IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No.

07 - CV - 01855

(To be supplied by the court)

SEP 5 - 2007

GREGORY C. LANGHAM

RICHARD RED	, Plaintiff,			
N. MR R WILEY WARDEN FEDERAL BUREAU OF PRISO MR H WATTS GENERAL COUNSEL FEDERAL BUREA	, GREGORY C. LANGHAM CLERK			
(List each named defendant on a separate line.)	, , , Defendant(s).			
PRISONER COMPLAI	PRISONER COMPLAINT			

Case 1:07-cv-01855-PAB-KMT

A. PARTIES

(Plaintit's name, prisoner identification number, and complete mailing address) FLORENCE CO 81226 At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS AUTING UNDER THE CHISE & HENGLAL LAW MR. ALBERTO GONZALES, MUTICO STATES ATTORNEY GENERAL DEPARTMENT (Name, title, and address of second defendant) JUSTICE, CONTITUTION ALE T 10 ²⁴ STATE NW, WASHAUTON D.C. 70530 At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS SETING UNDER THE CHISE & FEDERAL LAW At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS SETING UNDER THE CHISE & FEDERAL LAW At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS GETING UNDER THE GUISE OF FOREIGN LAW You are suing more than three defendants, use extra paper to provide the information puested above for each additional defendant. The information about additional defendants ould be labeled "A. PARTIES.")	1.	RICHARD COLUIN REID 2487-038 USP ADMAX PO BOX 8500 (Plaintiff's name, prisoner identification number, and complete mailing address)
(Name, title, and address of first defendant) FLORENCE CO \$1226 At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS ACTING UNDER THE CHISE OF HEADRAGE DEPARTMENT (Name, title, and address of second defendant) TISTICE, CONTITUTION AUE + 10 Th STATE NW, WASHINGTON D. 20530 At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS ACTING UNDER THE CHISE OF GENERAL CHINSEL, B. O. P (Name, title, and address of third defendant) CENTRAL CHISE, 320 157 SMEET NW, WASHINGTON DC 2053Y At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS ACTING UNDER THE CHISE OF GENERAL CHINSEL, B. O. P (Name, title, and address of third defendant) CENTRAL CHISE, 320 157 SMEET NW, WASHINGTON DC 2053Y At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? Yes No (CHECK ONE). Briefly explain your answer: HE WAS ACTING UNDER THE GUISE OF FEDERAL LAW		
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	que	sted above for each additional defendant. The information about additional defendants

B. JURISDICTION

1.	I assert jurisdiction over my civil rights claim(s) pursuant to: (check one if applicable)
	28 U.S.C. § 1343 and 42 U.S.C. § 1983 (state prisoners)
	28 U.S.C. § 1331 and <i>Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics</i> , 403 U.S. 388 (1971) (federal prisoners)
2.	I assert jurisdiction pursuant to the following additional or alternative statutes (if any):
	252 U.S. C 1915

C. NATURE OF THE CASE

BRIEFLY state the background of your case. If more space is needed to describe the nature of the case, use extra paper to complete this section. The additional allegations regarding the nature of the case should be labeled "C. NATURE OF THE CASE."

of the case should be labeled "C. NATURE OF THE CASE.

On February 2003 & was brought to u.s. P. ADMAX at George Could possible to his impresented a Pre Boston, Me, Rederd court, since my arrival at u.s. P. ADMAX a hove been regularly deviced access to religion services and independs a available to other involves and educational and redesional services available to Them and kept in horsher conditions from those which other innotes.

Includy Those on the prisons control unit according to what a understand—are subjected to without my conduct since been imprisored justifying such also since july without just cause, and a hove been imprisored justifying such also since july without just cause, and a hove burn my whole time at u.s. P. Admax been deviced access to media soulces available to other immates such attus than the reduce of this case is a request for religious or most such attus the nature of this case is a request for religious and newspopers or magazines which are used to day reaccess to these volious things therefored

Case 1:07-cv-01855-PAB-KMT

D. CAUSE OF ACTION

State concisely every claim that you wish to assert in this action. For each claim, specify the right that allegedly has been violated and state all supporting facts that you consider important, including the date(s) on which the incident(s) occurred, the name(s) of the specific person(s) involved in each claim, and the specific facts that show how each person was involved in each claim. You do not need to cite specific cases to support your claim(s). If additional space is needed to describe any claim or to assert more than three claims, use extra paper to continue that claim or to assert the additional claim(s). The additional pages regarding the cause of action should be labeled "D. CAUSE OF ACTION."

- 1. Claim One: The Defendants have indicated the plantiffs first (15) areadment Supporting Facts: upon him which day him access to information and to religious activities
- Since my. The floritiffs arrival at usp ADMOX a hove been subjected to S.A. His restrictions which deny me various aspects ex my Grit (1st) one-direct lights. These s.A. Mis were initially praced upon me by the united states attorney General (u.s. A. G. III) the 2002 and implemented by the Bureon of Prison's (B.O.P.) a represented by the warden of u.s. P. ADMAX Since my arrival in the B.O.P. System in february 2003, and Professor continuously implemented being renewed by the u.s. A. G. on a yearly bosib. The aspects which these s.A. Mis deny me of in regards to my Grist (1st) amendment rights are as follows.
 - 1) I have been denied access to now media which is given to other USP ADMAX innates such as news notations which are available to Then via The Lessure Horary except for one newspaper which is delayed for One (1) Month and for which pages are removed one T.V channels and adjo stations which broadcast news whether they are principly news channels or not
 - 2) a hove been devied phone contact with anyone except my lowger my consulate and my Innediate family, and os of July 2006 hove been prevented from writing anyone offer mon then and certain us government entitles such as the courts aswell.
- 3) a hove been prevented for studying by colligion by collespondance coulse, initially this was done by the worder of usp ADMAX degring the access to arobic Longuage coulse, and by the nail being delayed for up to / Three (3) Honth's which means a would not be able to submit any exam papers on Time -, and as at Time 2006 it has been done by denying the writen contact with anyone other than Those the Travel in palestage.

D. Couse of Action

claim I cont

4) & have been prevented from subscribing to Religious magazines by howing my requests to do so denied by the fib. I on the grounds of the S.A.Ms upon the

5) a hove been deried access to being library naterials available to other innotes and deried access to adequate reading naterials with reading materials available to me hour to only been updated three or four time in four year whereas the library on other units is stated was for virtes a year.

b) to how been prevented thin postoring group prayers in a nonner required by

at the institution at which a com housed and I go the regional director of the B.D.P and the office of General Counsel, each of Prese regusts were derived thereby now each of the defendants hable as They refused to redies the restrictions upon re and grout me relief in regards 90 Fren,

- 2. Claim Two: The Defendants have violated the plaintiff fifth (5th)
 Supporting Facts: one-direct control of the plaintiff of the protection
- Since my. The Plaintiffs arrival of us a ADMAX or home continuously bear subjected to S.A.Ms Cestrictions with these restrictions how been placed upon me initially in June 2002 by the u.s. A.G. without due process and ben remembed on a year basis without due process by the u.s. A.G. and implemented by the Blo, p as represented by the worden at u.s. p Admax, fethernose the S.A.M.s. de-The S.A.Ms day he equal potedion by
- 1) flevet, ne access 90 to chomels and adio stations which over made are allowed access To only hose access to as a parative neasure of because of aguse of men.
- 2) Keeping me in Segragated conditions stricter man mose to which other innates are subjected to without gibing the any real recourse for how these restrictions removed as the only step down program avoilable to me necessitate not the S.A.M. revain upon me for at least Three years introit change - although according to B.O.P policy The S.A.No are supposed to be Some restrictions may be removed with the end of three years my behaviour justifies such a set of the same of the same of the same and as the Administrative Revery System is more a forality mone a nearis ex/revery as is shown by The attached apt of B.O.8 Gaeol Counsel To Administrative Render Appel # 438446 A)
- 3) Preventing the from hours phone contact with anyone except my Lowyer, My consulate and in the family, whose other intrates are allowed indeed excouraged To keep contact with not inmediate family and Grends as Shown by attacked copy of mide (ight) and responsability, and by derying ne as of July 2006 the writing any one except for my invediate family and Those prentioned previously without my how obused my right to write people for regions on madent reports or / such to justify that
- 4) Preventing me equal access to ready materials as the leisure library materials available to me have long been increased reagily four times in the past four years whereas the libraries on other units - including the control unit - are rotated every three (3) Houths so as to give into access to different noterials on a regular basis, and es a in not allowed access to the main library and to naterials/which other mentes are given

D. Cause & Action

clain Two cont

5) Denying the access to collespondence coulses so as to study my religion wholes other innotes are encouraged to seek feither education while in prison and given access to that

b) Preventing the For subscribing to religious plagazines by denying my requests to be able to do so where other invotes are allowed to subscribe to whotever monoranes they tille religious of otherwise except for as where B.D.P point prevent that such as in the case of pornagrapy and so forth.

a have appealed these various Pestrictions at the focal and national levels to the worden of the institution of an housed at and the B.O.D General Counsel and had each of my appeals rejected thereby graving each of the named defendants liable

3. Claim Three: The Defendants have denied the plaintiff his Eghth (8th)
Supporting Facts: aread next (1947)

Since my. The plantiffs - arrival at usy ADMAX a hove been. Subjectived to lesticious due to the S.A.Ms upon me, the totality of the lestrictions amount to cruel and unusual puntithent as they prevent me from access to media source, available to other inholes, and the religious practicel, and from withing or phony angue except for my immediate family and my few year and consulate, and by preventing the from access to library noterials given to other innote and keeping the in segregated condititions without any real neois of challengy, this as he all been histed in detail previously, in each of these espects the u.s. A for is liable as he directly oversees the implementation of the S.A.Ms upon the and the General Coursel is liable as he has uphield the retrictions upon the and refused to great me religion in regard.

E. PREVIOUS LAWSUITS

Have you ever filed a lawsuit, other than this lawsuit, in any federal or state court while you were incarcerated? Yes No (CHECK ONE). If your answer is "Yes," complete this section of the form. If you have filed more than one lawsuit in the past, use extra paper to provide the necessary information for each additional lawsuit. The information about additional lawsuits should be labeled "E. PREVIOUS LAWSUITS."

1.	Name(s) of defendant(s) in	prior
	lawsuit:	_

Lederal Bureau of Prisons

2. Docket number and court name:

Of 1664 Denver Federal Court, A.A. A. A. G. COUTHOUSE
That a hove been deled lights and privatines given to
other innates and kept in stricter additions than
what they are kept under

3. Claims raised in prior lawsuit:

4. Disposition of prior lawsuit (for example, is the prior lawsuit still pending? Was it dismissed?):

Dismissed

5. If the prior lawsuit was dismissed, when was it dismissed and why?

Because The check which a set for filing fees was delayed in the rail Thoseby cousing The case go be Those out

6. Result(s) of any appeal in the prior lawsuit:

None

F. ADMINISTRATIVE RELIEF

Is there a formal grievance procedure at the institution in which you are confined?
 Yes ___ No (CHECK ONE).

2. Did you exhaust available administrative remedies? Yes __ No (CHECK ONE).

NoTE: I have filed appeals in regards to The SAM'S several Time, including most recently in 2006 + 2007 and an in The process of appealing the SATEST renewal of the SAM'S upon the, however as the S.A.M'S are continuous to have filed this case based on the fact that to have previously filed appeals and been derived recourse and have sent copies of relevant papeals where available and will also send copies of final fesult of current appeals if papealed and they are available to the

(Rev. 1/30/07)

G. REQUEST FOR RELIEF

State the relief you are requesting. If you need more space to complete this section, use extra paper. The additional requests for relief should be labeled "G. REQUEST FOR RELIEF."

paper. The additional requests for relief should be labeled "G. REQUEST FOR RELIEF."

I (equest and the defendants and those Subordante to then be ordered to uphild a constitutional light) which they cultentry deny he and that a be given the Some accepts to media Sources. I.e. I've and Tedio channels and newpapers and mojorines which is given to other usf ADMax innotes, and that a be given the Some accepts to fearly retained so them, and be allowed to white whicher a wish expecially these when a west courses so a go study my (eligion and that a be allowed to associate with other innotes an my (eligion and that a profess in a manner which is prescribed by my step down profon available to other mode be set.

Also a request that the court above the defendants to compessite the plantiff to the working which he has beed due to the estimation placed upon him and the stress and a horizonal Tulnoil this has coused him and this be bosed on what he court sees the officers and the stress and a plantiff that he so beed due to the estimation placed upon him and the stress and a ben fit according to the situation. os bes fit accords to The Situation

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I am the plaintiff in this action, that I have read this complaint, and that the information in this complaint is true and correct. See 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed on Aug 24'1 2001

Case 1:07-cv-01855-PAB-KMT Document 3 Filed 09/05/2007 USDC Colorado Page 11 of 38

Plantiff Declaration / Affectivit in support of civil action

I Richard Colum Reid on a British Citizen and all of my innediate family (i.e parents and Siblings) and most of my close relatives are British Citizens and live in British.

I was accepted a an international flight for Paris-Honce to Miani-U.S. A in December 2001 and Taken into custody in Boston, Ma, U.S. A and placed on administrative segregation for loughly Three Months dung which Time a was given access to a ladio and was able To Talk To other innates, latter this & was removed. To Total Segragation and had my ladio Taken from ne and eventually in June of 2002 SAMS restrictions were placed upon he plevety he to how contact with other innates and the contact with the media, while allowing he writer contact with anyone other than the nestra, in february 2003 a was Transfered to U.S.P ADMAX, Fixence, to after be, settanced to a like settance at the Boston tederal Court, The SAMS were Still in place land a was placed on a special Housing Unit Set up sparifically for S.A.Ms innates where a house been housed since, at Krita was not allowed to speak to the other mates on the unit at all, however this was later abligated allowing he to speak only with other SAMs innotes, at the same three was still able to write whoever is wonted except for the Media with the SATIS be , renewed on a yearly bosts in the Hand of June, however in June 2006 a was lesthited to writing anyone except for my innediate family, This restriction come into force fully in July 2006 as on vail recieved by The F.B. I whether meaning or outgoing before The Penewal of the S.A.MS was allowed to reach for who it was iteded herefore effectively I have been deried contact with ayone other than my investigate Kinds since July 2006 with this restriction bery upheld in the lotest / record of the S.T.M.s upon he in June 200+, This /is on top of the Got that a hove been Kept in conditions of segregation for over five years and desired many rights and privalges granted to other motes without no conduct sustifying such since beg imprisoned, and me feet that my Good is subjected to be I the Topled before being given to re, sinething which only applies to S.A.Ms innotes, all of miss and what has been détail in the accompanying papels has caused me to file this case in the

hope of recienny redress and how, some is not all of the restrictions placed upon

Plantiff Derlaration / Affridavit cot

Comoved as these is no sound leason or justification for most of that except if the ain to simply to make the in prison as difficult as possible for me as seens to be the case expecially when one tooks at the fast past a was allowed to write whoever a worker for just over four years and then in 2006 a was provided from that without my conduct justifying that now in the period reading that could cause that since my aliand at u.s. of ADNAX now in the period reading up to the senewal of the S.A.A. 12006 as can be confirmed by look, at my prison second.

Therefore a request that the court great the sought taking into account everything which has been mediated in the previous pages.

Richard Colvin Reid

Case 1:07-cv-01855-PAB-KMT, Document 3 U.S. Department of Justice

Filed 09/05/2007

USDC Colorado

Page 13 of 38

Central Office Administrative Remedy Appeal

Federal Bureau of Prisons

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Part A—REASON FOR APPEAL	MITTIAL RE	3G. NO.	Les love 1	institu	TION
From: <u>DELO RICHARD</u> C	INITIAL RE	9 0.58	+1	<u> FLORENCE</u>	ADX

SUBJECT:

Administrative Remedy No. 302475-A1 Part B - Response

You appeal the Warden's response to your Request For Administrative Remedy in which you request full access to reading materials in the Leisure Library or that a wider range of materials be made available.

In accordance with Special Administrative Measures imposed by the Attorney General, you will not be given access to any items which other inmates have access. This is to prevent you from passing messages/information from inmate to inmate. Your appeal is denied.

Harrell Watts, Administrator

National #nmate Appeals Document 3

Filed 09/05/2007

USDC Colorado

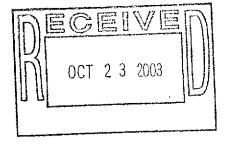
Page 15 of 38

U.S. Department of Justice

Federal Bureau of Prisons

Regional Administrative Remedy Appeal

Type or use ball-point pen. If attachments are needed, submit four with this appeal.	copies. One copy of the compl	eted BP-DIR-9 including a	ny attachments must be su	bmitted
From: REID RICHTARD C LAST NAME, FIRST, MIDDLE INITIAL	24079 - 038	<u></u>	FLORENCE	AOX
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DATE	REGIONAL DIRECTOR	
If dissatisfied with this response, you may appeal to the General Counsel days of the date of this response. ORIGINAL: RETURN TO INMATE	CASE NUMBER: 3134	
Part C—RECEIPT	CASE NUMBER:	
Return to:LAST NAME, FIRST, MIDDLE INITIAL	REG. NO. UNIT	INSTITUTION
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Department of Justice Federal Bureau of Prisons North Central Regional Office

Regional Administrative Remedy Appeal Part B - Response

Name: REID, Richard

Register Number: 24079-038

Admin Remedy Number: 312631-R1

This is in response to your Regional Administrative Appeal in which you are requesting access to all television channels except those which primarily broadcast the news as indicated in the Special Administrative Measures (SAMs) imposed by the Attorney General.

We have reviewed your appeal and determined this issue has been responded to in Administrative Remedy 294424-R1 and Administrative Remedy 298910-R1. You currently have access to television channels which are in compliance with SAMs guidelines.

Based on the above information, this response is for informational purposes only.

11/14/13 Date

G. L. HERSHBERGER, Regional Director

Department of Justice Federal Bureau of Prisons North Central Regional Office

Regional Administrative Remedy Appeal Part B - Response

Name: REID, Richard Colvin Register Number: 24079-038

Admin Remedy Number: 304335-R1

This is in response to your Regional Administrative Appeal in which you request to be permitted to associate with other inmates on your unit based on your positive conduct while incarcerated.

We have reviewed your appeal and find that the Warden's response thoroughly addresses your concerns. Permitting you to associate with other inmates in your unit would be a violation of the Special Administrative Measures (SAMs) imposed by the United States Attorney General. Although your positive adjustment is favorable, it does not negate the measures imposed as noted above.

Based on the above information, your Regional Administrative Remedy Appeal is denied.

G. L. HERSHBERGER, Regional Directo

9-3-03
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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO OFFICE OF THE CLERK

GREGORY C. LANGHAM CLERK OF COURT

Room A-105
Alfred A. Arraj United States
Courthouse
901 19th Street
Denver, Colorado 80294
Phone(303) 844-3433
www.cod.uscourts.gov

This is the best quality copy of the following document.

Clerks Office United States District Court Case 1:07-cv-01855-PAB-KMT Document 34 Filed 09/05/2007 USDC Colorado Page 19 of 38

Central Office A mistrative Remedy Appeal Appeal

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Administrative Remedy No. 319192-A2 Part B - Response

You contend you have been denied access to news media except for one newspaper; equal access to library, religious and educational material; contact with blood relatives and other privileges afforded other inmates.

Our review of this matter reveals that both the Warden and the Regional Director have adequately addressed your concerns. The Attorney General of the United States has directed, pursuant to 28 C.F.R. § 501.3, that special administrative measures be implemented to restrict your access to the mail, media, telephone and visitors. These measures have been imposed because there is a substantial risk that your communications or contacts with persons could result in death or serious bodily injury to persons.

Your appeal is denied.

May 21, 204

Harrell Watts, Administrator National Inmate Appeals



U.S. Department of Justice Federal Bureau of Prisons

United States Penitentiary, Administrative Maximum

Florence, CO 81226

November 3, 2006

MEMORANDUM FOR HUNIFIMMATE POPULATION

FROM:

SUBJECT:

H-Unit Step Down Program

Beginning January 1, 2007, inmates assigned to the Special Security Unit will have the opportunity to receive increased privileges via a three-step program. All inmates will begin in Phase One of this program. Progression through each phase will be upon the recommendation of the H Unit Review Committee(HRC).

Phase One - An inmate in Phase One of the step-down program would be housed on the B-side, Ranges 3 and 4, of the unit under the SAMs restrictions as originally imposed upon him and will be allowed two social phone calls per month. Inmates must complete one year of clear conduct in this phase before receiving consideration for phase two of the program.

Phase Two - An inmate in phase two of the step-down program would be housed on the A-side, Range 2, under the SAMs restrictions as originally imposed. These inmates will be allowed three social telephone calls per month, expanded commissary list, additional recreation time and will be allowed to proceed to the showers on their respective range, unescorted, 5 times a week(M-F). Inmates must complete one year of clear conduct in this phase before receiving consideration for phase three of the program.

Once an inmate has reached eligibility for phase three and has demonstrated positive behavior and interaction with staff. The HRC will make the request to the Office of General Counsel (OGC) for that inmate's SAMs to be modified as needed, so that he may progress to phase three. Advancement to phase three will be dependent upon receipt of requested SAMs modifications.

Phase Three- An inmate in phase three of the step-down program would be housed on the A-side Range 1 of the unit and would be allowed additional newspapers and periodicals, radio and television stations, could engage in group eating and share a

H-Unit Step Down Program Page 2 November 3, 2006

common area in the cell block for a certain period of time per week. He would also receive three social telephone calls per month, and additional recreation time.

Consideration for advancement to Phases Two and Three includes, but is not limited to, safety concerns, length of sentence, disciplinary record, history of assaultive/disruptive behavior, and escape potential. Also sanitation, willingness to participate in or cooperate with institutional programs and procedures, interaction with other inmates as well as positive rapport with staff are elements that will be used to evaluate placement in each phase. Advancement to Phases Two and Three will not be automatic, but will be determined by the HRC.

Inmates may be removed from Phases Two or Three and returned to a preceding step, if found guilty of committing a prohibited act by the UDC or DHO. Additionally, inmates may be removed from Steps Two or Three for administrative reasons should it be determined an inmate's readiness to progress through the Step Program is unsatisfactory, or he has no participation in education or psychology programs once he has been in the program for a measurable period of time.

Please refer to your unit team with any questions regarding this program.

U.S. Department of Justice Federal Bureau of Prisons North Central Regional Office

Regional Administrative Remedy Appeal Part B - Response

Admin Remedy Number: 419164-R1

This is in response to your Regional Administrative Remedy Appeal dated July 19, 2006, in which you contend the most recent modifications of your Special Administrative Measures (SAMs) pertaining to limitations on social correspondence are more restrictive. You request the latest modifications be removed.

We have reviewed your appeal. The U.S. Attorney General may impose special administrative measures if there is a substantial risk that a prisoner's communications or contacts with persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons. These special administrative measures ordinarily may include housing the inmate in administrative detention and/or limiting certain privileges, including, but not limited to, correspondence, visiting, interviews with representatives of the news media, and use of the telephone, as is reasonably necessary to protect persons against the risk of acts of violence or terrorism. While the Bureau of Prisons neither imposes nor rescinds SAMs, it implements the restrictions contained within and accommodates specific requests relating to the restrictions.

The U.S. Attorney General has determined this particular special administrative measure is necessary. As you have provided no information to support your request for removal of the limitation on social correspondence, the restriction will not be removed or modified at this time.

Based on the above information, your Regional Administrative Remedy Appeal is denied.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

Michael K. Nalley ∕Regional Directo

Case 1:07-cv-01855-PAB-KMT Document Filed 09/05/2007 USDC Colorado Page 24 of 38 U.S. Department of Justice Central Office Administrative Remedy Appeal

Federal	Bureau	of	Prisons

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Part B - RESPONSE

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Administrative Remedy Section Federal Bureau of Prisons

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DATE		GENERAL COUNSEL
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Case 1:07-cv-01855-PAB-KMT Document Filed 09/05/2007 USDC Colorado Page 25 of 38

Althord Reid 2409-038

H WIT BIOI

Addresses of Those people whom a wish to be able to write and whom a was previously allowed to do so and currently count because of new Sam restrictions

- 1) Ar M.A. Khon 45 Albacole Clescent Lordon 5813 74W UK
- 2) Ms L Massengill Po Box 52 Boiley NC 27807
- 3) Mr M Reid 5 Mollot CT Molora ST Kennington London SEII 600 UK
- 4) Ms J Deven 18 The Ceders Eighten Banks Gateshead NEQ 7BW Ut
- 5) Ms Carolyn Hughes 43 Clossters Rd Leathworth Herrodolice S46 3TR UK

Administrative Remedy No. 438446-A1 Part B - Response

This is in response to your Central Office Administrative Remedy Appeal in which you contend the Special Administrative Measures (SAMs) prevent you from exercising your basic rights, such as contacting the media, receiving information to study your religion via a correspondence course, and corresponding with more than only your immediate family. You request the SAMs be removed or modified.

As you have been made aware, the authority for the action is derived from Title 28, Code of Federal Regulations § 501.3. As per this regulation, the Attorney General may impose SAMs if there is substantial risk that a prisoner's communications or contacts with persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons. A hearing prior to imposition is not required. They are restrictions to ensure your communications do not place the safety or security of the public, other inmates, or staff at The continued need of the restriction is reviewed annually by the Attorney General, and will remain in place until it is deemed no longer necessary.

In regard to your request to correspond with individuals outside of your immediate family, and in regard to correspondence courses, discuss these issues with the unit team. They may be able to assist you with these issues after consultation with other appropriate entities.

You may object to the provisions of the SAMs, but as the Warden appropriately advised you, the Bureau merely informs you of the requirements of the SAMs, and ensures the measures are followed. We can assist in obtaining modifications of the SAMs when appropriate. The continued need of the restriction is reviewed annually by the Attorney General (AG), and will remain in place until the AG determines they are no longer necessary.

We therefore concur with the responses provided. Accordingly,

your appeal is denied.

Watts, Administrator

Inmate Appeals Nation#1



U.S. Department of Justice Federal Bureau of Prisons

United States Penitentiary Administrative Maximum

Office of the Warden

Florence, CO 81226

June 19, 2007

MEMORANDUM-FOR RICHARD C, REID, REGISTER NUMBER 24079-038

FROM:

SUBJECT:

Notification of Extension of Special Administrative

Measures

Ř. Wiley.

Pursuant to 28 C.F.R. § 501.3, special administrative conditions were implemented regarding your confinement. The Bureau of Prisons (BOP) adopted these special administrative conditions based on information of your proclivity for violence. These special administrative measures (SAM) are extended for an additional one year period. This SAM will commence immediately upon expiration of the prior SAM authorization period and will be in effect for a period of one (1) year, subject to any further direction.

1. General Provisions:

- a. Adherence to Usual United States Marshals Service (USMS), Bureau of Prisons (BOP) and Detention Facility (DF) Policy Requirements In addition to the below listed SAM, you must comply with all usual USMS, BOP, and non-BOP DF policies regarding restrictions, activities, privileges, communications, etc. If there is a conflict between USMS/BOP/DF policies and the SAM, as set forth herein, where the SAM is more restrictive than usual USMS/BOP/DF policies, then the SAM shall control. If usual USMS/BOP/DF policies are more restrictive than the SAM, then USMS/BOP/DF policies shall control.
- b. Interim SAM Modification Authority During the term of this directive, the Director, Office of Enforcement Operations (OEO), Criminal Division, may modify your SAM as long as any SAM modification authorized by OEO:

- Does not-create a more restrictive SAM;
- ii. Is not in conflict with the request of the U.S. Attorney for Massachusetts (USA/MA), Federal Bureau of Investigation (FBI), or USMS/BOP/DF, or applicable regulations; and
- iii. Is not objected to by the USA/MA, FBI, or USMS/BOP/DF.
- c. Inmate Communications Prohibitions You are limited, within USMS/BOP/DF's reasonable efforts and existing confinement conditions, from having contact (including passing or receiving any oral, written, or recorded communications) with any other inmate, visitor, attorney, or anyone else except as outlined and allowed by this document that could reasonably foreseeably result in your communicating information (sending or receiving) that could circumvent the SAM's intent of significantly limiting your ability to communicate (send or receive) terrorist information.

The USMS/BOP/DF may permit you to communicate with other SAM inmates orally only during certain predesignated times, the place and duration to be set by the USMS/BOP/DF. You shall not have any physical contact with other inmates during this predesignated time and all such predesignated sessions will be monitored and/or recorded. Upon request of the FBI, a copy of the recording will be provided by the USMS/BOP/DF to the FBI to be analyzed for indications that you are attempting to pass messages soliciting or encouraging acts of terrorism, violence, or other crimes.

2. Attorney/Client Provisions:

a. Attorney¹ Affirmation of Receipt of the SAM Restrictions Document - Your attorney (or counsel) - individually by each if more than one - must sign an affirmation acknowledging receipt of the SAM restrictions document, except where such affirmation is excused, precluded, or barred by judicial determination. By signing the affirmation, the attorney acknowledges his/her awareness and understanding of the SAM provisions and his/her agreement to abide by these provisions, particularly those that relate to contact between

The term "attorney" refers to the inmate's attorney of record, who has been verified and documented by the USA/MA, and who has received and acknowledged receipt of the SAM restrictions document. As used in this document, "attorney" also refers to more than one (1) attorney where the inmate is represented by two (2) or more attorneys, and the provisions of this document shall be fully applicable to each such attorney in his/her individual capacity.

Document 3

- The USA/MA may authorize additional documents to be presented to you. If any document not listed or described above needs to be transmitted to you, consent for the transmission of the document can be obtained from the USA/MA without the need to formally seek approval for an amendment to the SAM.
- h. Legal Mail Your attorney may not send, communicate, distribute, or divulge your mail, or any portion of its contents (legal or otherwise), to third parties.5

In signing the SAM acknowledgment document, your attorney and precleared staff will acknowledge the restriction that only your case-related documents will be presented to you, and neither your attorney nor his/her staff will forward third-party mail to or from you.

3. **Inmate's Nonlegal Contacts:**

- Nonlegal Telephone Contacts a.
 - i. You are limited to nonlegal telephone calls only to your immediate family members.6
 - The quantity and duration of your nonlegal telephone calls with your immediate family members shall be set by the USMS/BOP/DF, with a minimum of one call per month, unless otherwise agreed upon by USMS/BOP/DF/FBI and USA/MA to allow more calls.
- Rules for Telephone Calls For all nonlegally privileged telephone calls or communications, no telephone call/communication, or portion thereof:
 - Is to be overheard by a third party.7

⁵ Legal Mail is defined as properly marked correspondence (marked "Legal Mail") addressed to or from the inmate's attorney of record. All other mail, including that otherwise defined by the USMS/BOP/DF as Special Mail, shall be processed as "nonegal mail."

⁶ The inmate's "immediate family members" are defined as the inmate's (USMS/BOP/DF, FBI-verifiable), spouse, natural children, parents, and siblings.

⁷ For purposes of the SAM, "third-party" does not include officials of the USMS/BOP/DF/ FBI and DOJ or other duly authorized federal authorities when monitored in connection with their official duties. This section does not allow monitoring of attorney/client communications.

Document 3

- Is to be patched through, or in any manner forwarded or transmitted, to a third party.
- Shall be divulged in any manner to a third party.
- iv. Shall be in any manner recorded or preserved.8

All telephone calls shall be in English unless a fluent FBI/USMS/BOP/DFapproved translator is available to contemporaneously monitor the telephone call. Arranging for a translator may require at least fourteen (14) days advance notice.

- Telephone SAM Restriction Notifications For all nonlegal telephone calls to your immediate family member(s):
 - The USMS/BOP/DF shall inform you of the telephone SAM restrictions. prior to each telephone call.
 - The USMS/BOP/DF shall verbally inform your immediate family member(s) on the opposite end of your telephone communication of the telephone SAM. The USMS/BOP/DF is only required to notify your communication recipient in English.
 - iii. The USMS/BOP/DF shall document each such telephone notification.
- Family Call Monitoring All calls with your immediate family member(s) shall be:
 - i. Contemporaneously monitored by the FBI.
 - Contemporaneously recorded (as directed by the FBI) in a manner that allows such telephone calls to be analyzed for indications the call is being used to pass messages soliciting or encouraging acts of violence or other crimes, or to otherwise circumvent the SAM.
 - iii. A copy of each inmate/immediate family member telephone call recording shall be provided by the USMS/BOP/DF on a single, individual cassette tape (per call) for forwarding to the FBI. These recordings shall be forwarded on a call-by-call basis as soon as practicable.

⁸Except by USMS/BOP/DF/FBI/DOJ or other duly authorized federal authorities.

e. **Improper Communications** - If telephone call monitoring or analysis reveals that any call or portion of a call involving you contains any indication of a discussion of illegal activity, the soliciting or encouraging of acts of violence or terrorism, or actual or attempted circumvention of the SAM, you shall not be permitted any further calls to your immediate family members for a period of time to be determined by the USMS/BOP/DF. If contemporaneous monitoring reveals such inappropriate activity, the telephone call may be immediately terminated.

f. Nonlegal Visits -

- i. **Limited Visitors** You shall be permitted to visit only with your immediate family members. The visitor's identity and family member relationship to you will be confirmed by the USMS/BOP/DF and FBI in advance.
- ii. English Requirement All communications during nonlegal visits will be in English unless a fluent FBI, USMS/BOP/DF-approved translator is readily available to contemporaneously monitor the communication/visit.
- iii. Visit Criteria All nonlegal visits will be:
 - (1) Contemporaneously monitored by the USMS/BOP/DF and/or FBI, in a manner that allows such visits to be analyzed for indications the visit is being used to pass messages soliciting or encouraging acts of violence or other crimes, or to otherwise attempt to circumvent the SAM.
 - (2) Permitted only with a minimum of fourteen (14) calendar days advance written notice to the USMS/BOP/DF facility where you are housed.
 - (3) Without any physical contact. All such meetings shall be noncontact to protect against harm to visitors or staff should you attempt to take hostages.
 - (4) Limited to one (1) adult visitor at a time. However, your FBI-verified children may visit with a pre-approved adult visitor.
- g. **Nonlegal Mail** Any mail not clearly and properly addressed to/from your attorney and marked "Legal Mail" (incoming or outgoing). Nonlegal mail is limited to only your immediate family, U. S. courts, federal judges, U. S. Attorneys' Offices, members of U. S. Congress, BOP, other federal law enforcement entities, and, if you are a citizen of a foreign country, a verified consular representative of that country.

- i. **General correspondence with limitations:** correspondence is restricted to only immediate family members. Volume and frequency of outgoing general correspondence with immediate family members only may be limited to three (3) pieces of paper (not larger than 8 1/2 x 11), double-sided, once per calendar week to a single recipient, at the discretion of the USMS/BOP/DF. The identity and family member relationship to you will be confirmed by the USMS/BOP/DF and FBI.
- ii. General correspondence without limitations: correspondence to U. S. courts, federal judges, U. S. Attorneys' Offices, members of U. S. Congress, BOP, and other federal law enforcement entities. There is no volume nor frequency limitation on mail to/from these parties unless there is evidence of abuse of these privileges, threatening correspondence is detected, circumvention of the SAM is detected, or the quantity to be processed becomes unreasonable to the extent that efficient processing to protect the security, good order or discipline of the institution, the public, or national security may be jeopardized.
- iii. All nonlegal mail will be:
 - (1) Copied Shall be copied (including the surface of the envelope) by the warden, or his/her designee, of the facility in which you are housed.
 - (2) **Forwarded** Shall be forwarded, in copy form, to the location designated by the FBI.
 - (3) Analyzed After government analysis and approval, if appropriate, your incoming/outgoing nonlegal mail will be forwarded: 1) to the USMS/BOP/DF for delivery to you (incoming); or 2) directly to the addressee (outgoing).
 - (4) The Federal Government will forward your nonlegal mail to the USMS/BOP/DF for delivery to you or directly to the addressee after a review and analysis period of:
 - (a) A reasonable time not to exceed fourteen (14) business days for mail which is written entirely in the English language.
 - (b) A reasonable time not to exceed sixty (60) business days for any mail which includes writing in any language other than English, to allow for translation.
 - (c) A reasonable time not to exceed sixty (60) business days for any

mail where the Federal Government has reasonable suspicion to believe that a code was used, to allow for decoding.

- Mail Seizure If outgoing/incoming mail is determined by the USMS/BOP/DF/FBI to contain overt or covert discussions of or requests for illegal activities, the soliciting or encouraging of acts of violence or terrorism, or actual or attempted circumvention of the SAM, the mail shall not be delivered/forwarded to the intended recipient but referred to the FBI for appropriate action. You shall be notified in writing of the seizure of any mail.
- 4. Communication With News Media: You will not be permitted to talk with, meet with, correspond with, or otherwise communicate with any member or representative of the news media, in person, by telephone, by furnishing a recorded message, through the mail, through your attorney, through a third party, or otherwise.

5. No Group Prayer:

- a. You shall not be allowed to engage in group prayer with other inmates.
- If an FBI and/or USMS/BOP/DF-approved religious representative is to be present for prayer with you, the prayer shall be conducted as part of a contact or noncontact visit, at the discretion of the USMS/BOP/DF.

6. No Communal Cells and No Communication Between Cells:

- a. You shall not be allowed to share a cell with another inmate.
- b. You shall be limited within the USMS/BOP/DF's reasonable efforts and existing confinement conditions, from communicating with any other inmate by making statements audible to other inmates or by sending notes to other inmates, except as permitted in Section 1(c)(i) above.

7. Recording Conversations Between Cells:

- a. The USMS/BOP/DF/FBI are hereby authorized to place microphones in the hallways and elsewhere outside your cell to record any statements made by you to other inmates or staff.
- The Notice of SAM given to you shall notify you that you are subject to such recording.

8. <u>Cellblock Procedures:</u>

- a. You shall be kept separated from other inmates as much as possible while in the cellblock area.
- b. You shall be limited, within the USMS/BOP/DF's reasonable efforts and existing confinement conditions, from communicating with any other inmate while in the cellblock area.
- 9. <u>Commissary Privileges:</u> The USMS/BOP/DF shall restrict access to commissary items or any other objects determined by the USMS/BOP/DF to be capable of being converted into dangerous instruments.
- 10. Access to Mass Communications: To prevent you from receiving and acting upon critically-timed information or information coded in a potentially undetectable manner, your access to materials of mass communication is restricted as follows:

a. Periodicals/Newspapers -

- i. You may have access to publications determined not to facilitate criminal activity or be detrimental to national security; the security, good order or discipline of the institution; or the protection of the public. This determination is to be made by the FBI, in consultation with the USMS/ BOP/DF and USA/MA.
- ii. Sections of the periodical/newspaper which offer a forum for information to be passed by unknown and/or unverified individuals, including but not limited to classified advertisements and letters to the editor, should be removed from the periodicals/newspapers prior to distribution to you.
- iii. You shall then have access to the remaining portions of the periodicals/newspapers in accordance with the USMS/BOP/DF policy, after a delay of at least thirty (30) days. In accordance with subparagraph 3g above, the FBI will review the remaining portions of the publications prior to distribution to you and be responsible for any translations required.
- iv. In order to avoid passing messages/information from inmate to inmate, you shall not be allowed to share the publication(s) with any other inmate.
- b. Television and Radio You are restricted from access to channels/stations which primarily broadcast news, but are permitted access to all other radio and television channels/stations, in accordance with the USMS/BOP/DF policies.

Document 3

Filed 09/05/2007 USDC Colorado Page 35 of 38 REQUEST FOR ADMINISTRATIVE REMEDY

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse. 24079 038 FUMENUE ADX MEID RICHARD LAST NAME, FIRST, MIDDLE INITIAL UNIT The SAMs upon me day me verious rights which a on sufford To afforded under the constitution of the United States by derying the access to internation and preventing me from writing any one except my paveting from phoning argore but Their, and denying the access to T.V channels and radio stations available to other innotes and other issues that other intate are only denied for punitive reasons a Therefore request that The SAM be Censural or reviewed so or to provide he with The lights which a on whatly deried and the teast a ask in This regards is That a been able to write people other than my inredicte tatily and be given onces to Til chamels which are currently deried me which are available to other moster

Part B- RESPONSE

USP LVN

RECEIVED

SIGNATURE OF REQUESTER

JUL 0.2 2007

ADX Warden's Office SEE ATTACHED RESPONSE

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	DATE		t				W	ARDEN	OR REGION	AL DIRECTOR	<u> </u>
If dissatisfied	with this response, you	may appeal to the	Regional Directo	r. Your appea	l must be r	eccived in t	he Regior	ial Office	within 20 calen	dar days of the do	te of this response.
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LISP LVN	DATE	PRINTE	II ON RECYCLED PAPER		RE	CIPIENT'	S SIGNA	ATURE	(STAFF MEM	BER)	BP-229(13) APRIL 1982

BP-229 RESPONSE

Case Number: 458363-F1

Name: REID, Richard

Register Number: 24079-038

Your Request for Administrative Remedy dated July 2, 2007, and received in this office on July 2, 2007, has been reviewed. In your request, you state your Special Administrative Measures (SAM) are denying you access to your family and access to television and radio stations. You request the SAM be reviewed or removed.

A review of the issue raised in your Request for Administrative Remedy has been conducted. The results of the review revealed the United States Attorney General determined there is a substantial risk that your communications or contacts with persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons. As a result, pursuant to 28 C.F.R. § 501.3, a Special Administrative Measure (SAM) has been implemented in order to restrict your access to the mail, the media, the telephone, and visitors. Your SAM was recently reviewed, and because you still pose a threat to national security, your SAM was extended for one year effective June 18, 2007.

Accordingly, your Request for Administrative Remedy is for informational purposes only. In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of this response by submitting a BP-230(13) to the Regional Director, Federal Bureau of Prisons, North Central Regional Office, Gateway Complex, Tower II, 8th Poof, 400 State Avenue, Kansas City, Kansas 66101-2492.

R. Wiley, Warden

Date

Attachment C Page 2

CHAPTER 3

| INMATE RIGHTS AND RESPONSIBILITIES \$541.12

RIGHTS

- You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.
- You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.
- 3: You bres the sight to freedom
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- You have the right to health

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 opportunity to shower regularly,

 proper ventilation for warmin

 and fresh air, a regular exer
 cise period, toilet articles

 and medical and dental treatment.
- 5. You have the right to visit and correspond with family members, and friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.
- Four have the right to unrestrict 6.

 and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases and concitains of a complete.

RESPONSIBILITIES

- 1. You have the responsibility to treat others, both employees and inmates, in the same manner.
- You have the responsibility to know and abide by them.
- 3. For have the response thing to recognize and respect the rights of others in this regard.
- 4. It is your responsibility not to waste flood, so follow the laundry and answer pohedule, maintain heat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it:
- 5. It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law or Bureau rules or institution guidelines through your correspondence.
- You have the responsibility to present honestly and fairly your petitions, questions and problems to the court.

Attachment C Page 3.

RIGHTS

- 7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.
- 8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program. through a legal assistance program.
- 9. You have the right to a wide of mange of reading materials for materials for materials for educational furtheses and for your own espoyment. These materials may include magazines and newspopers sent from the community, with certain restrictions.
- 10. You have the sight to participate 10. in education, vocational training and employment as far as resources are available, and in keeping with your interests, needs, and abilities.
- 11. You have the right to use your . It. funds for commissary and other purchases, consistent with institutuion security and good order, for opening bank and/or savings accounts, and for assisting your family.

<u>RESPONSIBILITIES</u>

- It is your responsibility to use the services of an attorney honestly and fairly.
- 8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.
 - It is your responsibility to seek and utilize such materials for your personal benefit, without depriving others of their equal rights to the use of this material
 - You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.
 - You have the responsibility to meet your financial and legal obligations, including, but not limited to, court-imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and for other obligations that you may have