]

Date: 11.26.13

Grievance Response:

You are currently assigned at the Robertson Unit due to a unit transfer for an Offender Protection Investigation conducted on 11/20/13. Appropriately assigned. No further action warranted by this office.

B. Armstrong, Asst. Reg. Director

February 6, 2014

Signature Authority: [Signature]

Date: _____

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
2nd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
3rd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	

EXHIBIT F

**CORRECTIONAL MANAGED CARE
CLINIC NOTES - NURSING**

Patient Name: ZOLLICOFFER, JOSHUA **TDCJ#:** 1138161 **Date:** 11/20/2013 08:15 **Facility:** HUGHES (AH)

Age: 30 year **Race:** B **Sex:** male

Most recent vitals from 11/20/2013: BP: 138 / 78 (Sitting) ; Wt: 175 Lbs.; Height: 68 In.; Pulse: 96 (Sitting) ; Resp: 18 / min; Temp: 98.2 (Oral) BMI: 27

Allergies: (DO NOT USE RETIRED CODE)-TRAZODONE

Patient Language: ENGLISH **Name of interpreter, if required:**

Current Medications:

SERTRALINE 50MG TABLET
1 TABS ORAL EVERY EVENING for 30 Days

ORDERING FACILITY: HUGHES (AH)
ORDERING PROVIDER: ALAM, SHANAWAR

COMPLIANCE: 20.90 %
REFILLS: 5 / 11
EXPIRATION DATE: 5/23/2014 09:57:00AM

SCR INITIATED?		YES	Date Received:
	xx	NO	

xx	Vital signs within normal limits
	Provider notified – vital signs outside of normal parameters as follows:
	Blood pressure less than 90/60 or greater than 180/110
	Pulse less than 50/min or greater than 110/min
	Temperature greater than 101°F (oral)
	Respirations greater than 22/min

Today's Problem: brought into medical by security due to lacerations to facial area

S: pt states he was walking to chow (breakfast this am) and someone cut him [it is believed to be a razor]

O: laceration to right facial area, 8 total with minimal depth, area cleansed, wet dressing applied, no other injuries noted, pt speaks in full and complete sentences, pt ambulated into clinic with even and steady gait, grips equal, PERRLA, Resp even and unlabored [pt instructed to take deep breaths in through nose and exhale slowly, pt complied] – pt in stable condition

facial area cleansed

lacerations to facial area, 5 requiring sutures, as described below:

- 1- top of right forehead, 5 ½cm long, closed with 8 sutures
- 2- above right eyebrow, 5 ¼cm long, closed with 9 sutures
- 3- distal, outer edge of right eye, 4cm long, closed with 7 sutures
- 4- below right eye, 5cm long, closed with 8 sutures
- 5- below and to the right of #4, 5cm long, closed with 4 sutures

3 less serious requiring dermabond , as described below:

**CORRECTIONAL MANAGED CARE
CLINIC NOTES - NURSING**

Patient Name: ZOLLICOFFER, JOSHUA **TDCJ#:** 1138161 **Date:** 11/20/2013 08:15 **Facility:** HUGHES (AH)

- 1- top of right head, <1cm, superficial laceration
- 2- top of right ear crease, 1 cm long, closed with dermabond
- 3- right check 1cm long, superficial laceration

Plan is as follows:

on call provider contacted

V.O.// J. Burleson MD // M. Gribble RN

provider informed of pt's lacerations and stable condition

have pt seen by unit provider on their arrival

consulted with unit provider

[T. Nasiotis PA]

decision made to close lacerations with sutures

area cleansed and provider placed the above noted sutures to close lacerations and dermabond to close the less serious/severe lacerations, TAO applied and pt instructed to leave sutures in place and do not manipulate dermabond or sutures lines – pt voiced understanding to all

refer to CID

last tetanus – 1-9-13

remove sutures x 6 days (Monday, November 25, 2013)

V.O. //T. Nasiotis PA // M. Gribble RN

Started Meds:

IBUPROFEN 600MG TABLET 16523934 11/20/2013 09:44

1 TABS ORAL BID PRN KOP

FINAL EXP. DATE: 12/20/2013 09:44:00AM REFILLS: 0 DURATION: 30 Days

CONFIRMED VERBAL ORDER

New Reminders Added:

NURSING SUTURE/STAPLE REMOVAL VISIT Due on 11/25/2013 07:00(remove sutures to right facial area per T. Nasiotis).

pt did return to clinic stating he began to bleed – no active bleeding noted when pt arrived to clinic-no tx indicated

pt released to security and he ambulated out of clinic with even and steady gait

Procedures Ordered:

Date Time	Description	Diagnosis	Comments	Special Instructions
11/20/2013 10:07AM	#NURSING LEVEL 3 COMPLETE VISIT (F)	laceration unspecified		

Electronically Signed by GRIBBLE, MARY J. R.N. on 11/20/2013.

Scanned by BARTLETT, ALEISHA S. CCA in facility HUGHES (AH) on 12/17/2013 14:16

I-70 1 Attachment A
Effective 10/12
Reviewed 07/13



REQUEST / CONSENT FOR TREATMENT OR SERVICES
(Not for use if more specific consent form is available - e.g. Consent for HCV treatment)

I, ZOLLICOFFER, JOSHUA, TDCJ-ID Number 1138161 request and consent to the following services and treatments at the Texas Department of Criminal Justice-Institutional Division

intake of lacerations

I understand the above documented treatment(s) or medication(s) are for the following condition(s)

lacerations to (R) facial area

scarring, bleeding

I recognize that some risks to my health and well being in the form of adverse effects from the above treatment(s) and/or medications(s) may occur. Such effects have been explained to me. I understand that potential adverse outcome(s) include but are not limited to the following

infection

Injection Reaction, scarring, pain, infection, bleeding

I have had the opportunity to ask questions and all of my questions have been answered to my satisfaction. I believe I have adequate knowledge on which to base informed consent to the provision of the noted treatment(s) and/or medication(s) and accept the risks involved. I understand I can choose to stop the treatment(s) / medication(s) at any time. I also understand my provider can discontinue treatment for clinical reasons. I am requesting and give my informed consent to the provision of the above treatment(s) and/or medications(s)

[Signature] 1138161 11/20/2013
Signature of Offender / TDCJ # Date

[Signature] M. Grizzle 11/20/2013
Signature of Witness Date

EXHIBIT A PAGE 1 OF 7

EXHIBIT G



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2014049246
Date Received: 11-21-13
Date Due: 12-31-13
Grievance Code: 014,000
Investigator ID #: LOM14
Extension Date: None
Date Retd to Offender: NOV 26 2013

Offender Name: Joshua D. Zollicoffer TDCJ# 1138161
Unit: ALI Housing Assignment: 11-TRANSIT-5
Unit where incident occurred: ALI

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? SGT P. PICKET

COPY

When? LAST CHOW 11.19.13

What was their response? "THATS NOT MY PROBLEM"

What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate
ON THE DATE OF 11.19.13 I WENT TO UCC FOR AN OPI FILED ON MY BELIEF ON 11-14-13. DURING THE INVESTIGATION OF THE OPI I WAS TALKED TO BY JTG OFFICERS JOHNSON AND DEEVERS, ON 11-15-13 AT AROUND 8:00 A.M. DURING THE INTERVIEW I WAS TOLD BY OFFICER DEEVERS FLAT OUT THAT "IN ORDER FOR YOU TO GO TO SAFEKEEPING I HAVE TO FORWARD THIS OPI TO SAFE PRISONS AND WE ARENT DOING THAT." THEN, I WAS TOLD, "YOU FOUGHT ONCE, FIGHT AGAIN!"...BLATANTLY THEY DISREGARDED THE FACT THAT I AM A HOMOSEXUAL OFFENDER WHO HAS HAD SEVERAL INCIDENTS TAKE PLACE DUE TO THAT FACT AND THAT THE ISSUE AT HAND HAS TO DO WITH A GROUP OF OFFENDERS TRYING TO FORCE ME TO PAY OR PERFORM SEXUAL FAVORS FOR PROTECTION... ON THE DATE OF 11.19.13 AFTER SEEING UCC IN FRONT OF WARDEN/BLANCIARD, CAPT. STEMMUND AND MS. WALTERS OF CLASSIFICATION I WAS SENT BACK TO GENERAL POPULATION AFTER 2:00 CLOCK COUNT TO THE EXACT SAME POD AS THE OFFENDER I'D FILED THE OPI ON IN THE 1ST PLACE. DURING LAST CHOW ON 11.19.13 I SPOKE TO SGT P. PICKET AND TOLD HIM THAT SINCE I BEEN ON THE POD WITH THIS OFFENDER HE'D ALREADY SENT WORD BY HIS HOMEBOYS + THREATENED ME. SGT. PICKET ASKED ME WHAT UCC DID AND AFTER I TOLD HIM HE SAID, "THEN, ITS NOT MY PROBLEM." NOW, I HAVE NOT ONLY BEEN THREATENED, I'VE BEEN ASSAULTED AS WELL BY THIS OFFENDER AND SOME OF HIS HOMEBOYS... ON THE MORNING OF 11.20.13 ON THE WAY TO BREAKFAST I WAS ATTACKED FROM BEHIND BY THIS OFFENDER + 2 MORE OF HIS HOMEBOYS. REDACTED HAD A RAZOR + CUT ME 5 TIMES ACROSS THE FACE WHICH REQUIRED 36 STITCHES. THIS IS A RESULT OF UNIT CLASSIFICATION, WARDEN/BLANCIARD AND SEVERAL OFFICERS BEING NEGLIGENT IN THEIR DUTY. THIS HAS CAUSED ME TO BE VICTIMIZED BY THE SAME OFFENDERS THAT I WENT TO OFFICERS AND ADMINISTRATION ABOUT IN THE 1ST PLACE. WHICH GOES TO SHOW THAT TDCJ DOES NOT CONTROL ITS GANG INFLUENCED GENERAL POPULATION ADEQUATELY ENOUGH TO

PROTECT OTHER OFFENDERS FROM BEING ASSAULTED, THREATENED OR EXTORTED BY THEM.

Action Requested to resolve your Complaint.

I REQUEST TO BE ALLOWED TO FILE AN OPI AND THAT I BE PLACED ON SAFE KEEPING. I ALSO REQUEST AN INTERVIEW WITH DIER

Offender Signature: Joshua D. Hollis

Date: 11-20-13

Grievance Response:

An Offender Protection Investigation was conducted on 11/22/13. You were reviewed by Unit Classification Committee with the determination there was sufficient evidence to support your claims. Therefore, a unit transfer has been recommended and forwarded to State Classification Committee in Huntsville. No further action is warranted.

COPY

NOV 26 2013

RENE MALDONADO ASSISTANT WARDEN

Signature Authority: [Signature]

Date: 11/26/13

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
2. Submission in excess of 1 every 7 days. *
3. Originals not submitted. *
4. Inappropriate/Excessive attachments. *
5. No documented attempt at informal resolution. *
6. No requested relief is stated. *
7. Malicious use of vulgar, indecent, or physically threatening language. *
8. The issue presented is not grievable.
9. Redundant, Refer to grievance #
10. Illegible/Incomprehensible. *
11. Inappropriate. *

UGI Printed Name/Signature:

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority:

OFFICE USE ONLY
Initial Submission UGI Initials:
Grievance #:
Screening Criteria Used:
Date Recd from Offender:
Date Returned to Offender:
2nd Submission UGI Initials:
Grievance #:
Screening Criteria Used:
Date Recd from Offender:
Date Returned to Offender:
3rd Submission UGI Initials:
Grievance #:
Screening Criteria Used:
Date Recd from Offender:
Date Returned to Offender:

Texas Department of Criminal Justice



STEP 2 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2014049246

Date Received: DEC 03 2013

Date Due: DEC 09 2013

Grievance Code: 014,000

Investigator ID #: 010352

Extension Date: _____

Date Retd to Offender: _____

Offender Name: JOSHUA D. ZOLICOFFER TDCJ # 1138161

Unit: AU Housing Assignment: 12-A-26

Unit where incident occurred: AU

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? _____ When? _____

What was their response? _____

What action was taken? _____

STEP 2

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

THE HUGHES UNIT ADMINISTRATION HAS CONSISTENTLY SHOWN DELIBERATE DISREGARD TO MY SAFETY. I AM A HOMOSEXUAL OFFENDER WHO HAS BEEN SEXUALLY ASSAULTED IN THE PAST. ON 11-14-13 I INFORMED OFFICERS THAT I WAS BEING PRESSURED + THREATENED BY AN OFFENDER + HIS GIANNA HOBBEBOYS. AT THE TIME I WAS LIVING IN P.K. 301. AFTER FILING AN OPI I WAS SENT TO 11 BUILDING PENDING OPI INVESTIGATION. ON 11-19-13 I WAS TAKEN TO UCC THEN AFTERWARDS RELEASED BACK INTO GENERAL POPULATION BUT ALSO DIRECTLY ONTO THE POD WITH THE SAME OFFENDER WHO MADE THE THREATS. SIMPLY RECOMMENDING THAT I BE TRANSFERRED OFF OF THE UNIT ISNT ENOUGH TO ENSURE THAT I AM NO LONGER VICTIMIZED. BECAUSE THE UNITS ADMINISTRATION HAVE SHOWN IN THIS INSTANCE THAT THE CAN NOT CORRECTLY ASSESS THE THREAT TO AN OFFENDERS WELL BEING. ALSO, I AM NOW PLACED IN A POSITION WHERE I HAVE NO FAITH IN THE SYSTEM THAT IS SET UP BECAUSE FOR 1 THE ORIGINAL OPI WAS NOT FORWARDED TO SAFE PRISONS. FOR 2 I WAS TOLD TO "GO FIGHT AGAIN" WHI SHOWS THAT THE OFFICERS SENT TO "INVESTIGATE" THE OPI DIDNT TAKE IT SERIOUSLY. 3RD I WAS SENT TO BE HOUSED ON THE SAME POD + ATTACKED. SO THE FORE I HAVE NO FAITH IN THE SYSTEM BECAUSE I FOLLOWED INSTRUCTIONS + WAS PLACED BACK INTO A POSITION TO BE HURT. - KNOWINGLY SO, I REQUEST SAFE KEEP AWAY FROM THE GENERAL POPULATION OF OFFENDERS THAT HAVE VICTIMIZED ME WILL CONTINUE TO DO SO. BECAUSE THE ALFRED D. HUGHES UNITS ADMINISTRATION HAS SHOWN ME THAT REPORTING SEXUAL HARRASSMENT, EXTORTION, RAPE OR ASSAULT MEANS NOTHING TO THEM. I HAVE NOWHERE TO GO FOR HELP. I WAS DENIED AN OPPORTUNITY TO SPEAK TO OIG. I FILED ON THIS EXACT SAME OFFEN ON 11-14-13 TO PREVENT THIS FROM HAPPENING + THE HUGHES UNIT ADMINIS

COPY

RATION ALLOWED IT TO HAPPEN.

CORRECT

Action Requested to resolve your Complaint.

* STEP 2 *

Offender Signature: *Joshua D. Zilber*

Date: 11.28.13

Grievance Response:

A thorough investigation was conducted concerning your allegations. An Offender Protection Investigation was conducted on 11/20/13. You were seen by UCC on 11/22/13 in which the committee recommended a Unit Transfer due to being the victim of a serious assault REDACTED You were also made NFSUA (not for same unit as) REDACTED EAC was also notified of this incident and assigned Incident REDACTED Investigation was reviewed by Major Marez in which there were no concerns noted. You have since been reassigned to the RB Unit as of 12/06/13. No further action warranted by this office.

B. Armstrong
Asst. Regional Director *B.A.*

01/08/14

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: **COPY** _____

OFFICE USE ONLY

Initial Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
2 nd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
3 rd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	

EXHIBIT H

TO: JIMMIE WHITE - STATE CLASSIFICATION

COPY 2 OF 2

RE: REQUEST HELD - SAFE KEEPING OR PROTECTIVE CUSTODY

FIELD:

I AM WRITING IN REGARDS TO CONSTANT THREAT TO MY LIFE AND TO REQUEST ASSISTANCE FROM YOUR OFFICE.

ON 3-29-07 ON THE ALFRED UNIT I WAS SEXUALLY ASSAULTED BY ANOTHER OFFENDER I WAS THREATENED WITH A WEAPON SEVERAL TIMES AND FORCED TO ENGAGE IN ANAL SEX. I REPORTED THIS TO OFFICERS AND WAS ASSAULTED BY THIS OFFENDER I AM A HOMOSEXUAL AND HAVE HAD SEVERAL PROBLEMS WITH OTHER OFFENDERS BECAUSE OF THIS FACT. AFTER THE SEXUAL ASSAULT MY FAMILY AND FRIENDS MADE SEVERAL INROADS AND PLEADED TO THE UNITS ADMINISTRATION TO HOUSE ME ON SAFE KEEPING. I WAS RECOMMENDED UNIT TRANSFER AND SENT TO THE SMITH UNIT.

ON THE SMITH UNIT I HAD SEVERAL CPES FILED ON MY BE HALF CONCERNING OTHER OFFENDERS ATTEMPTING TO FORCE THEMSELVES ON ME. FEELING THAT THE UNITS ADMINISTRATION WOULD DO NOTHING TO ENSURE MY SAFETY OTHER OFFENDERS HAVE REPEATEDLY ABUSED ME. THIS HAS CONTINUED TO GO ON DURING MY TIME IN TDCJ BECAUSE OFFICERS AND ADMINISTRATION AUTHORITY FIGURES TELL ME TO REPORT MY PROBLEMS, YET AFTER REPORTING THE PROBLEMS THEY ONLY GIVEN ME HOUSING ASSIGNMENT (PLACES) OFTEN TIMES ON THE EXACT SAME CELL BLOCK AS THE OFFENDERS I'D 1ST REPORTED ON.

RECENTLY, ON THE ALFRED D. HUGLIES UNIT I WAS PROPOSITIONED BY

REDACTED

I REFUSED HIM, YET HE PERSISTED. HE'S A KNOWN GANG MEMBER (A CRIP). I REPORTED THESE THINGS TO THE UNITS ADMINISTRATION AND REQUESTED HOUSING ON SAFE KEEPING, MY REQUEST WAS DENIED. I APPEALED THE DECISION WITH CIRCUMANCES (STEPS 1 + 2).

ON 11-13-13 IN CHURCH ON THE FIVE LILS UNIT

REDACTED

APPROACHED ME AND SAID I WAS WRONG FOR REPORTING ON THE PLAIN LINE ME A SMITH AND I WAS THREATENED I REPORTED THIS TO OFFICERS AND WROTE AN EMERGENCY GRIEVANCE. ON 11-14-13 I WAS PLACED IN TRANSIENT STATUS TO AWAIT OPI INVESTIGATION. DURING THE INVESTIGATION ON 11-15-13 I WAS TOLD TO GO AND FIGHT.

ON 11-19-13 I WENT TO UCC IN FRONT OF ASSISTANT WARDEN BLANCHARD, CAPTAIN SHIMMUND AND MS WALTERS. I SPEAKED TO THEM THE SEVERITY OF MY COMPLAINTS AND THAT MY LIFE IS IN DANGER. THEY SAID THAT THEY FELT NO ACTION SHOULD TAKE PLACE AND NO EFFORT WAS MADE TO KEEP ME FROM HARM. I WAS SENT BACK TO GENERAL POPULATION AND HOUSED ON THE EXACT SAME POD

REDACTED

UPON GOING TO LAST SHOW I SPOKE TO THE BUILDING SUPERVISOR JEFF P. PICKETT EXPLAINING TO HIM THAT MY LIFE IS IN DANGER CONFINED IN THE POD

REDACTED

HE TOLD ME THAT ITS NOT HIS PROBLEM AND FORCED ME ONTO THE PODS.

ON THE MORNING OF 11-20-13, NOT EVEN 24 HOURS AFTER GOING

REDACTED

TO COMMITTEE ABOUT THE THREATS I ATTACKED ME WITH A WEAPON ON THE WAY TO BREAKFAST WHILE CALLING A "SMITH WITH A BROTHER" I SUSTAINED SEVERAL LACERATIONS ACROSS THE FACE AND FOREHEAD REQUIRING 36 STITCHES AND ALMOST COST ME THE USE OF MY RIGHT EYE. I WAS TAKEN BACK TO UCC AND SMITH RECOMMENDED UNIT TRANSFER.

ON THE DATE OF 12-6-13 I WAS TRANSFERRED TO THE TRENCH ROBERTSON

UNIT WHICH IS

REDACTED

FROM TO THE HUGLIE'S UNIT IN 2013. THERE ARE SEVERAL OFFENDERS (WHO

KNOW HIM) A MULTITUDE OF THEM ARE CRIPS AS WELL. I FEAR FOR MY LIFE

CONSTANTLY NOW AND JUST RECENTLY I'VE BEEN THREATENED BY REDACTED

REDACTED

BY THE UNIT IN REGARDS TO WHETHER OR NOT I PRESS CHARGES

REDACTED

I FEAR FOR MY LIFE AND AM

TRAUMATIZED BY THIS EXPERIENCE. I REQUEST HELP.

YOUR INTERVENTION IS GREATLY NEEDED

JOSHUA D. ZOLLICOFFER #1138161

TO: JOSHUA WHITE - STATE CLASSIFICATION
REASON: MY LIFE IS IN DANGER

COPY 2 OF 2

3-12-14

HELLO,

I AM A HOMOSEXUAL OFFENDER WITH A FEMININE ALIAS. BEFORE MY ARRIVAL ON THE FRENCH ROBERTSON UNIT I WAS HOUSED ON THE ALFRED D. HUGLIES UNIT, I WAS TRANSFERRED DUE TO AN OFFENDER PROSECUTOR INVESTIGATION STAYING FROM BEING A VICTIM OF A SERIOUS ASSAULT. [REDACTED]

REDACTED

REDACTED

REDACTED

[REDACTED] THIS INCIDENT WAS GIVEN AN INCIDENT #

[REDACTED] SPOKE TO OIG ON 12-17-13, FILED MY STATEMENT FOR IT WITH

REDACTED

ATTORNEY'S OFFICE TO ASSERT MY RIGHTS AS A VICTIM OF A CRIME, AS PER THE TEXAS CONSTITUTION [REDACTED]

[REDACTED]

BEFORE

REDACTED

WAS TRANSFERRED TO THE LUGALIE UNIT (5-6 MONTHS BEFORE THE 11-20-13 ATTACK) HE WAS HOUSED ON THE FRENCH ROBERTSON UNIT AND A WELL STANDING MEMBER OF THE CRIPS ON THE UNIT.

REDACTED

RECENTLY, THE CRIPS ON THE UNIT, ROBERTSON, FOUND OUT THAT [REDACTED] HAD THIS CONFLICT. I DON'T KNOW HOW THEY GOT MY INFORMATION BUT THEY HAVE IT AND I'VE BEEN THREATENED BY THEM AND APPROACHED AGGRESSIVELY BY THEM IN THE PAST ABOUT [REDACTED]

REDACTED

REDACTED

[REDACTED] SHOULD HAVE CUT MY THROAT AND THAT IF I TRY TO COME NEAR OVER HERE THEY WILL FINISH WHAT HE STARTED AND DO WHAT HE SHOULD HAVE DID. I'VE BEEN TOLD THAT I NEED TO FIND A MAN AND THREATENED WITH RAPE. I AM A DOCUMENTED VICTIM OF A SEXUAL ASSAULT IN THE PAST (3-29-07). I FEAR FOR MY LIFE, THERE ARE HUNDREDS OF THEM AND ONLY I OF ME, THEREFORE THE MAJORITY OF THEM KNOW ME BY SIGHT

WHEREAS I HAVE NO REAL WAY OF KNOWING WHO THEY ARE BY SIGHT AND NAME TO AVOID CONFLICT. BASICALLY, I AM IN A NO WIN SITUATION, I HAVE NO WHERE ELSE TO TURN TO OR GO. I REQUEST HOUSING ON SAFERKEEPING, IN A LINE 1 AND SEE PAROLE AGAIN ON 10-22-14 I JUST WANT TO GO HOME. IT BEEN SHOWN THAT THE UNITS ADMINISTRATIONS AND SECURITY OFFICIALS SYSTEM WIDE DO NOT CONTROL THE GANG INFLUENCED GENERAL POPULATION OF OFFENDERS ENOUGH TO PROTECT HOMOSEXUAL OFFENDERS FROM ASSAULT, RAPE AND EXTORTION. I AM TIRED OF BEING FREGED UPON AND DON'T KNOW WHAT ELSE TO DO. I FEEL THAT THE ONLY REASON I FACE THESE PROBLEMS IS BECAUSE I AM A HOMOSEXUAL. HELP!

THANK YOU.

JOSHUA D. ZOLLICOFFER # 1138161

EXHIBIT I



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2014125239

Date Received: 4-9-2014

Date Due: 5-19-2014

Grievance Code: 001

Investigator ID #: I-2075

Extension Date: N/A

Date Retd to Offender: APR 24 2014

Offender Name: JOSUAD ZOLLICOFFER TDCJ # 1138161

Unit: R13 Housing Assignment: 11-80L-22

Unit where incident occurred: R13

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? ASSISTANT WARDEN GONZALEZ When? 4-7-14 ucc

What was their response? "YOU DONT MEET REQUIREMENTS"

What action was taken? RECOMMENDATION FOR UNIT TRANSFER

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON THE DATE OF 4-7-14 I WENT TO UCC IN FRONT OF WARDEN GONZALEZ IN REGARDS TO AN OPI FILED ON MY BELIEF BY THE SAFE PRISONS OFFICE ON 3-27-14. THE OPI STEMMED FROM SEVERAL INCIDENTS BEING REPORTED TO THE PREA AMBUDSMAN OF EXTORTION, THREATS OF VIOLENCE & THREATS OF RAPE BY THE CRIPS ON THE ROBERTSON UNIT ^{IN} RETALIATION FOR PRESSING CHARGES ON A KNOWN CRIP WHO USED TO BE HOUSED ON THE ROBERTSON UNIT NAMED [REDACTED] FOR THE SERIOUS ASSAULT ON ME WITH A WEAPON ON 11-20-13, IN RETALIATION FOR REPORTING ON HIM FOR ATTEMPTING TO FORCE ME TO HAVE SEX WITH HIM. (SEE INCIDENT # [REDACTED] ALSO SEE STEP 1 + STEP 2 GRIEVANCE #'S 2014049625 AND 2014049246 RESPECTIVELY.) - UPON GOING TO UCC IN FRONT OF WARDEN GONZALEZ I WAS TOLD THAT I DONT MEET REQUIREMENTS FOR HOUSING ON SAFE KEEPING & MY REQUEST WAS DENIED. EVEN THOUGH THE TDCJ CLASSIFICATION PLAN CLEARLY STATES THAT "SAFEKEEPING LEVELS PI-PS WILL BE ASSIGNED TO OFFENDERS WHO REQUIRE SEPERATE HOUSING IN GENERAL POPULATION BECAUSE OF THREATS TO THEIR SAFETY DUE TO OFFENDER ENEMIES, A HISTORY OF ~~SEX~~ DEVIANT SEXUAL BEHAVIOR, A POTENTIAL FOR VICTIMIZATION OR OTHER SIMILAR REASONS..." I AM A KNOWN HOMOSEXUAL WHO HAS BEEN A DOCUMENTED VICTIM OF SEXUAL ASSAULT 3-29-07 AN ASSAULT W/ A WEAPON 11-20-13 AS WELL AS NUMEROUS OPI'S FILED ON MY BELIEF, ALL ROOTED IN THE FACT THAT I AM A HOMOSEXUAL HOUSED IN THE ~~ROBERTSON~~ GANG INFLUENCED GENERAL POPULATION OF OFFENDERS. I WAS TOLD BY WARDEN GONZALEZ THAT HIS REASONS FOR NOT MAKING THE RECOMMENDATION WERE BECAUSE OF DISCIPLINARY INFRACTIONS. OFFENDER SAFETY IS A RIGHT, NOT A PRIVILEGE AND THERE ARE SEVERAL OFFENDERS WHO ARE HOUSED ON SAFE KEEPING WHO'VE HAD WAY MORE VIOLENT DISCIPLINARY INFRACTIONS THAN MY MEASUR 3 FIGHTS & 4 THREATENING AN OFFICER CASES IN 12 YEARS. I HAVE BEEN THE VICTIM OF 2 DOCUMENTED CRIMES DURING MY CONFINEMENT. JUST RECOMMENDING THAT I BE TRANSFERED TO ANOTHER UNIT WILL NOT ENSURE MY SAFETY, JUST AS IT DID NOT

AFTER THE 3-29-07 SEXUAL ASSAULT, NOR AFTER THE 11-20-13 ASSAULT WITH A WEAPON. I AM AN OFFENDER WITH A "POTENTIAL FOR VICTIMIZATION", OTHERWISE I WOULDN'T BE CONSTANTLY VICTIMIZED + THREATENED BY OTHER OFFENDERS, WHICH IS CLEARLY

A STATED REQUIREMENT FOR HOUSING ON SAFE KEEPINGS.

Action Requested to resolve your Complaint.

I REQUEST THAT A RECOMMENDATION BE MADE TO HOUSE ME ON SAFE KEEPINGS TO AVOID FURTHER VICTIMIZATION IN THE FUTURE.

Offender Signature: *Joshua D. Zolner*

Date: 4-9-14

Grievance Response:

An investigation has been completed by unit administration. You were reviewed by the UCC on 04/07/14, and recommended for unit transfer. You will remain housed in transient status until a decision has been received from the SCC in Huntsville. You are not eligible for safekeeping status based on your aggressive and assaultive disciplinary history.

Signature Authority:

[Signature]

Date: 04/23/14

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission UGI Initials: _____
 Grievance #: _____
 Screening Criteria Used: _____
 Date Recd from Offender: _____
 Date Returned to Offender: _____
2nd Submission UGI Initials: _____
 Grievance #: _____
 Screening Criteria Used: _____
 Date Recd from Offender: _____
 Date Returned to Offender: _____
3rd Submission UGI Initials: _____
 Grievance #: _____
 Screening Criteria Used: _____
 Date Recd from Offender: _____
 Date Returned to Offender: _____



128-09

Texas Department of Criminal Justice

STEP 2

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014125239
UGI Recd Date:	04-25-14 MAY 04 2014
HQ Recd Date:	
Date Due:	05-30-14
Grievance Code:	001
Investigator ID#:	10353
Extension Date:	

Offender Name: JOSHUA D. ZOLLECOFFER TDCJ # 1138161
 Unit: RB Housing Assignment: ~~11-506-22~~ LK
 Unit where incident occurred: RB

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). *I am dissatisfied with the response at Step 1 because...*

IN RESPONSE TO STEP 1 GRIEVANCE # 2014125239 - AN OFFENDERS SAFETY AGAINST EXTORTION, RAPE + ASSAULT AT THE HANDS OF OTHER OFFENDERS IS A RIGHT, NOT A PRIVILEGE. I AM TOLD THAT I HAVE AN ASSAULTIVE DISCIPLINARY HISTORY WHICH IS WHY I WAS REFUSED A RECOMMENDATION FOR HOUSING ON SAFE KEEPING. WHEN IN FACT I ONLY HAVE 1 ASSAULT CASE DURING MY WHOLE INCARCERATION WHICH WAS 3/26/04, OVER 10 YEARS AGO. YET, DURING MY INCARCERATION I HAVE BEEN RAPED, HAD MY PROPERTY TAKEN FROM ME BY OFFENDERS, ASSAULTED WITH A WEAPON BY A KNOWN GANG MEMBER AND THREATEND CONSTANTLY WITH MY LIFE WITH ALL ISSUES BEING ROOTED IN THE FACT THAT I AM A HOMOSEXUAL OFFENDER HOUSED IN THE GANG INFLUENCED GENERAL POPULATION OF OFFENDERS. SIMPLY DOCUMENTING A PROBLEM + RECOMMENDING THAT I BE TRANSFERRED TO ANOTHER UNITS GENERAL POPULATION TO FACE THE SAME PROBLEMS IS NOT ENOUGH TO RECTIFY THE PROBLEM WHICH HAS BEEN PREVALENT + DOCUMENTED THROUGHOUT MY TIME IN TDC. SAFE KEEPING HAS CUSTODY LEVELS P1-P5 FOR THE REASON OF OFFENDERS WHO HAVE DISCIPLINARIES. THEREFORE THERE IS NO REASON THAT I CANT BE RECOMMENDED TO BE HOUSED THERE. I AM LEFT TO FEEL AS IF TDCJ IS SYSTEMATICALLY DISCRIMINATING AGAINST MYSELF AND OTHER AFRICAN AMERICAN OFFENDERS FROM BEING HOUSED IN A SAFE ENVIRONMENT. IVE BEEN ASSAULTED, RAPED, THREATENED WITH RAPE AND HARM. I NEED HELP. I REQUEST TO BE HOUSED ON SAFE KEEPING.

Offender Signature: Joshua D. [Signature]
Grievance Response:

Date: 4-25-14

A thorough investigation was conducted concerning your allegations. An Offender Protection Investigation was conducted concerning your allegations on 04/01/14. You were seen by UCC on 04/07/14 in which the committee recommend unit transfer due to potential victim of assault. Recommendation for unit transfer was submitted to SCC for approval; however, on 05/25/14, recommendation was denied. Investigation was reviewed by Warden Gonzalez in which there were no concerns noted.
No further action warranted by this office.

Signature Authority: Brian Armstrong
Asst. Regional Director

Date: 05/30/14

Returned because: **Resubmit this form when corrections are made.*

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
2nd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
3rd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	

EXHIBIT J

TEXAS DEPARTMENT OF CRIMINAL JUSTICE — INSTITUTIONAL DIVISION
INMATE REQUEST TO OFFICIAL

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

1. Unit Assignment, Transfer (Chairman of Classification, Administration Building)
2. Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee)
3. Request for Promotion in Class or to Trusty Class (Unit Warden-if approved, will be forwarded to the Director of Classification)
4. Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757)
5. Visiting List (Asst. Director of classification, Administration Building)
6. Parole requirements and related information (Unit Parole Counselor)
7. Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainers-Unit Administration)
8. Personal interview with a representative of an outside agency (Treatment Division, Administration Building)

TO: SAFE PRISONS COORDINATOR SGT. SCOTT DATE: 5-12-14
(Name and title of official)

ADDRESS: ROBERTSON UNIT

~~Page~~ Copy 2 of 2

SUBJECT: State briefly the problem on which you desire assistance.

SIX FOR YEARS I'VE BEEN DISCOMFORTED THAT I GO BY A FEMALE ALIAS "MILISSIA" AND
THAT DURING MY INCARCERATION I'VE HAD SEVERAL ISSUES + THREATS "UNUSUAL" THIS
+ THE FACT THAT I CARE MYSELF IN A FEMALE NUMBER
* I FORMALLY REQUEST THAT I BE IDENTIFIED AS TRANSMENDER

PLEASE ACKNOWLEDGE THAT YOU HAVE RECEIVED THIS L-60 5-12-14
Unit: RR

Name: Joselyn D. Rollin Coffey No: 1138161
Work Assignment: TRANSMENDER

Living Quarters: 12-B-9

DISPOSITION: (Inmate will not write in this space)

EXHIBIT K



Texas Department of Criminal Justice

12B-09

STEP 1

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014140325
Date Received:	5-6-14
Date Due:	6-15-14
Grievance Code:	001
Investigator ID #:	I-2082
Extension Date:	NA
Date Retd to Offender:	MAY 15 2014

Offender Name: JOSLINA D. ZOLLICOFFER TDCJ # 1138161
 Unit: RB Housing Assignment: 12-A-51 LK
 Unit where incident occurred: RB

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? ASSISTANT WARDEN / BONZALEZ (PERSONAL LETTER) When? 5-5-14
 What was their response? NONE
 What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

TDCJ SAFE PRISONS POLICY STATES, "TDCJ SHALL BE VIGILANT IN ESTABLISHING A SAFE ENVIRONMENT FOR STAFF AND OFFENDERS AT ALL CORRECTIONAL FACILITIES. EVERY ATTEMPT SHALL BE MADE TO REDUCE INCIDENTS OF EXTORTION, PROTECT OFFENDERS WHO ARE AT INCREASED RISK OF HARM BY OTHERS, TAKE A PROACTIVE APPROACH TO PREVENT SEXUAL ABUSE OF OFFENDERS" - I AM A HOMOSEXUAL OFFENDER WITH A FEMININE ALIAS WHO'S HAD SEVERAL ON GOINGS AND WELL DOCUMENTED PROBLEMS DURING MY CONFINEMENT IN TDCJ. I'VE BEEN SEXUALLY ASSAULTED IN THE PAST, AS WELL AS ASSAULTED WITH A WEAPON BY A GANG AFFILIATED OFFENDER ATTEMPTING TO EXTORT ME. I WROTE A PERSONAL LETTER TO WARDEN / BONZALEZ EXPLAINING MY PROBLEMS AND REQUESTING HOUSING ON SAFE KEEPING FOR FEAR OF THE SAME PROBLEMS ARISING IN THE FUTURE. IT'S BEEN SHOWN THAT ALL OF MY PROBLEMS ARE ROOTED IN THE FACT THAT I AM A HOMOSEXUAL OFFENDER HOUSED IN THE GANG INFLUENCE GENERAL POPULATION OF OFFENDERS. TDCJ DOES NOT MONITOR OR CONTROL ITS GANG INFLUENCED GENERAL POPULATION OF OFFENDERS ENOUGH TO KEEP ME SAFE AND AS A HOMOSEXUAL IN THAT ENVIRONMENT I AM AN OFFENDER WHO IS, "AT INCREASED RISK OF HARM BY OTHERS". I'VE BEEN TRAUMATIZED BY PAST EXPERIENCES AND FEAR REPEATING THEM. THIS CAN ONLY BE RECTIFIED BY HOUSING ME ON SAFE KEEPING AWAY FROM THE GENERAL POPULATION OF OFFENDERS (LOOKING TO VICTIMIZE ME). THOUGH I AM NOW TRANSIENT STATUS AWAITING UNIT TRANSFER FOR A RECOMMENDATION OF UNIT TRANSFER ON 4-7-14 THE PROBLEM IS NOT RECTIFIED. SAFE KEEPING HAS CUSTODY LEVELS PI-PS JUST AS GENERAL POPULATION HAS GI-GS TO HOUSE OFFENDERS IN NEED OF MORE RESTRICTIVE HOUSING DUE TO DISCIPLINARIES. SO, BARRING ME FROM A RECOMMENDATION FOR HOUSING ON SAFE KEEPING DUE TO DISCIPLINARY INFRACTIONS MAKES NO SENSE. I AM A HOMOSEXUAL WHOSE BEEN VICTIMIZED AND FEAR FURTHER VICTIMIZATION AT THE HANDS OF GANG AFFILIATED OFFENDERS IN GENERAL POPULATION BECAUSE OF THAT FACT. I CANT FIGHT THEM ALL. I FEAR THAT I WILL BE EXTORTED, ASSAULTED + FORCED TO DO THINGS SEXUALLY I DONT WANT TO DO.

Action Requested to resolve your Complaint.

THAT A RECOMMENDATION TO HOUSE ME ON SAFE KEEPING BE FORWARDED TO STATE CLASSIFICATION AND LET THEM DECIDE WHETHER OR NOT I MEET REQUIREMENTS.

Offender Signature: *John D. [Signature]*

Date: 5-6-14

Grievance Response:

An investigation has been completed by unit administration. You were reviewed by the UCC on 4/7/14, and recommended for unit transfer. Your request for safekeeping status was denied due to your history of disciplinaries involving assaultive and/ or aggressive behavior.

Signature Authority:

AW [Signature]

Date: 8/15/14

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Warden Gonzales

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission UGI Initials: _____
 Grievance #: _____
 Screening Criteria Used: _____
 Date Recd from Offender: _____
 Date Returned to Offender: _____
2nd Submission UGI Initials: _____
 Grievance #: _____
 Screening Criteria Used: _____
 Date Recd from Offender: _____
 Date Returned to Offender: _____
3rd Submission UGI Initials: _____
 Grievance #: _____
 Screening Criteria Used: _____
 Date Recd from Offender: _____
 Date Returned to Offender: _____



Texas Department of Criminal Justice

12-B-09
STEP 2 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014140325
Date Received:	05-19-14
Date Due:	MAY 27 2014 6/23
Grievance Code:	001
Investigator ID #:	10353
Extension Date:	
Date Retd to Offender:	

Offender Name: JOSHUA D. ZOLLICOFFER TDCJ # 1138161
 Unit: RB Housing Assignment: 12-B-9
 Unit where incident occurred: RB

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? _____ When? _____

What was their response? * STEP 2 *

What action was taken? _____

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

IN RESPONSE TO STEP 1 GRIEVANCE # 2014140325// I AM DISSATISFIED WITH THE RESPONSE BECAUSE THERE ARE SEVERAL POLICIES SET IN PLACE TO PROTECT OFFENDERS LIKE ME FROM VIOLENCE AT THE HANDS OF OTHER OFFENDERS, YET IN MY CASE THOSE STATED POLICIES ARE NOT BEING UPHOLD IN MY CASE AND I AM CONTINUALLY BEING SUBJECT TO HARM AT THE HANDS OF OTHER OFFENDERS. AN ONGOING PROBLEM IS NOT RECTIFIED BY SIMPLY TRANSFERRING ME FROM UNIT TO UNIT IN GENERAL POPULATION WHEN I AM STILL BEING HOUSED AROUND THE SAME GROUPS OF OFFENDERS. PRISON OFFICIALS HAVE A CONSTITUTIONAL DUTY TO TAKE PRECAUTIONS TO KEEP OFFENDERS FROM COMING TO HARM AT THE HANDS OF OTHERS, NOT JUST TODAY BUT THE FORSEEABLE FUTURE AS WELL. KNOWING THAT THERE IS A PATTERN OF ONGOING LIFE THREATENING ISSUES ROOTED IN THE FACT THAT I AM A HOMOSEXUAL WITH A FEMININE ALIAS, TRANSGENDER, HOUSED IN THE GANG INFLUENCED GENERAL POPULATION OF OFFENDERS AND SIMPLY TRANSFERRING ME IN GENERAL POPULATION TO FACE THE SAME PROBLEMS IS WRONG. GIVEN THAT THIS IS A PATTERN ITS SAFE TO SAY THAT OTHER PROBLEMS WILL ARISE AS LONG AS I AM HOUSED IN GENERAL POPULATION. I REQUEST TO BE HOUSED ON SAFE KEEPING TO AVOID FURTHER RAPE, ASSAULT & EXTORTION.

Action Requested to resolve your Complaint.

Offender Signature: Joshua J. Talbot
Grievance Response:

Date: 5-17-14

A thorough investigation was conducted concerning your allegations. An Offender Protection Investigation was conducted concerning your allegations on 04/01/14. You were seen by UCC on 04/07/14 in which the committee recommend unit transfer due to potential victim of assault. Recommendation for unit transfer was submitted to SCC for approval; however, on 05/25/14, recommendation was denied. Investigation was reviewed by Warden Gonzalez in which there were no concerns noted. You have filed numerous requests for safekeeping/ protective custody and all issues have been investigated, reviewed and addressed in previous grievances submitted. No further action warranted by this office.

F. Foster, Asst. Reg. Director June 06, 2014

Signature Authority: Bonster, ARD

Date: _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
2nd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
3rd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	

EXHIBIT L



Texas Department of Criminal Justice

12A-29
STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014 205 241
Date Received:	08/25/2014
Date Due:	10/04/2014
Grievance Code:	006/200
Investigator ID #:	I-2267
Extension Date:	N/A
Date Retd to Offender:	OCT 03 2014

Offender Name: JOSHUA D. ZOLLICOFFER TDCJ # 1138161
 Unit: RB Housing Assignment: ~~H PHD 4~~ LK
 Unit where incident occurred: RB

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? WARDEN GONZALEZ When? 8-14-14
 What was their response? NO ACTION, WAIT ON THE DECISION FROM STATE CLASSIFICATION
 What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I HAVE HAD SEVERAL ON GOING AND LIFE THREATENING ISSUES TAKE PLACE DURING MY INCARCERATION IN TDCJ. I HAVE CONTINUALLY REQUESTED HOUSING OR SAFE KEEPING AWAY FROM THE GENERAL POPULATION OF OFFENDERS WHO KEEP THREATENING AND CAUSING ME HARM. I AM A VICTIM OF 2 SERIOUS CRIMES WHILE CONFINED IN TDCJ. IN 2007 I WAS SEXUALLY ASSAULTED, IN 2013 I WAS ATTACKED WITH A WEAPON. OBVIOUSLY I AM AN OFFENDER WHO HAS A HIGHER RISK FOR VICTIMIZATION. MY REQUESTS FOR HOUSING OR SAFE KEEPING HAVE BEEN DENIED BY ROBERTSON UNIT ON 12-13, 4-14, AND 8-14. ~~ROBERTSON UNIT~~ AND 8-14. ROBERTSON UNITS ADMINISTRATION HAS GONE OUT OF ITS WAY TO DENY ME HOUSING OR SAFE KEEPING. WHITE OFFENDERS AND HISPANIC OFFENDERS ARE OFFERED SAFE KEEPING OFTEN TIMES WITH THE MERE THREAT OF HARM. I AM TRANSGENDER, THE VICTIM OF 2 SERIOUS CRIMES, HAVE CONTINUAL CONFLICT WITH OTHER OFFENDERS YET I AM STILL NOT GRANTED RECOMMENDATION FOR SAFE KEEPING. I FEEL THAT I AM BEING RACIALLY DISCRIMINATED AGAINST BY WARDENS GONZALEZ, WEBB AND EMILY JACOBS OF CLASSIFICATION. I WAS TAKEN TO VICE IN FRONT OF WARDEN GONZALEZ ON 8-14-14 AND HE ONCE AGAIN DENIED ME HOUSING OR SAFE KEEPING SAYING TO WAIT FOR SEC TO ANSWER BACK FOR THE RECOMMENDATION OF UNIT TRANSFER THAT WAS MADE ON 8-1-14. KNOWING THAT ALL OF MY PROBLEMS COME FROM BEING TRANSGENDER HOUSED IN GENERAL POPULATION, THEREFORE SHUTTLING ME FROM 1 UNIT TO ANOTHER IN GENERAL POPULATION DOES NOTHING BUT PLACE ME IN POSITION TO BE VICTIMIZED AGAIN OR HAVE SEX FOR PROTECTION. I AM NO LONGER WILLING TO BE SEXUALLY ACTIVE TO ENSURE MY SAFETY IN GENERAL POPULATION. THEREFORE I AM AGAIN REQUESTING SAFE KEEPING AND STOP BEING RACIALLY DISCRIMINATED AGAINST.

Action Requested to resolve your Complaint.

STOP BEING RACIALLY DISCRIMINATED AGAINST AND HOUSED ON SAFE KEEPING.

Offender Signature: Joshua D. Chocoffa

Date: 8-26-14

Grievance Response:

An investigation has been completed by unit administration. You were reviewed by the UCC on 06/05/14, and recommended for safekeeping status. On 06/16/14, this request was denied by SCC. You are being reviewed by the UCC in accordance with TDCJ policy and they are not discriminating against you due to your race.

Signature Authority: [Signature]

Date: 10-27-14

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form. Warden Webb

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
2. Submission in excess of 1 every 7 days. *
3. Originals not submitted. *
4. Inappropriate/Excessive attachments. *
5. No documented attempt at informal resolution. *
6. No requested relief is stated. *
7. Malicious use of vulgar, indecent, or physically threatening language. *
8. The issue presented is not grievable.
9. Redundant, Refer to grievance #
10. Illegible/Incomprehensible. *
11. Inappropriate. *

UGI Printed Name/Signature:

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority:

OFFICE USE ONLY
Initial Submission UGI Initials:
Grievance #:
Screening Criteria Used:
Date Recd from Offender:
Date Returned to Offender:
2nd Submission UGI Initials:
Grievance #:
Screening Criteria Used:
Date Recd from Offender:
Date Returned to Offender:
3rd Submission UGI Initials:
Grievance #:
Screening Criteria Used:
Date Recd from Offender:
Date Returned to Offender:

BC



Texas Department of Criminal Justice
STEP 2
OFFENDER
GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014205241
UGI Recd Date:	OCT 08 2014
HQ Recd Date:	OCT 14 2014
Date Due:	11-17-14
Grievance Code:	006, 200
Investigator ID#:	10353
Extension Date:	

Offender Name: JOSHUA D. ZOLLICOFFER TDCJ# 1138161
 Unit: RB Housing Assignment: 12-A-29-17748
 Unit where incident occurred: RB

You must attach the completed Step 1 Grievance accepted. You may not appeal to Step 2 with a Step 1 signed by the Warden for your Step 2 appeal to be returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...
 I AM DISSATISFIED WITH GRIEVANCE #2014205241 RESPONSE BECAUSE ON 6-5-14 I WAS RECOMMENDED FOR HOUSING ON SAFE KEEPING. BETWEEN 6-5-14 AND PRESENT MY CIRCUMSTANCES HAVE ONLY GOTTEN WORSE. I AM STILL A TRANSGENDER OFFENDER WHO HAS BEEN PREYED ON, SEXUALLY ASSAULTED IN THE PAST, THREATENED WITH MY LIFE, FORCED INTO COERCED SEXUAL RELATIONSHIPS AND VIOLENTLY ATTACKED WITH A WEAPON. BY THAT BEING THE CASE ANY UCC AFTER 6-5-14 FOR AN OPI I SHOULD'VE BEEN RECOMMENDED FOR HOUSING ON SAFE KEEPING BECAUSE THE CIRCUMSTANCES HAVE ONLY CHANGED IN THE SENSE THAT THEY'VE GOTTEN WORSE. THEREFORE THE RECOMMENDATION FOR 6-5-14 FOR SAFE KEEPING WAS UCC AND ROBERTSON UNITS ADMINISTRATION ACKNOWLEDGING THAT I AM AN OFFENDER WHO, IF FORCED TO REMAIN IN GENERAL POPULATION IS AN AT RISK OFFENDER. THEREFORE WARDEN WEBBS REFUSAL TO HOUSE ME ON SAFE KEEPING ON 8-1-14 AND WARDEN GONZALEZ REFUSAL TO CORRECT THE FLAGRANT DISREGARD OF MY SAFETY BY WARDEN WEBB, RECOMMENDING THAT NOTHING BE DONE ON 8-14-14 WAS RACIALLY MOTIVATED, NOT POLICY MOTIVATED. BECAUSE IF I'VE EVER BEEN ELIGIBLE FOR A RECOMMENDATION FOR HOUSING ON SAFE KEEPING THEN ITS BEEN ACKNOWLEDGED THAT GENERAL POPULATION IS NOT SAFE FOR ME BECAUSE THE CIRCUMSTANCES THAT LED TO THE RECOMMENDATION ARE LONG STANDING, PERSUASIVE AND SERIOUS. MEANING, VULNERABILITY DOESNT DISSIPATE IN A PERIOD OF 60 DAYS. THEREFORE, I AM LEFT TO FEEL THAT I AM BEING RACIALLY DISCRIMINATED AGAINST, ESPECIALLY SINCE ITS BEEN SHOWN THAT THE TREND ON THE ROBERTSON UNIT AND TDCJ

AS A WHOLE IS TO AFFORD WHITE AND HISPANIC OFFENDERS MORE PROTECTION AT THE MERE THREAT OF HARM. I REQUEST HOUSING ON SAFE KEEPING AND TO STOP BEING RACIALLY DISCRIMINATED AGAINST.

Offender Signature: Joshua D. Fuster
Grievance Response:

Date: 10-8-14

A thorough investigation was conducted concerning your allegations. This issue was appropriately addressed at the Step 1 Level. On 09/17/14, SCC denied OPI request for transfer. Unit has submitted a DRB appeal on SCC denial that is currently pending at this time. Investigation was reviewed by Warden Webb in which there were no concerns noted. You are currently housed on 12AC1-29 transient status. No further action warranted by this office.

F. Fuster
Asst. Regional Director

11/05/14

Signature Authority: Fuster, ASD

Date: _____

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
2nd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
3rd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	

EXHIBIT M

copy of



Texas Department of Criminal Justice

11AH-04

STEP 1

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2014197421
Date Received: 7-25-14
Date Due: 9-3-14
Grievance Code: 001
Investigator ID #: J-2082
Extension Date: N/A
Date Retd to Offender: AUG 27 2014

Offender Name: JOSHUA D. ZOLLI COFFER TDCJ # 1138161
Unit: RB Housing Assignment: 3-A-67-B LK
Unit where incident occurred: RB

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? I SENT I-60'S TO THE WARDEN AND AIG When? 7-20-14
What was their response? NONE
What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I AM A HOMOSEXUAL, WHO'S KNOWN ALIAS IS, 'PASSION'. ON 3-29-07 I WAS SEXUALLY ASSAULTED AND ON 11-20-13 I WAS ASSAULTED WITH A WEAPON BY A KNOWN GANG MEMBER (A CRIP) AND TRANSFERRED TO THE ROBERTSON UNIT. ON 4-7-14 I WAS TAKEN TO U.C.C. BECAUSE OF AN OPI DUE TO THREATS TO MY SAFETY DUE TO THREATS MADE BY CRIP GANG MEMBERS HOUSED ON THE ROBERTSON UNIT WHO WANT TO CAUSE ME HARM IN RETALIATION FOR REDACTED
HOUSED ON ROBERTSON UNIT. UNIT TRANSFER WAS THE DECISION MADE. ON 6-5-14 I WAS TAKEN TO U.C.C. AND IT WAS RECOMMENDED THAT I BE HOUSED ON SAFE KEEPING DUE TO CONTINUED THREAT TO MY SAFETY BY GANG MEMBERS. I WAS RELEASED BACK INTO GENERAL POPULATION ON ROBERTSON UNIT ON 6-19-14. RECENTLY THE CRIPS ON THE UNIT HAVE THREATENED ME AND I'VE HAD VERBAL ALTERCATIONS. THEY HAVE MADE THREATS AND I FEAR FOR MY LIFE. REDACTED WHO LIVES ON THE POD WITH ME IN 3-A-59B STEPPED IN ON MY BEHALF TO TRY TO STOP THE OTHER CRIPS FROM TRYING TO GET ME. YET THE THREAT STILL PERSISTS AND I CAN ONLY DO SO MUCH TO DEFEND MYSELF AGAINST THEM, WHICH IS VERY LITTLE. PRISON OFFICIALS HAVE A CONSTITUTIONAL DUTY TO PROTECT OFFENDERS FROM ASSAULT, AND THE TDCJ SAFE PRISON'S POLICY STATES THAT, "EVERY ATTEMPT SHALL BE MADE TO REDUCE INCIDENTS OF EXTORTION, PROTECT OFFENDERS WHO ARE AT INCREASED RISK OF HARM BY OTHERS." IT HAS BEEN SHOWN THAT I AM AN AT RISK OFFENDER. I'VE BEEN VICTIM OF 2 CRIMES IN TDCJ, AM AN OPENLY HOMOSEXUAL OFFENDER WITH A FEMININE ALIAS AND HAVE BEEN

BEEN PLACED IN HARM'S WAY. IT IS NOT OTHER OFFENDERS DUTY TO PROTECT ME, IT IS THE PRISON OFFICIALS TASKED TO DO SO'S JOB. I HAVE CURRENTLY BEEN THREATENED, AND FEAR FOR MY LIFE. OBVIOUSLY THERE IS A SERIOUS PROBLEM AT HAND. I HAVE BEEN TOLD THAT I WILL BE KILLED IF I REMAIN IN POPULATION.

Action Requested to resolve your Complaint.

I REQUEST IMMEDIATE HELP.

Offender Signature:

Joshua D. Zeltzoff

Date:

7-21-14

Grievance Response:

An investigation has been completed by unit administration. You were reviewed by the UCC on 8/1/14. Their decision was to recommend a unit transfer. You will remain housed in transient status until a decision has been received from the SCC in Huntsville.

Signature Authority:

Warden Webb

Date:

08/28/14

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Warden Webb

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: 1285

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

12A-29



Texas Department of Criminal Justice
STEP 2 OFFENDER
GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014187421
UGI Recd Date:	AUG 29 2014
HQ Recd Date:	SEP 05 2014
Date Due:	10-03-14
Grievance Code:	001
Investigator ID #:	10353
Extension Date:	

Offender Name: JASHA D. ZOLLICOFFER TDCJ # 1138161
 Unit: RB Housing Assignment: ~~# PHD-4~~ LK
 Unit where incident occurred: RB

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). I am dissatisfied with the response at Step 1 because...
 I AM GREATLY DISSATISFIED WITH THE RESPONSE OF STEP 1 GRIEVANCE # 2014187421 BECAUSE ALL OF MY PROBLEMS TO DATE ARE IN 1 FORM OR ANOTHER DUE TO ME BEING AN OPENLY HOMOSEXUAL OFFENDER HOUSED IN THE TDCJ GENERAL POPULATION. AN OPI WAS CONDUCTED IN WHICH I ONCE AGAIN REQUESTED HOUSING ON SAFEKEEPING. OBVIOUSLY THERE WAS SUFFICIENT EVIDENCE IN MY CLAIMS TO WARRANT A RECOMMENDATION BY UNIT CLASSIFICATION TO TRANSFER ME. YET, THAT IS NOT ENOUGH TO RECTIFY THE PROBLEM OR PREVENT LATER PROBLEMS FROM OCCURRING IN THE FUTURE. IT HAS BEEN SHOWN THAT I AM AN OFFENDER WITH A HIGHER POTENTIAL FOR VICTIMIZATION. OTHERWISE I WOULD NOT BE THE VICTIM OF VERY SERIOUS CRIMES OR HAVE TO ENDURE THE NUMEROUS THREATS TO MY PHYSICAL WELL BEING. THEREFORE, IT IS SAFE TO SAY THAT THE VIOLENCE AND THREATS VISITED UPON ME ARE CAPABLE OF REPETITION IF I AM LEFT HOUSED IN GENERAL POPULATION NO MATTER WHAT UNIT I AM TRANSFERRED TO IN THE FUTURE. AS LONG AS I AM IN GENERAL POPULATION I AM AT AN INCREASED RISK OF ASSAULT, RAPE AND EXTORTION. THE TDCJ SAFE PRISON POLICY CLEARLY STATES... "EVERY ATTEMPT SHALL BE MADE TO REDUCE INCIDENTS OF EXTORTION, PROTECT OFFENDERS WHO ARE AT INCREASED RISK OF HARM BY OTHERS"... THEREFORE, CONTINUING TO HOUSE ME IN GENERAL POPULATION TO FACE FURTHER RISK OF HARM AT THE HANDS OF OTHERS IS A DIRECT VIOLATION OF THAT POLICY. ESPECIALLY WHEN ALL OF THE THREATS ARE ROOTED IN THE FACT THAT I AM AN OPEN HOMOSEXUAL HOUSED IN GENERAL POPULATION. TDCJ DOES NOT MONITOR OR CONTROL ITS GANG INFLUENCED GENERAL POPULATION ADEQUATELY ENOUGH TO ENSURE MY SAFETY. FURTHERMORE, REFUSING TO HOUSE ME ON SAFE KEEPING CONDONES AS WELL AS PROMOTES FURTHER VICTIMIZATION. I REQUEST HOUSING ON SAFE KEEPING.

AIDS 00 100

PS-AB

AIDS 00 100

PS

~~A thorough investigation was conducted concerning your allegations. An Offender Protection Investigation was conducted concerning your allegations on 07/25/14. You were seen by UCC on 08/01/14 in which the committee recommend unit transfer due to STG investigation. Recommendation for unit transfer was submitted to SCC for approval; however, on 09/17/14, recommendation was denied. Investigation was reviewed by Warden Webb in which there were no concerns noted. You have filed numerous requests for safekeeping/ protective custody and all issues have been investigated and reviewed. You are currently housed in 12AC1-29 transient status.~~

No further action warranted by this office.

F. Fuster, Asst. Reg. Director September 26, 2014

Signature Authority: _____

F. Fuster, ARD

Date: _____

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. Malicious use of vulgar, indecent, or physically threatening language. *
- 6. Inappropriate. *

CGO Staff Signature: _____

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
2nd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
3rd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	

EXHIBIT N



Texas Department of Criminal Justice

12A-29
STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014196990
Date Received:	08/11/2014
Date Due:	09/20/2014
Grievance Code:	001
Investigator ID #:	I2267
Extension Date:	NA
Date Retd to Offender:	SEP 19 2014

Offender Name: JESSICA D. ZOLLICOFFER TDCJ # 1138161
 Unit: RB Housing Assignment: 11-PLD-4
 Unit where incident occurred: RB

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? PERSONAL LETTER TO WARDEN FOX When? 7-28-14

What was their response? NONE

What action was taken? NONE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I WROTE A LETTER TO WARDEN FOX REQUESTING HOUSING ON SAFE KEEPING FOR MY SAFETY. I RECEIVED NO RESPONSE. DURING MY CONFINEMENT IN TDCJ IVE HAD SEVERAL ONGOING AND WELL DOCUMENTED LIFE THREATENING ISSUES ALL ROOTED IN THE FACT THAT I AM AN AT RISK OFFENDER, TRANSFENDER WITH AN ALIAS OF "PASSION" AND HOUSED IN THE GANG INFLUENCED GENERAL POPULATION. I WAS SEXUALLY ASSAULTED ON 3-29-07 AND ASSAULTED WITH A WEAPON ON 11-20-13 BY A KNOWN GANG MEMBER. SINCE JULY OF 2014 THERE HAVE BEEN AT LEAST 18 OPI'S FILED ON MY BEHALF. ON 8-1-14 I WAS TAKEN TO UCC FOR AN OPI AND SIMPLY RECOMMENDED UNIT TRANSFER. YET, TRANSFERRING ME FROM UNIT TO UNIT IN GENERAL POPULATION DOES NOTHING TO RECTIFY THIS PROBLEM THAT IS PERVASIVE. TDCJ DOES NOT MONITOR OR CONTROL ITS GANG INFLUENCED GENERAL POPULATION ENOUGH TO PROTECT ME FROM VIOLENCE AT THE HANDS OF OTHERS. AFTER BEING SEXUALLY ASSAULTED IN 3-29-07 SIMILAR PROBLEMS PLAGUED ME. AFTER THE 11-20-13 ASSAULT WITH A WEAPON SIMILAR PROBLEMS PLAGUED ME. I HAVE BEEN THREATENED WITH MY LIFE AS WELL AS THREATENED WITH RAPE. HOUSING ME IN GENERAL POPULATION TO REPEAT THE SAME CYCLES WITH DIFFERENT OFFENDERS IS ABSURD. ESPECIALLY WHEN ITS BEEN SHOWN THAT I AM AN OFFENDER WITH A HIGH POTENTIAL FOR VICTIMIZATION. TDCJ'S SAFE PRISONS POLICY ED0303 CLEARLY STATES "EVERY ATTEMPT SHALL BE MADE TO REDUCE INCIDENTS OF EXTORTION, PROTECT OFFENDERS WHO ARE AT INCREASED RISK OF HARM BY OTHERS, TAKE A PROACTIVE APPROACH TO PREVENT SEXUAL ABUSE OF OFFENDERS, AND ADDRESS THE NEEDS OF OFFENDERS WHO HAVE BEEN SEXUALLY ASSAULTED." I HAVE BEEN SEXUALLY ASSAULTED IN THE PAST, ASSAULTED WITH A WEAPON. YET NOBODY HAS TAKEN PROACTIVE STEPS TO PREVENT THESE THINGS FROM HAPPENING. BOTH ARE CRIMES THAT HAVE BEEN COMMITTED AGAINST ME IN TDCJ. YET, NOBODY HAS TAKEN "PROACTIVE" STEPS TO PREVENT THESE THINGS FROM HAPPENING TO ME AGAIN. I FEAR FOR MY WELL BEING AND REQUEST HOUSING ON SAFE KEEPING OR PROTECTIVE CUSTODY. I HAVE HAD TO BE SEXUALLY ACTIVE IN THE PAST

TO AVOID HARM. KNOWING THIS YET DISREGARDING THE FACT AND CONTINUING TO HOUSE ME IN
GENERAL POPULATION IS LIKE SAYING "GO HAVE SEX TO PROTECT YOURSELF" WAITING FOR THREATS
TO BECOME ACTIONS IS A VIOLATION OF THE SAFE PRISON'S POLICY WHICH SAID POLICY CLEARLY
STATES THAT THE GOAL IS TO PREVENT THESE THINGS FROM HAPPENING.

Action Requested to resolve your Complaint.

I REQUEST HOUSING OR SAFE KEEPING OR PROTECTIVE CUSTODY.

Offender Signature: *James D. Talley*

Date: 8-11-14

Grievance Response:

An investigation has been completed by the Unit Administration. You were reviewed by the Unit Classification Committee (UCC) on 08/14/2014. No action was taken due to you being recommended for unit transfer on 08/01/2014. You have already been recommended for safekeeping status on 06/05/2014. That recommendation was denied by the State Classification Committee (SCC) on 06/16/2014. You will remain housed in transient status pending a decision from SCC in Huntsville.

Signature Authority: *[Signature]*

Date: 09/14/14

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Murden Webb

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY	
Initial Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
2 nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3 rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____



12A-29
Texas Department of Criminal Justice
STEP 2 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY	
Grievance #:	2014196990
UGI Recd Date:	SEP 29 2014
HQ Recd Date:	OCT 02 2014
Date Due:	11/3
Grievance Code:	001
Investigator ID #:	10353
Extension Date:	

Offender Name: JOSHUA D. ZOLLICOFFER TDCJ # 1138161
Unit: RB Housing Assignment: 12-A-29
Unit where incident occurred: RB

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). I am dissatisfied with the response at Step 1 because...
I AM DISSATISFIED WITH STEP 1 GRIEVANCE # 2014196990 RESPONSE BECAUSE IT HAS BEEN SHOWN THROUGH SEVERAL OPI'S, SPANNING SEVERAL YEARS AND 2 SERIOUS CRIMES COMMITTED AGAINST ME THAT I AM A VULNERABLE OFFENDER. AS AN OFFENDER WHO HAS BEEN VICTIMIZED, THREATENED, ASSAULTED AND WHO HAS A HISTORY OF SEXUAL VICTIMIZATION IT IS UCC'S RESPONSIBILITY TO TAKE ALL OF THIS INTO ACCOUNT WHEN MAKING ANY RECOMMENDATION, AS STATED IN THE TDCJ SAFE PRISON'S PLAN. GIVEN THE FACT THAT ALL THE THREATS, VIOLENCE AND COERCED SEXUAL RELATIONSHIPS THAT I HAVE HAD TO ENDURE HAVE ALL BEEN ROOTED IN THE FACT THAT I AM TRANS GENDER HOUSED IN THE GENERAL POPULATION OF OFFENDERS, RECOMMENDING ME TO BE TRANSFERRED TO ANOTHER UNIT'S GENERAL POPULATION TO FACE THE SAME PROBLEMS IS CONDONING THE ABUSE AND PROMOTING FURTHER VICTIMIZATION. NO UCC MAKES ANY RECOMMENDATION FOR UNIT TRANSFER UNLESS THERE IS OBJECTIVE IS SUBJECTIVE EVIDENCE SUBSTAINING THE NEED FOR PROTECTION. THEREFORE, LEAVING ME HOUSED IN GENERAL POPULATION WHILE KNOWING THAT GIVEN MY HISTORY OF RECEIVING THREATS OF VIOLENCE AND HAVING VIOLENCE VISITED UPON ME THAT THERE IS A PROBLEM CAPABLE OF REPETITION AS LONG AS I AM HOUSED IN GENERAL POPULATION IS A VIOLATION OF THE TDCJ SAFE PRISON'S PLAN. I REQUEST HOUSING ON SAFEKEEPING OR PROTECTIVE CUSTODY TO PREVENT ANY FURTHER VICTIMIZATION HIGHLY CAPABLE OF REPETITION IN TDCJ'S GANG INFLUENCED GENERAL POPULATION.

PIUS F. O. VON

PIUS

PIUS F. O. VON

A thorough investigation was conducted concerning your allegations. This issue was appropriately addressed at the Step 1 Level. On 09/17/14, SCC denied OPI request for transfer. Investigation was reviewed by Warden Webb in which there were no concerns noted. You are currently housed on 12AC1-29 transient status. No further action warranted by this office.

F. Fuster, Asst. Reg. Director October 31, 2014

A thorough investigation was conducted concerning your allegations. This issue was appropriately addressed at the Step 1 Level. On 09/17/14, SCC denied OPI request for transfer. Investigation was reviewed by Warden Webb in which there were no concerns noted. You are currently housed on 12AC1-29 transient status. No further action warranted by this office.

F. Fuster, Asst. Reg. Director October 31, 2014

Signature Authority: *F. Fuster, Asst. Reg. Director*

Date:

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. Malicious use of vulgar, indecent, or physically threatening language. *
- 6. Inappropriate. *

CGO Staff Signature: _____

OFFICE USE ONLY	
<u>Initial Submission</u>	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
<u>2nd Submission</u>	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
<u>3rd Submission</u>	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	

EXHIBIT O

TO: STATE CLASSIFICATION
P.O. BOX 99
HUNTSVILLE TX 77342

8-12-14

REASON: REQUEST HOUSING ON SAFE KEEPING.

Hello,

I AM WRITING YOU TO REQUEST YOUR ASSISTANCE IN A VERY SERIOUS MATTER.

MY NAME IS JOSHUA D. ZOLLICOFFER #1138161. I AM TRANSGENDER AND MY KNOWN ALIAS IS PASSION. I AM WRITING BECAUSE I AM CURRENTLY ON TRANSIT STATUS ON THE ROBERTSON UNIT AWAITING REPLY FROM STATE CLASSIFICATION FOR A RECOMMENDATION OF UNIT TRANSFER ON 8-1-14 BY ASSISTANT WARDEN WEBB.

DURING MY INCARCERATION I HAVE CONSTANTLY BEEN PREYED ON BY OTHER OFFENDERS AND HAVE COME TO SERIOUS HARM BECAUSE NO UNITS ADMINISTRATION HAS TAKEN THE STEPS TO PROTECT ME. ON 3-29-07 I WAS SEXUALLY ASSAULTED ON THE ALLRED UNIT. I WAS DENIED HOUSING ON SAFE KEEPING AND SIMPLY TRANSFERRED TO ANOTHER UNITS GENERAL POPULATION TO FACE THREATS AND ABUSE. I HAVE HAD TO BE SEXUALLY ACTIVE IN ORDER TO REMAIN RELATIVELY SAFE IN GENERAL POPULATION. THAT SHOULD NOT HAVE TO BE THE CASE THOUGH.

ON 11-20-13 I WAS ATTACKED WITH A WEAPON BY A KNOWN BANGER MEMBER. I WAS CUT ACROSS THE FACE AND FOREHEAD 8 TIMES WHILE BEING CALLED A SWITCHING FARTHOLE. MY INJURIES REQUIRED 36 STITCHES. THIS HAPPENED AFTER I'D INFORMED THE HUGHES UNIT ADMINISTRATION THAT THIS SAME OFFENDER WAS TRYING TO FORCE ME TO BE WITH HIM. THE HUGHES UNIT ADMINISTRATION DISREGARDED THE THREAT, HOUSED ME ON THE EXACT SAME POD AS HIM. AGAIN I REQUESTED HOUSING ON SAFE KEEPING. I WAS DENIED AND SIMPLY RECOMMENDED UNIT TRANSFER. I WOUND UP ON THE ROBERTSON UNIT AND NOW FACE THE THREAT OF SERIOUS HARM BY OFFENDERS WHO WERE CLOSE TO MY ATTACKER WHEN HE WAS HOUSED ON THE ROBERTSON UNIT. 6 MONTHS PRIOR TO THE 11-20-13 ATTACK ON ME.

I HAVE BEEN THREATENED WITH MY LIFE, THREATENED WITH RAPE AND FEAR FOR MY WELL BEING. I'VE INFORMED THE UNITS ADMINISTRATION. WROTE SEVERAL GRIEVANCES, WROTE THE PREA OMBUDSMAN AND SPOKEN TO OIG TWICE. ON 4-7-14 I WAS RECOMMENDED UNIT TRANSFER. ON 6-5-14 THE SAFE PRISONS OFFICE FORWARDED A RECOMMENDATION TO HOUSE ME ON SAFE KEEPING. BOTH WERE DENIED BY STATE CLASSIFICATION. MY LIFE IS IN DANGER AND I NEED HELP. I HAVE BEEN THE VICTIM OF 2 VERY SERIOUS CRIMES AND CONTINUE TO FEAR FOR MY WELL BEING.

SIMPLY TRANSFERRING ME FROM UNIT TO UNIT IN GENERAL POPULATION DOES NOTHING TO RECTIFY THE PROBLEMS THAT I AM HAVING. I REQUEST HOUSING ON SAFE KEEPING TO PREVENT FURTHER RAPE, EXTORTION AND ATTEMPTS ON MY LIFE. I REQUEST YOUR ASSISTANCE. THANK YOU.

JOSHUA D. ZOLLICOFFER #1138161