In The United States Of California

For The Northern District Of California

FILED

FEB 22 2023

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

Donald Venables, Plaintiff

Case No. 2:22-CV-0569-TLN-DMC-P

Vs.

B. Jao, et. al., Defendants

First Amended Complaint U.S.C. § 1983

Judge: Dennis M. Cota, U.S. Magistrate Judge

Claims

1. Pl. Contends That Employees At (CHCF) Were On Notice That During Suicide Watch Of Pl. Staff Would Browse On The Lap Top Or Allow Pl. To Engage In Self Harm Versus Adhering To Suicide Watch Mandatory Guide Lines That Required The One On One Observer To Maintain A Constant Line Of Sight Of Pl. To Prevent Self Harm. Pl. Filed Complaints That During Suicide Watch The Observer Would Refuse To Intervene And Allow Pl. To Harm Himself. Unless Appeals Put Staff On Notice Of Failures During Suicide Watch Of Plaintiff. No Corrective Action Was Taken Which Would Have Prevented Loss Of Multiple Fingers Many Times Later Due To The Continued Indifference Of Plaintiff Serious Medical/Mental Health Needs. (CHCF) Is A Unsafe Facility And Lap Tops Leave A Critical Finger Print That Will Prove Suicide Watch Observers Were Pre Occupied Browsing On The Computer As Pl. Cut Himself Or Amputated Fingers In Plain Sight. Suicide Watch Does Not Allow The Observer To Take Their Eyes Off The Patient. Video Does Not Lie, Forensic Lap Top History On State Issued Lap Tops Don't Lie. "Prisoners Must Be Protected From Suicide And Self-Inflict," Lee V. Downs, 641 F. 2d 1117 (4th Cir. 1981). Failure To Adhere To Suicide Watch Procedures Are Actionable Under The 8th Amend.

2. Despite Notice Within Ample Time And Opportunity To Correct Failures During Suicide Watch No Action Was Taken And Employees At CHCF Continued To Act With Deliberate Indifference Towards Pl.'s Serious Mental Health Needs In Violation Of The 8th Amend. Resulting In Multiple Injuries, Stitches, (3)

Auto- Amputations. Pl. Cut Off (2) Fingers. (1) Was Medically Amputated After Deny Ole Care For A Loss Of (4) Fingers Partial Finger. Pl. Was Treated Like Garbage For Reporting Sexual Abuse By A COCF Psychologist That Manipulated Him To Cutt Off A Finger To Prove He Loves Him. That Claim Is Not Raised Herein but it Mentioned To Set The Foundation Of The Claims Here In. Pl. Has Severe Psychological Problems That Lead Including Cutting His Tongue In (2) Complete Failures Attempting Suicide By Consuming Pills, Cutting Off A Finger For The COCF Psychologist That Was Treating Him And Sexually Abusing Him. Cutting His Tongue And Writing In Blood All Over His Walls. The Suicide Attempt And Self Harm Listed On Line 4- 7 Of This Page Occured Before The Claims Raised Herein. (CHCF) Staff Were Fully On Notice Of Pl.'s History Of Succumbing To Suicide Ideation Or Self Harm Ideation. On March 16, 2023 Pl. Will Appear Before A Administrative Law Judge Because Mental Health Professions Have Determined Pl. Is A Danger To Himself And At Imminent Risk. See. 2602 Petition Ex. A-001 Thru Ex. A-004. Which Lists That Pl. Performed Several Self. Mutilations.

No. 3 (CHCF) Is A Mental Health Facility Meaning Patients Are Entitled To A Constitutionally Standard Of Mental Health Care. Pl. Was In Acute During All Incidents And Amputations. Acute Is The Highest Level Of Care At (CHCF) Which Pl. Should Have Received Instead He Cut Off Finger After Finger And Remained Invisible Despite Reporting His Amputations.

No. 4 Pl. Contends That In Addition To Deliberate Indifference He Has Been Retaliated By (CHCF) For Reporting Misconduct, Constitutional Violations, And Concealment Or Deprivations Of Those Rights. Pl.'s Appeals Deposited In The Locked 'In Appeal Box Are Destroyed To Chill His 1st Amend Rights, Pl.'s Legal Mail With Appeals In Destroyed With Appeals In Retaliation And To C Pl. 1st Amend. Investigations Into The Destroyed Legal Mail And Appeals Were Falsified To Retali And Chill Pl.'s First Amend Rights. Pl. Can Prove Destruction Of Legal Mail With Appeals With 100 Certainty Because Video Footage And Legal Mail Log Don't Lie. Hence, Pl. Can Prove With 100% Certainty The Investigations To Conceal it Were Falsified. Pl. Filed A Grievance For The Retal Cover Up And Was Issued A False Disciplinary Infraction. Video Footage Does Not Lie Pl. Can The RUR Was Falsified And Approved By The Sgt. That Falsified The Legal Mail That Was

5. Plaintiff Contends His Claims Are Cognizable Constitutional Violations Of 1st Amend Retaliation, 8th Amend. Deliberate Indifference Violations, 14th Amend. Violations Of The Equal Protection Clause. Pl's Mental Health & Deterioration In Pl. Pleads With This Court To Consider Pl.'s Evidence Attached To Pl's Mot. For Injuctive Relief Attached As Exhibit B Hereto. Pl. Could Barely Focuse & If Granted Fails To Articulate Claims In A Cognizable Manner Pl.s Pleads To Be Permitted To Amend At A later Date And Consider The 2602 Petition In Favor Of That Request Which Would Constitute As Exceptional Circumstances. Pl.'s Is Only Writing This Amended Complaint Because Pl. Does Not Want To Offend The Court By Not Meeting The Feb. 21, 2023 Deadline. Pl. Would Prefer To Post Pond This Matter Until The 2602 Hearing But Pl. Does Not Want To Be Accused Of Delaying Proceeding. So As Initial Screening Pl. Has The Court To Please Give Pl. Benefit Of The Doubt And Consider Claims/Evidence In Ex. B Hereto As Inclusive Constitutional Violations Raised In This First Amend Complaint. Pl. Apologizes To This Court For Muddled Craftsmanship Hereto. Pl. Tries His Best And Has No Law Training But Cannot Focus Due To Mental Health Issues Do Pl. Lacks The Capacity To Write As Well As He'd Like.

Statement Of Facts

6. All CDCR Staff Receive Suicide Prevention Training Including How To Respond To Suicide Or Self-Injurious Behavior, See Ex. A-005.; A-006. All Staff That Perform One On One Suicide Watch Are Trained And Must Document Behavioral Checks Every (15) Minutes, See Ex. A-007. The Assigned Observer Shall Assume Continous direct Visual Observation With The Patient, Including When The Pt Uses The Shower, Sink, Or Toilet, (MHSDS) Suicide Prevention And Response, Ch. 10, Pg. 12/10/17, See Ex. A-008. Suicide Watch Procedure At (CHCF) Require That The Observer Check Fingers, Extremeties, At (15) Minute Charted Behavior i.e., Specifically Evaluate Extremeties. Direct Continuous Observation Means The Observer Cannot Take Their Eyes Off Patient During Suicide Watch Not Even If In Shower. Self-Injurious Behavior Or Physical Self-Injury Are Medical Emergencis That Require Immediate And Appropriate Responses, "Response To Self-Injury Behavior", (MHSDS) Suicide Prevention And Response, Ch. 10 Pg. 12-10-21, Ex. A-009. "Deliberate Indifference To Mental Health (Suicide Prevention) Procedures Are Actionable Under The 8th Amend," Coleman V. City Of Los Angeles, 864 F. 2d. At 1460-62.

7. Prior To The Deliberate Indifference Claims Raised Herein Pl. Had A Significant History Of Documented Suicide Attempts And Self Harm, Decl. For 2602 Petition Section "C", Ex. A-001. Before The Claims Raised Herein Pl. Filed Multiple Appeals At (CHCF) Complaining Of Deliberate Indifference During Suicide Watch i.e., Observers Falling Asleep, Not Declaring Medical Emergencies As Pl. Was Harming Himself, Browsing On The State Issued Lap Top During Suicide Watch Throughout The Shift Instead Of Maintain Direct Continuous Observation Of Pl. At All Times As Mandated By Constitutionally Established Suicide Prevention Guidelines In Coleman V. Wilson. Prior To The Deliberate Indifference Raised Herein No Action Was Taken To Correct Failures Despite Pl.'s Appeals, No Staff Were Disciplined, And Constitutional 8th Amend. During Suicide Watch Continued. (CHCF) Staff Were On Notice. Prior To Deliberate Indifference Raised Herein Pl. Was Repeatedly Unconstitutionally Sexually Abused By A (CDCR) Psychologist That Manipulated And Convinced Pl. To Cut Off His Finger To Prove Pl. Loves His Psychologist, See Ex. C-018 Thru C-024 Of Pl. Mot. For Preliminary Injuction Attached Hereto As Ex. "B". The Unconstitutional Sexual Abuse And Deliberate Indifference Of Manipulating A Patient To Mutilate His Body Was Covered Up By (CHCF) And (CDCR) (ISU) Sexual Abuse Investigators Specifically Trained To Investigate Sexual Abuse. The Cover Up's Penalized Pl. And Significantly Contributed To A Deterioration Into His Mental Health And Psychological Decline With Known, No Self Worth, Suicide Ideation, And Amputation Of Digits.

8. Pl. Endeavored To Cut Off Fingers At (CHCF) Not Raised Herein but Pl. Exhausted Appeals On These Claims Identifying Failures And Blatant Deliberate Indifference During Suicide Watch Met Pursuit To Notice it Continued.

9. In August 2021 Pl. Was On Suicide Watch (RN) J. Tran Was Pl.'s Suicide Watch Observer Which Mandated That Nurse R. Tran Adhere To Constitutionally Standard Of Suicide Watch Identified In Paragraph 6 And 7 Of The First Amended Complaint. Pl. Succumbed To Self Harm Thoughts Sat On The Floor And Started Trying To Cut Off His Finger In Pl. Sight Of J. Tran In Lenght. J. Tran Was Browsing On The Lap Top That Has Internet Access, That's State Issued, And Designed To Combat Suicide Watch Of Patient Not Sure The Internet. (CHCF) Is A Camera Facility And Nurse J. Tran Cannot Delete His Browser History. Simply Placing Pl. On Suicide Watch Does Not Satisfy A

Constitutionally Mandated Of Mental Health Care If All Suicide Procedures / Protocols Are Disregarded. J. Thomas Training Made Him Known Of The Risk Of Harm To The Patient By Disregarding Suicide Protocols. Self Injury Is Deemed A Medical Emergency, Ex-A-009. Pl. Self Reported The Injurious To A Different Staff Due To Gross Indifference. Pl. Injuries Required (7) Stitches To A Finger, Pain. Suffering. And No Self Worth Because Then did Nothing. Pl. Was On Suicide Watch Cutting Himself In Plain Sight.

10. On October 01. 2019 Pl. Attended A Mental Health Committee And Was At The Acute Level Of Care. Meaning Pl. Has Remedial Severe Psychological Decline Mandating Immediate Mental Health Intervention And Psychiatrist Care. Pl. Notified (MH) Committee Pl. Has Urges To Cut Off A Finger. The IDTT Was Immediately Determinated Because Pl. Had Already Cut Off A Finger Previously After Encouraged To Do it by (CDCR) Psychologist Hannah B. Bush. IDTT Committee Knew The Likelihood Given Pl.'s History. Pl. Was Immediately Put On One On One Suicide Watch. Psychiatrist Technicians Was Pl.'s Observer Within (10) Hours Of Being Placed On Suicide Watch For Expressing Urges To Cut Off A Finger. Pl. Cut Off A Finger And Snapped The Bone Himself In Plain Sight Of (PT) B. Jao. (PT) B. Jao Was Required And Mandated To Adhere To All Suicide Watch Protocols In Paragraph (6) And (7) Of The First Amended Complaint. As Pl. Was Cutting Off His Finger In Plain Sight Of B. Jao, Pl. Was Bleeding Profusely, Gaunting In Pain, And it Went On Well Hour One Hour. Maybe 2 Or 3. (PT) B. Jao Was Surfing The Internet On The State Issued Lap The Provided To Chart Suicide Watch Behavior. (CHCF) Is A Camera Facility And (PT) B. Jao Cannot Delete His Browser History. Once Pl. Snapped The Bone And Had Blood All Over Himself. Pl. Banged On The Door To Get The Attention Of Staff Walking By As (PT) B. Jao Continued To Surf The Internet. Pl. Put The Missing Finger Against The Window Which Completely Shocked The Employee Who Went And Called Staff. Pl. Later Learned That That Employee Was Traumatized By The Incident. i.e. A Mental Health Patient Calling Them To The Door And Piercing A Severed Finger Against The Window On Suicide Watch. Simply Piercing Pl. On Suicide Watch Does Not Satisfy The Constitutionally Mandated Of Mental Health Care If All Suicide Related Watch Procedures Protocols Are Disregarded. (PT) J. Bao Was Never Trained In Suicide Watch Prevention, Procedures, And Knew The Risk Of Harm To The Patient By Disregarding Suicide Watch Protocols. In Addition To Keeping An Eye Of Pl. At all Times

B. JAO And To Physically Check Pl.'s Finger Every 15 Minutes And Record it. There Was Ample time And Opportunity to Detect And Prevent A Complete Auto Amputation With No Anesthetic. it Was Extremely Painful Sometime Pl. Could Not Conceal Its He Grunted And Moaned. Custody Officers Doe 1 And Doe 2 Knew The Risk Of Disregarding Their Training In Suicide Prevention And Disregarding Suicide Watch Protocals to Remove all Objects From A Patients Room That Can be Used to Commit Suicide Or Engage In Self-Harm. The Pl.'s Room Was Not Searched A Manizing With Staple Was Left. Pl. Made A tool With The Staples to Cut Through All Soft tissue In A full Circumference, Ripping And Ripping, Through Nerves, Tendons, blood Vessels. Pl. Knew When He Cut Through Nerves, The Pain Radiated to His Elbow. The Tendons Were Like A Rubber band And Different to Cut, blood Vessel Cut Would Release Spouts Of blood With Pulses Of Pl.'s Heartbeat. Pl. Had to Grind The Bone On The Stainless Steel In The Room That Alone took Like 30 Minutes. Pl. Kept Grinding The Bone Which Created A Grove Intentation to Snap The Bone. Pl. Kept Trying to Snap The Bone And Could Not Which Was Excruciating Because He Would twist & Bend it to Snap, it Would Not Budge. So Pl. Started Grinding it On Stainless Steel Which Was Equally Painful And Would Bend it to Snap. it Would Not So Pl. Continued Grinding Until The Grove Was So Deep Into The Bone it Finally Snapped. (PT) B. JAO And Doe 1 And Doe 2 Were Deliberately Indifferent And Knew The Risk Pertite (CHCF) Being A Mental Facility. Pl. Was In Acute On Suicide Watch. (CHCF) Is Under Court Monitoring In Coleman V. Newsom Regarding Mental Health Care. Coleman Attorneys Put (CHCF) On Notice Of This Incident In A letter to (CDCR) January , 2020, See. Ex. A-010 Thru A-012. Pl. Did Not Learn Of The Letter Until Months Later.

10. On October 17, 2019 The Office Of Inspector General Contacted (CHCF) That Pl. Wrote The (OIG) Expressing Urges to Cut Off Fingers. As A Result Pl. Was Placed On Suicide Watch Within 48 Hours Pl. Started Cutting Off His left Ring Finger. Pl.'s Suicide Watch Observers Were (CNA) L. Arzola And (PT) Z. Mohammed. (CNA) L. Arzola And (PT) Z Mohammed Were Mandatory Required To Adhere To Suicide Watch Protocols In Paragraph (6)(7) Of This First Amended Complaint Which Is The Constitutional Standard Of Mental Health Care In Suicide Watch. At 4:00 A.M. Pl. Began to Cut Off His Finger

With A Razor blade As (CNA) L. Arzola Retired In And Out Asleep. (CHCF) Is A Crowded Facility. L. Arzola Was Required To Notify Staff That She Was Unfit (Exhausted) To Perform Suicide Watch. L. Arzola Was Required To Check Pl.'s Fingers Every 15 Minutes. Pl. Hacked Away At His Finger In Plain Sight For Over One Hour, bleeding And Grunting In Pain. At About 5:00 P.M. (CNA) L. Arzola Was Relieved By (PT) Mohammed, (PT) Z. Mohammed Also Retired In And Out Of Sleep While Pl. Was Cutting Off His Finger. At Some Point, Pl. Could Not Tolerate The Pain Showed His Blood Finger To (PT) Mohammed Which Was Severely Cut, its Beyond Debate That Mohammed Knew Pl. Was Injuring Himself. Which Required Mohammed To Activate His Alarm And Declare A Medical Emergency, See Ex. A-009. This Would Have Authorized Staff To Enter The Room And Remove Foreign Objects Being Used For Self Mutilation. Prior To 4:00 AM. Pl. Did Some Cutting And Blood Was Seen On Him. So The (PT) Before (CNA) L. Arzola Knew Pl. Was bleeding but took No Action (Doe 3) (PT). (PT) Mohammed Told Nurse A. Ojagwu That Pl. Was Injuries/Harming Himself And Is Actively Bleeding. The Nurse Did Not Declare A Medical Emergency Consistant With Suicide Self Injury Protocols Ex. A-009. Nurse O. Jagwu Did Not Inform Staff To Remove The blade/Foreign Object Pl. Is Using To Mutilate Himself On Suicide Watch. Instead, Nurse O. Jagwu Slid Pl. Gauze Under The Door To Patch Himself Which Was Futile Because Pl. Was Trying To Cut The Finger Off, Giving Pl. Gauze Served No Medical Purpose. Pl. Was On Suicide Watch For That Specific Reason. Pl. Was Left To His Own Detriment In Psychological Deterioration With A Razor blade And Told He'll Be Seen At 8:00 A.M. i.e. (3) hrs Later's. Prisoners Must Be Protected From Suicide And Self-Injury, Lee V. Down, 641 F. 2d. 1117 (4th Cir. 1981). Delay In Intervening Is Equivalent To Denial Under Deliberate Indifference Standard Under 8th Amend. Pl. Continued Cutting His Finger As (PT) Z. Mohammed Continued To Point In And Out Of Sleep. Pl. Was bleed Profusely, Grunting In Pain, Cut Through Tissue, Nerves, Tendon's, blood Vessels, Full Circle To The Bone Hacked At The Bone With The Razor but it Was Ineffective To Snap it. Pl. Could Not Endure The Pain Of Grinding The Bone On Stainless Steel So Aborted That After (10) Minutes. Blood Was All Over Pl. And His blankets And Floor. The Refusal To Not Permit That The Continued Cutting Of The Nerves, tendons, blood Vessel etc... The blade Was Not Taken And Zero Effort Efforts Were Made To Take it.

11. Pl. finger would not stop bleeding it was leaking like a fountain still. Z. Mohammed did nothing. Eventually realizing that the blood loss might kill Pl. Z. Mohammed told staff the bleeding won't stop. This of course, cannot undue the harm done that was preventable had (PT) Mohammed taken action his ass. (PT) Z. Mohammed even told staff "why aren't cs taking him to SEMS" i.e. the institution hospital. Pl.'s finger was bleeding so bad it took over 20 yards of gauze wrapped around the finger for the blood to stop being noticable. After 10 yards of gauze wrapped around Pl.'s hand the blood would still leak immediately. Pl. was simply put back in his room. (4) hours later at 10:00 a.m. a doctor showed up to Pl. door and told Pl. to remove the (20) yards of gauze Pl. did the blood shot out in puddles on Pl.'s floor blood was just pouring out the wound. Pl. was finally taken to SEMS (30) minutes later and got over (23) stitches. (5) hrs after Z. Mohammed and nurse A. OJAGWU knew with 100% continuity Pl. was cutting off his finger. The stitches were futile because the delay in care created irreversible damage. The blood vessels were detached too long and the decompensation process commenced. Pl. finger turned black within days. That same day it was visibally grey. Pl. had to go a medical partial amputation. Secondly placing Pl. on suicide watch per a call from (OIG) does not satisfy a constitutionally mandated mental health care in suicide watch prosecedure's/protocols are disregarded. (CNA) L. Acosta, (PT) Z. Mohammed, and nurse A. OJAGWU training made them known of the risk to the patient by disregarding suicide watch protocols.

CLEARED

12. On March 04, 2020 Pl. was medical unit (CPCP) psychologist Hawnwth E. Bush Pl. fully denied of his unconstitutional sexual abuse, manipulation basic patient "Pl." to cut off his finger. (CMF) Released Pl. the news, it was CMF (LSU) A. Ali. Pl. now knows CMF (LSU) A. Ali and others falsified records to conceal the constitutional violations by Bush and others. This however sent Pl. into psychological decline he shut down and stopped showing, showering, refusal to exit his cell had exhibited all the obvious signs of mental health deterioration/decline. Pl. was still in the acute level of care. Instead of handling therapy sessions Pl. would submit written reports describing this psychological plight. Pl.'s suicidality revolved and Pl. could not process how a sexual victim like him cannot

Have His Housed Held Accountable With The Mountain Of Evidence Available To Investigators i.e.. Letters In Bush's Possession, Recorded Phone Calls, And Video Footage Of Each Sexually Harassing Pl. Bush's Own Finger Turned Her In To (CDCR). He Found Letters Inside Bush's Lock Box, Called The Police, And The Police Instructed Bush's Finger To Relinquish The Evidence To (CDCR) Officials, He Did And it Was Covered Up To Protect Bush. The Bush Claims Are Not Raised Herein But Are The Basis To Claims Herein.

12. Following The Psychological Decline Upon Learning Bush Was Cleared Pl. Succumbed To Thoughts Of SIB And Cut Off His Finger On April 12, 2020. Pl. Made No Effort To Conceal it, it Took Hours Including Severing All Tissue, Tendons, Blood Vessels, And Nerves, Grinding Through The Bone And Snapping The Bone. Pl. Was Not In His Right Mind. Pl. Had Already Cut Off One Finger And On April 13, 2020 Used The (RT) Rod (4) To Orders Made To Hurt Myself Again I Will Engage In Self. Harm. On April 15 2020 Pl. Used (RT) A. Ferreira "Do Not Status". On April 23, 2020, Pl. Told (RT) A Ferreira," To Document That Pl. Is Going To Act On Self. Harm".

14 On April 29, 2020 Pl. Told (RT) J. Rosemof Pl. Is Going To Act On Thoughts Of Self-Harm. Pl.'s Status Was Never Increased To Suicide Precaution Or Suicide Watch Since Shutting Down As Of March 2020 And Cutting Off His Finger On April 12, 2020. On May 02, 2020 Pl. Was Distressed And Covered All The Windows And Started Reporting Nurse Misconduct By Nurses To Senior Nurse C. Sill. Pl. Eventually Showed His Hand To C. Sill With A Missing Digit That Was Visibally Not Fully Healed And Yelled How Does Shit Like This Happen In Acute Setting. C. Sill Showed No Emotion And Said She Has To Leave. And Quickly Walked Away. C. Sill Took No Action To Document Or Report The Missing Finger. Pl. Still Had The Decomposing Digit On The Corner Of The Floor Of His Room. On May 03, 2020 Pl. Mailed The CEO R. McCarey (2) CDCR 22 Forms In Legal Mail Reporting Nurse C. Sill About The Finger. On May 05, 2022 Pl. Submitted A Health Care Appeal Stating On May 02, 2020 Pl. Told C. Sill That Pl. Cut Off His Finger In April, Showed C. Sill And Sill Did Not Care. The Appeal Literally Says To Told C. Sill When To Cut Off My Finger In April, She Showed No Reaction Or

Concern. Pl.'s Appeal Was Assigned Log # CHCF-HC-20001191 And Nurse A. Prasad Reviewed it And Determined it Was Not Urgent i.e. No Emergency. Thus, No 7219 Injury Assessment Was Done To Document The Missing Digit, No Cell Search Was Done To Retrieve The Decomposing Finger, And Pl.'s Level Of Observation Was Not Elevated To Suicide Watch. No Action Was Taken To Deny Plain Deliberate Indifference Of A Mental Health Patient In Acute. In Violation Of Constitutionally Standard Of Mental Health Care. Pl. Was Left To His Own Detriment In A Psychological State Of Deterioration. Pl. Cell Was Not Even Searched To Remove Objects He Can Use To Continue Mutilating His body. Self Harm Is A Medical Emergency; See Ex. A-009.

15. On May 10, 2020 Pl. Filed A Second Health Care Appeal His Invisible Has Failed Into the background Explained In Specific Detail How He Surrendered to Self Injurious behavior thoughts, Cut Off His Finger On April 12, 2020 And Snapped the bone, That Health Care Appeal Was Assigned Log # CHCF HC 20001234 And On May 13, 2020 Nurse M. Lowe Reviewed it And Determined its Not Urgent i.e. Not An Emergency. Self Harm Is A Medical Emergency, See Ex. A-009. Since M. Lowe Claimed its Not Urgent No 7219 Injury Assessment Was Done To Document The Amputated Digit, No Cell Search Was Done To Retrieve The Decomposing Finger, And Pl.'s Level Of Observation Was Not Elevated To Suicide Watch. No Cell Search Was Done To Remove Objects Pl. Can Continue To Use To Mutilate His body. This Is Not A Constitutional Standard Of Mental Health Care For A Mentally Disabled Mental Health Patient In Acute. Pl. Was left to His Own Detriment In Psychological Deterioration And Decline. See Log # CHCF-HC- 20001234, Ex. A-013; A-014.

16. On May 11, 2020 Pl. Told The (RT) To Think Of Hurting Myself Daily And To Never Feel Safe. Pl. Felt So Invisible He Eventually Drilled A Hole Through The Decomposing Finger, Made A String Necklace And Wore The Rotting Finger Like A Necklace. On May 18, 2020 Pl. Told (RT) A. Ferreira, "I Never Feel Safe". Ferreira Asked Pl. Do You Have Anything You Can Harm Yourself With. Pl. Said, Yes, I Have Something To Can Harm Myself With". Ferreira Told Pl. When Will You Have All Your Property, Pl. Said, I Don't Know. No Action Was Taken. On May 25, 2020 Pl. Mailed Out The Necklace With Decomposing Finger Out In "Legal Mail" Which Was Processed By Staff At Pl.'s Post. On May 28, 2020 Pl. Succumbed to Overwhelming Thoughts Of Despair And

Cut Off Another Finger And Made No Attempt To Hide it. Pl. Cut Through Tissue, Nerves, Blood Vessells etc.. Grinded The Bone And Snapped it. The Finger bleed And bled At Some Point Pl. Had to Tie it Off to Stop The Bleeding That Would Squirt Profusely With Pl.s Pulse. That Same Day Pl. Mailed The Newly Amputated Digit Out to (OIG) In "Legal Mail" Reeking For Help. it Was Covered In Pl.'s blood. The "legal Mail" Was Processed by Staff At Pl.s Door. The Severed Finger Arrived On June 01, 2020 to (OIG) Thats Where A 7219 Inquiry Assessment Was Done because (OIG) Ordered it And Pl. Had (2) Missing Fingers Not (1). To Conceal The Unconstitutional Deliberate Indifference (CHCF) Falsified Records Saying Pl. Was Receiving Wound Care In May 2020 And Reopened That Injury In June 2020 And Cut Off The Finger In June 2020, See 2602 Petition Under Oath Sec. C, Ex. A-001. This Is False And Impossible Both Fingers Were Mailed Out In May 2020. Pl. Received No Care Despite Putting In 2 Appeals May 05. 2020 And May 10. 2020 Saying He Cut Off The Index Finger. If Pl. Was Getting Wound Care For Injury to The Middle Finger In May 2020, The Missing Finger Next to it Would Have Been Noticed. June 01, 2020 Is When The first Finger Arrived, its Impossible that Pl. Cut Off The Middle Finger In June 2020 When it Was Arrived to (OIG) June 01, 2020. If No Deliberate Indifference Occured Why Are Medical Records Falsified to Conceal it. Pl. Had No Idea Medical Files Were Falsified Until Receiving The 2602 Petition On Feb. 14. 2022. "Evidence Of Falsification Of Medical Records Showed Deliberate Action" Green V. Brannon, 180 F. 3d 1296 (10th Cir. 1997).

17. Pl. E-Filed This Case On March 30, 2022 Requiring Plaintiff To Send Via Non-Confidential Mail, Thus, it Can Be Read By Staff. The Retaliation That Followed Was Immediate And Swift. On April 18. 2022 Sgt. J. Brunner Whom Had Never Met Or Interacted With Pl. Before Was Called To Pl.s Door w/o Provocation Sgt. J. Brunner Started Berating Pl. "I Don't Give A Fuck If You Cut Your Own Fingers Off". "I Don't Give A Fuck If You Cut Your Head Off And Mail it Out". Pl. Made No Threats Of Self Harm, Period. Sgt. J. Brunner Had to Learn About The E-Filing. J. Brunner Denied The Statements, Over (10) People Heard it. Only One Officer Said The Truth Which Proved Pl. Did Not Lie Or Exaggerate. That Officer Was Called A Snitch By Other Guards. A Guard Told Pl. Guards Never Side With The Truth For A Inmate but Your Lucky w/ D. Chang Said The Truth

But Buckhorne Thinks He's A Snitch Now. On May 24, 2022 A Guard Approached Pl. And Told Pl. Sgt. J. Brunner Is Asking Staff To Lie About The April 18, 2022 Incident. Pre-The Investigation. On May 25, 2022 Pl. Submitted A Grievance Against Sgt. J. Brunner For Promoting The Code Of Silence And Retaliation. Pl. Put The Complaint Into The BGA Locked 'Inmate Appeals Boxes Which Is On Camera And Has To Be Documented By The Office Technician (O.T.) That Retrieves Appeal. The O.T. Or The 'Inmate Appeals Office Had To Destroy it Be First Amend. Retaliation. it Was Never Processed Or Issued A Log #.

18 On June 22, 2022 Pl. Put Another Identical Complaint Against Sgt. J. Brunner For Retaliation And Promoting The Code Of Silence By Asking Guards To Lie. Pl. Put The Grievance Into The 'Inmate Appeals Box Which Is Locked, its On Camera. Only The O.T. Has The Key And Has To Record Appeals. The O.T. Or Inmate Appeals Staff Had to Destroy it As First Amend. Retaliation it Was Never Processed Or Issued A Log #.

19 On June 28, 2022 Pl. Filed A Grievance After Discovering Evidence That (CHCF) Staff And (PBSP) Staff Covered Up The Unconstitutional Sexual Abuse. The Retaliate Against Pl. And Chill His First Amend. Rights it Was Converted To Health Care Assigned Health Care Log # CHCF-HC-22001253 And Rejected. Then, Staff Falsified Logging's To Show its A Health Care Appeal Against A Nurse's Nurse Bee Records That Can Be Viewed By The (OIG). The Grievance Identifies CHCF (ISU) A. Ali As Criminally Corrupt And Identifies No Nurse. See Pg. 2 Thru 5 Of Ex. "B" Attached. The Staff That Converted it To Medical And The Staff That Falsified The Logging's Effectively Chilled Pl.'s First Amend Rights As Retaliation.

20 On June 30, 2022 Pl. Filed A Staff Complaint In Legal Mail At (CHCF), Identifying (CHCF) In The Prem Cover Up. Showed Legal Mail Log's, Electronic Log's, And Video Footage From it. To Retaliate The Legal Mail With the Grievance Was Destroyed by CHCF Inmate Appeals Staff. No Log # From CHCF Was Issued Or On Record. Destruction Of Legal Mail With Appeals Is Unconstitutional And Criminal, U.S. Const. 1st Amend., Tit. 18 U.S.C. § 1702.

21. On June 01, 2022 Pl. Filed A Staff Complaint Identifying (CHCF) In The Form Cover Up. Pl. Approached The Officers Station, Had A Officer Sign A CDCR 22 Form With The Appeal, Pl. Removed His Signed Copy, Walked To The Locked 1/n Appeals Box And Deposited The Appeal With The Signed 22 Form Its On Camera. The O.T. Or 1/n Appeals Office Destroyed it To Retaliate And Chill Pl.'s First Amend. Rights. its Was Never Processed Or Issued A Log #.

22 On July 05, 2022 Pl.'s Family E-Mailed Headquarters Complaining About Missing Appeals. Pl. Submitted Were Being Destroyed Since He Was Issued No Log #'s. Headquarter E-Mailed (CHCF) Instructing CHCF To Sent Staff To Pl.'s Door, Retrieve The Grievance. And Take it To 1/n Appeals For Processing. At 2:00 p.m. On June 05, 2022 (ISU) E. Martinez Approached Pl.'s Door Retrieved The Grievance And Told Pl. He Will Get A Log # And Return. After its Filed With Inmate Appeals. Instead, (ISU) E. Martinez Took it To (ISU) Officer's, Read it, And Realized it Identified Multiple Corrupt (ISU) Including Him (CHCF). Eight Days Later On July 13, 2022 Martinez Gave The Appeal To Pl.'s Floor Staff To Return To Pl. And Never Took it To Be Filed Despite Being Designated By Headquarters To Be Just First. Martinez Retaliated To Chill Pl.'s First Amend. Rights Since The Complaint Identified (ISU) From (CHCF). Martinez Knew If Pl. Submitted The Appeal In The Appeal Box Or Legal Mail Appeals Staff Would Destroy it In The Furtherance Of A Cover Up.

22 On July 13, 2022 Pl. Filed A Copy Of The Complaint Into The 602A Locked Appeals Box Officer Clark Signed A CDCR 22 Form With The Grievance. Video Footage Will Show Pl. Deposit The CDCR 22 Form Affidavit And Appeal Into The Appeal Box. Only The O.T. Or Inmate Appeals Staff Could Destroy it To Retaliate To Chill Pl.'s First Amend Rights. it Was Never Processed Or Issued A Log #.

23. On August 25, 2022 Pl. Resubmitted CHCF-HC-22001253 To CHCF Appeals In Legal Mail, Signed Logic, Electronic Logs, Camera Footage Proves it. The Legal Mail With Log # CHCF-HC-22001253 Was Destroyed by CHCF 1/n Appeals Staff To Retaliate And Chill Pl.'s First Amend. Rights. Destruction Of Legal Mail With Appeals Is Unconstitutional Criminal.

24. On August 23, 2022 Pl. filed A Grievance In Legal Mail For Missing / Destroyed Appeals. Signed Legal Mail Logs, Electronic Logs, And Video Footage Prove it. To Retaliate Against Pl. And Chill His First Amend. Rights it Was Destroyed. No Log # Was Issued And it Was Never Processed. Destruction Of Legal Mail With Appeals Is Unconstitutional / Criminal. 1st Amend U.S. Const.; Tit. 18. U.S.C. § 1702.

25. On August 29, 2022 Pl. filed A Grievance In Legal Mail Against (ISU) B. Martinez And (ISU) B. Pinnell At (CHCF) For Retaliation By Refusing To Process The Grievance Mention In Paragraph No. 22 Herein. Signed Legal Mail Logs, Electronic Logs, And Video Footage Prove it. To Retaliate Against Pl. And Chill His First Amend. Rights The 1st Appeals Office Destroyed The Legal Mail With Appeal; its Unconstitutional/Criminal. 1st Amend. U.S. Const.t.; Tit. 18 U.S.C. § 1702.

26. On Sep. 01, 2022 Pl. Resubmitted CHCF-HC-2200 1253 To CHCF 1st Appeals In Legal Mail. Signed Logs, Electronic Logs, Camera Footage Prove it. The Legal Mail With Log # CHCF-HC-2200 1253 Was Destroyed By CHCF 1st Appeals Staff To Retaliate And Chill Pl.'s First Amend. Rights. Destruction Of Legal Mail With Appeals Is Unconstitutional/Criminal.

27. On Sep. 20. 2022 Pl. Submitted A Grievance In Legal Mail For Destroyed / Missing Appeal. Legal Mail Logs, Electronic Log, Video Prove it. The Legal Mail Was Destroyed With The Appeal To Retaliate And Chill Pl.'s First Amend. Rights. It Was Destroyed By CHCF Appeals Staff, Destruction Of Legal Mail With Appeals Is Unconstitutional / Criminal, 1st Amend. U.S. Constitution; Tit. 18. U.S.C. § 1702.

28. On Oct. 10. 2022 Pl.s filed A Grievance In Legal Mail Against CHCF Warden Gonia Jones For Blatant Constitutional Violations by (CHCF) Staff. Signed Legal Mail Logs, Electronic Logs And Video Prove it. The Legal Mail With Appeal Was Destroyed By CHCF Appeals Staff To Retaliate Against Pl. And Chill Pl's First Amend. Rights. Destruction Of Legal Mail With Appeals Is Unconstitutional/Criminal, 1st Amend. U.S. Constitu.; Tit. 18. U.S.C. §1702.

88. 29. On Oct. 13, 2022 Pl. Filed A Grievance In Legal Mail To CHCF Appeals Against CHCF (ISW) Sgt. C. Brown For Falsifying Investigation Findings To Conceal Deprivations Of Constitutional Rights. CHCF Appeal Staff Destroyed The Legal Mail With Appeal To Retaliate And Chill Pl.'s First Amend. Rights. Destruction Of Legal Mail With Appeals Is Unconstitutional Criminal, 1st Amend. U.S. Const. Tit. 18. U.S.C. § 1702.

30. Since Pl. Knew Legal Mail With Appeals Would Be Destroyed By (CHCF) Staff To Retaliate And Chill Pl.'s First Amend. Rights. Pl. Would Mail Copies Of Appeals To Another Person. In Legal Mail. CHCF Had No Idea Pl. Was Doing This. The other Person Redirected (8) Appeals To CHCF Regarding Destruction Of Legal Mail. Log. # 303558 And 301219, However To Retaliate Against Pl. CHCF Warden Brian Jones Allowed CHCF Warden J. Schultz, Sgt. J. Puatie, And R. Singh. To Cover Up The Destruction Of Legal Mail With Appeals. Sgt. J. Puatie And Sgt. R Singh Were Assigned to Investigate. Sgt. J. Puatie And Sgt. R. Singh Cannot Investigate Superior Staff. Appeal Staff Out Rank A Sgt. Appeals Coordinators Were The Staff Destroying The Legal Mail With Appeals. Additionally, Destroying Appeals To Prevent Reporting Of Misconduct Is The Code Of Silence. The Lowest Ranking Staff That Can Investigate The Code Of Silence Is A Lieutenant. Sgt. R. Singh Or J. Puatie Are Not Lieutenants. Legal Mail Logic And Video Footage Prove The Legal Mail Was Submitted And Issued No Log # Or Ever Processed Yet Puatie And Singh Falsely Reported No Legal Mail Was Destroyed. Sgt. R. Singh Went Further And Said Pl. Never Put A Appeal Into The Locked Appeal Box On June 01, 2022 When There Is Video Footage Of Staff Signing A CDCR 22 Form And Pl. Then Dropping it Into The Appeals Box. J. Schultz Said There Is No Evidence Of Misconduct At (CHCF). Staff Misconduct Is Any Violation Of Law Or Policy, Tit. 15 § 3480 (a)(M). That's A Contradiction Considering Schultz Allowed Sgt. R. Singh And Sgt. J. Puatie To Investigate Supervisors And The Code Of Silence In Violation Of Dept. Policy. The Falsified Findings Is Unconstitutional And Criminal To Retaliate Against Pl. And Chill Pl.'s 1st Amend Rights.

31. On Dec. 03, 2022 To Retaliate Against Pl. Sgt. R. Singh Approved A False Rules Violation Report Against Pl. Video Footage Will Prove The RVR Is Falsified. P. blumenthal

Prepared The False RVR Which Involves Sgt. R. Singh, The Camera Will Prove The Report Is False And Proves R. Singh Knew it Was False because Wants In The Report Never Occured. The Camera Proves it. Pl. Reported Singh For Falsifying Log # 301819. The False RVR Is Retaliation.

32. Pl. Has Not Waive Amendment Against Unnamed Defendants. Pl. Will Seek Amendment At More Evidence Surfaces. Pl. Has Been At CHCF 3½ Years, Appeals And Legal Mail With Appeals Did Not Start Being Destroyed Until The E. Filing Of This Case On March 30, 2022. Prior To March 30, 2022 Not Once Was A Grievance Destroyed Or Lost. Legal Mail Was Destroyed By (ISU) But it Contained Evidence Not Appeals. And That Was In March Of 2020. On (2) Occassions. The Destruction Of Appeals In The Appeal Box And In Legal Mail Coincide With E. Filing This Case.

33. Pl. Is Now Mentally Disabled. See Argument II And III Of Ex. B. Attached.

Prayer for Relief

Granting Pl. Declaration That Acts Herein Violated His Rights Under The U.S. Constitution.

Granting Pl. Compensatory Damages In The Amount Of (1) Million Dollars Against Each Defendant, Jointly And Severally.

Plaintiff Seeks Punitive Damages In The Amount Of (1) Million Dollars Against Each Defendant, Jointly And Severally.

Plaintiff Seeks Injunction Relief Requested In Exhibit "B" Hereto.

Pl. Seeks Recovery Of Court Cost Of Suit, And Any Additional Relief This Court Deems Just, Proper, And Equitable;

Pl. Seeks Appointment Of Counsel To Defend His Civil Rights.

Verification

I Declare Under Penalty Of Perjury That The Foregoing Is True And Correct. If Called Upon To Do So I Can Testify To These Matters. This Declaration Was Executed On The 20TH Day Of February 2023 At Stockton Cal. 95213.

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION

DECLARATION IN SUPPORT OF INITIAL INVOLUNTARY MEDICATION

CDCR MH-7363-2 (03/17)

Declaration in Support of Initial Involuntary Medication

Patient Name (Last): Verduzco (First): Daniel CDCR #: T45537 PID #:

Date: Feb 03, 2023 Institution: CHCF-STOCKTON Bed/Cell/Dorm: B6A-126

Age: 42 Gender: [X] Male [ ] Female Interpreter: [ ] Yes [X] No Language: English

1. I am a licensed psychiatrist employed by the State of California to treat patients sentenced to imprisonment or housed in a California state prison, including facilities operated by the Department of State Hospitals to treat California Department of Corrections and Rehabilitation patients.

2. In my professional opinion, the patient listed above exhibits symptoms of a serious mental illness requiring psychiatric medication.

3. Based on my interaction with the patient and my review of the chart and materials gathered by the clinical team, I have made a working psychiatric diagnosis of: Major Depressive Disorder, Adjustment reaction with anxious mood, Adjustment diosrder with disturbance of ocnduct, Borderline (BPD)

4. The basis for the above diagnosis is as follows:

a. What are the general (textbook) symptoms of the serious mental illness in the diagnosis?

Major Depression is a disorder characterized by feelings of worthlessness, hopelessness or guilt, fixating on past failures or self-blame, trouble thinking, concentrating, making decisions and remembering things, irritability, poor impulse control. Frequent or recurrent thoughts of death and suicidal thoughts.

b. Which of these symptoms or behaviors have clinical staff observed in the patient, and when?

Mr. Verduzco has been at CHCF since 11/18/2020, ever since clinical staff have observed "on and off" symptoms of Mood lability/instability, depression, agitation, anxiety, impulsivity, threaths of self injurious behaviour, occasional paranoid beliefs (often about custody), impaired frustration tolerance, poor coping skills, non-compliance with treatment, poor insight. These symptoms have worsened since he stopped taking his meds regularly on Dec 21,2022

c. Did you rely upon historical information supporting the above diagnosis for this patient? If so, please specify what you relied upon (first onset, historical course of mental disorder, prior hospitalizations, prior medication history, etc.):

This is 42 years old Hispanic Male with Psychiatric history Major Depressive Disorder, Adjustment reaction with anxious mood, Adjustment disorder with disturbance of conduct, Borderline (BPD), with prior hospitalizations, Acute on 9/13/16-11/8/16, 7/19/19-10/7/19, 10/29/19-1/14/20, 2/13/20-11/18/20. PIP level of care at CHCF since 7/19/19, starting at Acute and now at ICF since 11/18/2020. He was initially referred for attempting to cut off a finger, as well as on-going threats to engage in SIB. Mr. Verduzco has long history of self-injurious behavior (self-amputation cut tongue in half 4/2016, OD on sleeping pills 4/2017, bit tongue 4/2017, lacerations X two 5/2017 of left fifth finger, necrosis and partial amputation, pulled out sutures 5/2017, laceration to left 4th finger 7/2019, 10/2019 over several acts cut off left 4th finger, cut off tip of left second finger 4/2020, laceration 5/2020 reopened wounds and cut tip off left middle finger 6/2020). On Dec 2022 patient reported recurrent threats to staff that he was going to amputate another finger in the month of January 2023, he did not engage in SIB however continues to report that it is a matter of time to next self-injurious behavior, Since Dec, 2022 he has been refusing most psych meds, regularly fails to comply with safety checks of his extremities requiring enhanced observation either Q 11 or SW from Dec 29, 2022- Feb 01.2023.

1. Disability Code:
[ ] TABE score ≤ 4.0
[ ] DPH [ ] DPV [ ] LD
[ ] DPS [ ] DNH
[ ] DNS [ ] DDP
[X] Not Applicable

2. Accommodations:
[X] Additional Time
[ ] Equipment [ ] SLI
[ ] Louder [X] Slower
[X] Basic [ ] Transcribe
[ ] Other*

3. Effective Communication:
[X] Patient asked questions
[X] Patient summed information
Please check one:
[ ] Not Reached* [X] Reached
*See chrono/notes

4. Comments:

CDCR #: T45537
Last Name: Verduzco MI:
First Name: Daniel
DOB: 07/25/1980

Unauthorized collection, creation, use, disclosure, modification, or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

DISTRIBUTION: Original: Health Records Copy: MCA
eUHR SCANNING LOCATION: MHChrono/Misc-Legal/Other, 7363 Notice of Certification for Involuntary Medication
EHRS LOCATION: Mental Health Documentation > Legal

EXHIBIT A- 001

d. What did the patient do or say as a result of their serious mental illness that supports your assertion that the patient is a danger to self, a danger to others, or gravely disabled?

Danger to self:
MHPC note 11/25/2022: IP reported he had an increase of suicidal ideation last week.
MHPC note 11/25/2022-12/06/2022: IP reported that cutting a finger is still on the table and a desire to engage in self-injurious behavior.
MHMD note 12/07/2022 IP reported " I'm not going to hurt myself at the moment but I can't guarantee that something could happen in the near future".
MHPC RVR assessment 12/10/2022. IP verduzco boarded up twice on 12/03/2022.
MHPC note 12/29/2022: IP has made several statements that he is planning to cut off his finger sometime in January.
MHMD note 01/31/2023 IP said I'm not saying that I couldn't hurt myself at some point "

5. Based on my knowledge of the patient and their medical records, I believe that as the result of a serious mental illness, the patient is (mark all that apply):

☒ Danger to self ☐ Danger to others ☐ Gravely disabled and lacking capacity to accept or refuse medications

6. Please articulate how the patient's mental health history and the acts and behaviors in questions 3, 4, and 5 (above), are a result of the patient's serious mental illness (i.e., how the acts or behaviors align with the diagnosis, etc.).

Patient has shown symptoms of mood lability/instability, depression, agitation, anxiety, impulsivity, threaths of self injurious behaviour (several times) he has strong history of SIB (self amputation), occasional paranoid beliefs (often about custody), impaired frustration tolerance, poor coping skills, non-compliance with treatment, refusing medicaton for mental health, poor insight. All contributing to high risk of danger to self.

7. On 02/03/2023 , I have recommended to the patient one or more psychiatric medications for the treatment of the patient's serious mental illness, have considered the risks, benefits, and treatment alternatives to involuntary medication, and have determined that the treatment alternatives to involuntary medication are unlikely to meet the needs of the patient.

8. I have advised the patient of the risks and benefits, and treatment alternatives to involuntary medication. The patient refused, does not have the capacity, or could not accept psychiatric medications.

9. The expected benefits of this medication to the patient are:

Use of psychotropics medication can be used as first line treatment of chronic depression, and to reflief associated symptoms by reducing depressed/labile mood, anxiety, poor self-control, paranoid thinking, promote sleep and also can reduce impulses to self harm.

Unauthorized collection, creation, use, disclosure, modification, or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

EXHIBIT A-002

STATE OF CALIFORNIA
DECLARATION IN SUPPORT OF INITIAL INVOLUNTARY MEDICATION
CDCR MH-7363-2 (03/17)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
Form: Page 3 of 3
Instructions: Page 4

10. Potential risks and side effects of providing this medication to the patient are:

The Psychotropic medications may have following side effects with second and first generations anti Psychotics;
Weight gain,
EPS, dystonia, tremors, shakes, muscle stiffness, rigidity.
Metabolic syndrome: Weight gain, Hyperglycemia, High Cholesterol, Dyslipidemia increase in waist measurement. increase BMI,
Neuroleptic Malignant syndrome (NMS).
Sedation, tiredness.

11. Based on the facts and diagnosis indicated above, as well as my review of documents both in the treatment team profile of this patient and in the chart, it is my opinion the patient requires psychiatric medication to treat their illness. Without medication, the patient would present as an elevated chronic risk, an imminent risk, or both.

12. If this petition is based on a threat of harm to self or others, please state upon what basis you believe the threat is credible.

Mr. Verduzco has strong history of self injurious behaviour (self amputation multiple times- see above.) and poor impulse control
He has repeatedly declined medications when offered since Dec 21, 2022, ever since his symptoms have gradually worsened including- mood lability, poor impulse control, poor engagement with clinicians, fragmented sleep, isolation, poor tolerance to stress.

Without the medication, he is likely to deteriorate further and possibly to engage in self injurious behavior.

13. In my opinion there is no less restrictive alternative than to seek a court order to administer psychiatric medication.

14. I am initiating this matter on the following basis:

☒ Non-emergency (no medications prior to Administrative Law Judge hearing) ☐ Emergency (ex-parte application for medication attached)

I declare under penalty of perjury that the foregoing is true and correct.

Date: 02/03/2023, in the City of Stockton, California, in the County of San Joaquin

Print Name and Title: Edgar Andres Chica, MD, Psychiatrist Signature: _____

Declaration in Support of Initial Involuntary Medication CDCR MH-7363-2 (03/17)	CDCR #: T45537 Last Name: Verduzco MI: First Name: Daniel DOB: 07/25/1980

Unauthorized collection, creation, use, disclosure, modification, or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

DISTRIBUTION: Original: Health Records Copy: MCA
eUHR SCANNING LOCATION: MHChrono/Misc-Legal/Other; 7363 Notice of Certification for Involuntary Medication
EHRS LOCATION: Mental Health Documentation > Legal

EXHIBIT A-003

STATE OF CALIFORNIA
INVOLUNTARY MEDICATION PETITION (PENAL CODE 2602)
CDCR MH-7363-1 (03/17)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
Form: Page 1 of 1
Instructions: Page 2

Involuntary Medication Petition

Patient Name (Last): VERDUZCO (First): DANIEL CDCR #: T45537 PID #:

Date: February 14, 2023 Institution: CHCF-Stockton Bed/Cell/Dorm: CHCF B 306A1-126001L

Age: 42 Gender: [X] Male [ ] Female | Interpreter: [ ] Yes [X] No Language: English

NOTICE OF INTENT TO SEEK INVOLUNTARY MEDICATION

The clinical staff at the institution shown above alleges that you have a serious mental illness and are unwilling or unable to take psychiatric medication necessary to treat your condition. As a result, you are a danger to self, a danger to others, or gravely disabled. A hearing has been scheduled in front of an Administrative Law Judge, who will decide if you must take psychiatric medication. You have a right to attend.

HEARING TYPE (Choose one):

[X] NON-EMERGENCY (Hearing within 21-30 days of this notice, no interim medications allowed)

[ ] EMERGENCY (Hearing within 21 days of this notice, interim medications allowed)

Date and Time Medication Started: _____

Hearing Date and Time: March 16, 2023@ 0900 Hearing Institution: CHCF

Initiating Psychiatrist:

Name and Title (Print): E. CHICA, MD

ATTORNEY

If the Department is seeking an emergency petition, you or your attorney have two business days from the date you were served to file a response with the Office of Administrative Hearings. You have been appointed an attorney who has been given a copy of this paperwork. The attorney information is as follows:

Attorney Name: Rodney Simmons Attorney Address 10824 Olson Drive, Ste. C126

Attorney Phone: 916-591-1784 Rancho Cordova, Ca 95670

SERVICE

I declare under penalty of perjury that I delivered a copy of this notice, a copy of the form CDCR MH-7366 "Inmate Rights to Notice - Involuntary Medication", and any related paperwork to the attorney listed above and to the inmate named in this document on the date shown below. In the event of an emergency petition, I further declare that the Inmate and Office of Administrative Hearings were served with this notice within 72 hours of the start of involuntary medication.

Person Delivering Petition:

Name and Title (Print): S. Mora, MCA Signature: _____ Date: 02/14/2023

1. Disability Code:
[ ] TABE score ≤ 4.0
[ ] DPH [ ] DPV [ ] LD
[ ] DPS [ ] DNH
[ ] DNS [ ] DDP
[X] Not Applicable

2. Accommodations:
[ ] Additional Time
[ ] Equipment [ ] SLI
[ ] Louder [ ] Slower
[ ] Basic [ ] Transcribe
[ ] Other*

3. Effective Communication:
[ ] Patient asked questions
[ ] Patient summed information

Please check one:
[ ] Not Reached* [ ] Reached
*See chrono/notes

4. Comments: TABE: N/A; NDD

CDCR #:	T45537	
Last Name:	VERDUZCO	MI:
First Name:	DANIEL	
DOB:	07/25/1980	

Unauthorized collection, creation, use, disclosure, modification, or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

DISTRIBUTION: Original: Health Records Copies: Patient, MCA, patient's attorney, OLA, OAH
eUHR SCANNING LOCATION: MHChrono/Misc-Legal/Other: 7363 Notice of Certification for Involuntary Medication
EHRS LOCATION: Mental Health Documentation > Legal

EXHIBIT A-004

Response training shall be part of the new employee orientation provided by mental health staff in collaboration with the IST unit at each local institution. New correctional officers shall receive this training at the Basic Correctional Officer Academy.

The suicide prevention and response training shall include the following elements:

- Suicide risk assessment
- Suicide methods awareness
- Interventions for suicidal ideation, threats, gestures, and attempts
- Suicide reporting and reviews
- Mental health evaluations for rules violation reports

Clinical and custody staff shall receive specialized training with respect to their particular roles in responding to self-injurious behaviors, suicide attempts, and suicides.

D. CLINICAL CARE SERVICES

This subsection addresses the various clinical care services for inmates regarding suicide prevention and response. Included are the assessment of risk for suicide, the utilization of a form for documenting the risk factors, and clinical interventions such as procedures for Suicide Precaution and Suicide Watch, and responses to suicide attempts and to suicide.

Education regarding the methods utilized by inmates when attempting suicide shall be taught as part of the suicide prevention and response training.

Employee strategies for maintaining a safe environment, and for ensuring that other policies and procedures relative to suicide prevention and response, such as regarding medication distribution and inmate-patient compliance, are detailed in the relevant chapters and sections of the complete Inmate Medical Services Program Policies & Procedures.

Any CDCR employee who becomes aware of an inmate's current suicidal ideation, threats, gestures, self-injurious behaviors or suicide attempts shall immediately notify a member of the health care staff. The inmate shall be placed under direct observation, per local custody operating procedure, until a clinician trained to perform a suicide risk assessment (psychiatrist, psychologist, clinical social worker, primary care physician, nurse practitioner, or RN) conducts a face-to-face evaluation.

1. Suicide Risk Assessment

All inmates are observed for suicide risk. Suicide risk assessment is critical to successful suicide prevention. Inmate-patients enrolled in the MHSDS shall be regularly monitored

EXHIBIT A - 005

Fire Captains shall be trained in accordance with DOM 52090.6. Training shall include:

- The requirements of PC 832 and chemical agents training as provided at the Academy within 90 days of appointment and prior to performing peace officer duties.
- The CPOAP (3600 work process hours and 24 qualifying months).

Medical Technical Assistant (MTA)

MTAs shall complete:

- The requirements of PC 832 and chemical agents training as provided at the Academy within 90 days of appointment and prior to performing peace officer duties.
- The CPOAP (3600 work process hours and 24 qualifying months).

Officers

Officers shall complete:

- The Basic Correctional Officer Academy prior to assignment as an Officer.
- The CPOAP (3600 work process hours and 24 qualifying months).

Youth Correctional Officer, Youth Correctional Counselor, Parole Agent I/Casework Specialist (CWS) shall complete:

- Basic Correctional Juvenile Academy.
- The CPOAP (3600 work process hours and 24 qualifying months).

32010.14 Non-Custody Staff Required Annual Training

Institutional/Facility Non-Custody Employees

All institution non-custody employees, at a minimum, shall receive annual training as follows:

- California Public Records Act (CPRA)
- Communicable Disease Prevention
- Court Compliance Training
- EEO/Sexual Harassment Prevention
- Emergency Operations
- Escape Prevention
- Fire and Life Safety
- Information Practices Act (IPA)
- Information Security Awareness (ISA)
- Injury Illness Prevention Program (IIPP)
- Prison Rape Elimination Act (PREA)
- Use of Force
- Other subjects as deemed appropriate by the Associate Director, hiring authority or designee, or any other legal mandates.

All Headquarters Non-Custody Employees

All headquarters non-custody employees, at a minimum, shall receive annual training as follows:

- California Public Records Act (CPRA)
- EEO/Sexual Harassment Prevention
- Emergency Operations
- Information Practices Act (IPA)
- Information Security Awareness (ISA)
- Injury Illness Prevention Program (IIPP)
- Other subjects as deemed appropriate by the Associate Director, hiring authority or designee, or any other legal mandates.

32010.15 Officer, Sergeant, Lieutenant, CCI, Fire Chief, Fire Captain and MTA Required Annual Training

For the purpose of this section, peace officers include the following classifications: Officer, Sergeant, Lieutenant, CCI, Fire Chief, Fire Captain and MTA.

Peace officer employees shall be provided a minimum of 52 hours of annual training pursuant to the current annual training schedule, approved by the Associate Director, POSED, or designee.

Annual training shall be the primary delivery system for peace officers to maintain compliance with PC 832 and other mandated training or applicable contract language.

Peace officer classifications shall receive annual training as follows:

- Alarm response
- California Public Records Act (CPRA)
- Chemical Agents
- Communicable Disease Prevention
- Court Compliance Training
- EEO/Sexual Harassment Prevention
- Emergency Operations
- Escape Prevention
- Expandable Baton Annual Training (not mandatory for CCI, Fire Chief/Captain, or MTA)
- Fire and Life Safety
- Firearms Requalification (see Section 32010.19.3 Requalification Chart)
- Heat Related Pathologies
- Information Practices Act (IPA)
- Information Security Awareness (ISA)
- Injury Illness Prevention Program (IIPP)
- Lethal Electrified Fence (if applicable)
- Prison Rape Elimination Act (PREA)
- Suicide Prevention
- Tuberculosis Testing/Quiz (TB)
- Use of Force
- Other subjects as deemed appropriate by the Warden, hiring authority or designee, or any other legal mandates.

DAPO

All DAPO peace officer classifications, at a minimum, shall receive annual training as follows:

- California Public Records Act (CPRA)
- Cardiopulmonary Resuscitation & First Aid Recertification (CPR/FA)
- Chemical Agents
- Communicable Disease Prevention
- EEO/Sexual Harassment Prevention
- Emergency Operations
- Expandable Baton Annual Training
- Fire and Life Safety
- Firearms Requalification
- Information Practices Act (IPA)
- Information Security Awareness (ISA)
- Injury Illness Prevention Program (IIPP)
- Tuberculosis Testing/Quiz (TB)
- Use of Force
- Other subjects as deemed appropriate by the Director, hiring authority or designee, or any other legal mandates.

All Parole agents assigned to DAPO shall comply with weapons requalification as stated in current DAPO firearms policy. In addition, those who are armed shall fire a diminished light course annually for familiarization and training (not qualification).

All Parole agents assigned to DAPO shall receive training in Parole Agent Safety and Tactics (PAST), in accordance with Bargaining Unit 6, MOU.

DJJ

All DJJ peace officer classifications, at a minimum, shall receive annual training as follows:

- Alarm Response
- California Public Records Act (CPRA)
- Cardiopulmonary Resuscitation & First Aid Recertification (CPR/FA)
- Chemical Agents
- Communicable Disease Prevention
- Court Compliance Training
- EEO/Sexual Harassment Prevention
- Emergency Operations
- Escape Prevention
- Expandable Baton Annual Training

EXHIBIT A-005

involuntary overtime of the medical classifications on the list above, prior to filling these positions with a Correctional Officer.

DEF.'S (CO) WAS TRAINED → The employee assigned to provide direct observation shall be appropriately trained regarding this post and the performance of duties related to Suicide Watch.

Observation Documentation

The custody and/or health care staff employee assigned to provide continuous observation during Suicide Watch shall document such observation every 15 minutes on a log sheet.

Custody and health care staff shall document behaviors and activities on a CDCR 114A, *Detention/Segregation Record.*

SHALL MEANS MANDATORY → Nursing staff shall document behavioral checks and the inmate-patients' affect at least every 15 minutes during both Suicide Precaution and Suicide Watch. Nursing checks shall always include visual observation and, when the inmate-patient is awake, shall also include verbal interaction. Nursing staff shall document using CDCR 7212, *Nursing Care Record* (for non-acute care settings), or CDCR 7212A, *Nursing Care Record-Acute Hospital,* (for acute care settings) in the UHR.

Leaving a Post Assignment

- The observer assigned to Suicide Watch shall only vacate the post if immediate attention or assistance is needed in a life-threatening situation, and no other alternative exists.
- A life-threatening situation is defined as a situation in which staff's failure to immediately respond will likely result in serious morbidity or mortality.
- In the event of a life-threatening situation, the staff shall activate a personal alarm in order to summon additional staff to the MHCB area.
- If it becomes necessary for staff assigned to Suicide Watch to leave their post due to a life-threatening situation, they shall request other staff in the vicinity, whenever possible, to provide direct observation coverage of the inmate-patients while away. If no other staff is available, and there is sufficient time, the officer shall contact the Watch Office before responding to the life-threatening situation.
- Any vacating of the post under these circumstances shall be for the minimal time necessary. Once the life-threatening situation has been contained, or there is sufficient staff at the scene to handle the situation, the officer shall immediately return to the Suicide Watch post.

Guidelines for clinician-ordered Suicide Watch:

STATUS	CLOTHING	FURNITURE AND OTHER MATERIALS	BEHAVIORAL CHECKS
SUICIDE WATCH	Safety (no-tear) smock/gown, no ID band on wrist	Remove all furniture. Safety (no-tear) mattress, safety (no-tear) blanket	Continuous observation 15 minute nursing checks

All institutions shall conduct Suicide Watch observation by direct visual observation. The staff member shall be stationed at the cell door with direct line-of-sight from the observer to the patient. One observer may be responsible for observation of two inmate-patients on Suicide Watch when the staff member can maintain direct line-of-sight observation of both inmate-patients. The staff-observer to inmate-patient ratio shall not exceed one-to-two. Video-monitoring shall never be used as the sole method for observation of any inmate-patient housed on Suicide Watch status, but may be used to supplement direct visual observation.

Some institutions have been approved via memoranda signed by the Directors of the Division of Adult Institutions (DAI) and the DCHCS, to provide one-on-two direct cell-front observation of inmate-patients on Suicide Watch, when the staff member can maintain direct line-of-sight observation of both inmate-patients, unless one-on-one monitoring is ordered by the psychiatrist or psychologist. All other institutions shall provide one-on-one direct cell-front observation.

The assigned observer shall assume a position where continuous direct visual contact with the inmate-patient can be maintained, including when the inmate uses the shower, sink, or toilet.

Suicide Watch posts will be filled using the following order of job classifications:

1. Hospital Aide
2. Certified Nursing Assistant
3. Licensed Psychiatric Technician
4. Licensed Vocational Nurse
5. RN
6. Correctional Officer

It is the responsibility of the Health Care Manager and Warden to ensure that all hiring efforts be exhausted, including offering voluntary overtime and assigning

EXHIBIT A-006

after a second evaluation, mental health clinical staff feel additional hourly checks are required, the inmate shall be readmitted to the MHCB for further stabilization. Custody staff shall maintain a log on CDCR 114A, *Detention/Segregation Record,* of rounds on inmate-patients.

- The local SPR FIT shall regularly audit compliance with the 5-day clinical follow-up and custody wellness check procedure. Audit findings shall be forwarded monthly to the Local MHP Subcommittee.

c. **Response to Self-Injurious Behaviors and Suicide Attempts**

Self-injurious behaviors cause, or are likely to cause, physical self-injury. A suicide attempt is an intentional act that is deliberately designed to end one's own life. Both are medical emergencies that require immediate and appropriate responses.

Custody Protocol

In medical emergencies, the primary objective is to preserve life. All peace officers who respond to a medical emergency are mandated, pursuant to court order, to provide immediate life support, if trained to do so, until medical staff arrives to continue life support measures. All peace officers must carry a personal CPR mouth shield at all times.

The officer must assess and ensure it is reasonably safe to perform life support by effecting the following actions:

- Sound an alarm (a personal alarm or, if one is not issued, an alarm based on local procedures must be used) to summon necessary personnel and/or additional custody personnel.
- Determine and respond appropriately to any exposed bloodborne pathogens.
- Determine and neutralize any significant security threats to self or others including any circumstances causing harm to the involved inmate.
- Initiate life saving measures consistent with training.

The responding peace officer will be required to articulate the decision made regarding immediate life support and actions taken or not taken, including cases where life support is not initiated consistent with training and/or situations which pose a significant threat to the officer or others.

Exhibit A-009

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[redacted]
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Jessica Winter
Email: [redacted]

January 29, 2020

PRIVILEGED AND CONFIDENTIAL
SUBJECT TO PROTECTIVE ORDERS

VIA ELECTRONIC MAIL ONLY

[redacted]
CDCR Office of Legal Affairs

[redacted]

Re: *Coleman v. Newsom*: Plaintiffs' Concerns Regarding Suicide Watch in the Inpatient Program at CHCF-Stockton
Our File No. 0489-03

Dear All:

Plaintiffs have ongoing concerns regarding the performance of suicide watch at the inpatient program at CHCF-Stockton. Recently, Plaintiffs learned that Daniel Verduzco, T45537, was able to amputate a portion of his left ring finger while on suicide watch.

On October 1, 2019, Mr. Verduzco, then a patient at the acute level of care, was on one-to-one suicide watch in the CHCF PIP. *See* Exhibit A, Progress Note-Nurse dated October 2, 2019. During his IDTT earlier that day, Mr. Verduzco informed staff that he "felt like cutting off his finger" and requested that he be placed on suicide watch. *See* Exhibit B, Acute ICF Master Treatment Plan dated October 1, 2019. In response, staff immediately terminated the IDTT, noting that his risk of self-harm was high. *See id.*; Exhibit C, MHPC Inpatient Progress Note dated October 2, 2019. Despite this, Mr. Verduzco states that he was able to, over the course of two hours, cut away the soft tissue of his fingertip with a piece of stapler and snap the bone to remove the digit. His efforts

EXHIBIT A-010

caused him to moan in pain and went unnoticed by his assigned observer who was reportedly browsing on the computer instead of maintaining a proper line of sight.

This incident represents a continuation of deficiencies with suicide watch at the CHCF PIP. During the Special Masters' tour of the facility in September 2019, a nurse was found asleep while on suicide watch. During the same tour, class members reported, and staff acknowledged, that suicide watch was often performed at a distance from the PIP cells that created a blind spot; class members could take advantage of the blind spot to self-harm undetected. Mr. Verduzco's successful auto-amputation indicates that suicide watch failures continue to be a serious issue at the CHCF PIP. Accordingly, Plaintiffs request an update regarding Defendants' efforts to improve suicide watch at the CHCF PIP.

Was this matter reviewed as a sentinel event? If not, why not? If so, what were the results of the review? Was corrective action taken? If so, what was it? If not, why not? Mr. Verduzco reports that his injury was documented by a member of the Investigative Services Unit (ISU). Have Defendants launched any formal or informal investigations of this incident? Has a root cause analysis been performed? If so, please provide any findings once complete. Was the failure in one-on-one observation otherwise formally or informally addressed? If so, how? If not, why not?

Further, what remedial measures were implemented to improve suicide watch following the incidents described above? Have staff as a whole been formally informed of these incidents and as to why they are unacceptable and inadequate? Were any staff retrained following this incident? Have there been any additional instances of patients self-harming while on suicide watch? If so, please provide a description of the incident(s) and any steps taken to remediate the(ir) cause(s).

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EXHIBIT A-011

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We appreciate and look forward to your anticipated prompt response.

Sincerely,

ROSEN BIEN
GALVAN & GRUNFELD LLP

/s/ Jessica Winter

By: Jessica Winter

JLW:MVL
Attachments: Exhibits A-C
cc: *Coleman* Special Master Team
[redacted]
CDCR OLA Mailbox
Coleman Co-counsel

[redacted]

EXHIBIT A-012

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

HEALTH CARE GRIEVANCE

CDCR 602 HC (Rev. 10/18) DEEMED NON-URGENT ON 05/13/2020, I MAILED OUT THE FIRST DIGIT ON 05/25/2020.

STAFF USE ONLY — Expedited? ☐ Yes ☒ No — Tracking #: CHCF HC 20001234

M. LOWE, RN — Staff Name and Title (Print) — Signature — Date: 5/13/2020

If you think you have a medical, mental health or dental emergency, notify staff immediately. If additional space is needed, use Section A of the CDCR 602 HC A Health Care Grievance Attachment. Only one CDCR 602 HC A will be accepted. You must submit this health care grievance to the Health Care Grievance Office for processing. Refer to California Code of Regulations (CCR), Title 15, Chapter 2, Subchapter 2, Article 5 for further guidance with the health care grievance process.

Do not exceed more than one row of text per line. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First, MI):	CDCR #:	Unit/Cell #:
VERDUZCO, D	T-45537	A2A 105

SECTION A: **Explain the** applied health care policy, decision, action, condition, or omission that has had a material adverse effect upon your health or welfare for which you seek administrative remedy:

IN LATE FEBRUARY 2020, MY DERESSION BEGAN TO DECLINE AND I ISOLATED MYSELF. I STOPPED PARTICIPATING IN THERAPY SESSIONS AND ALL ACTIVITY OUTSIDE MY CELL. ON MARCH 04, 2020, I RECEIVED SOME UNSETTLING NEWS REGARDING A STAFF COMPLAINT I HAD PENDING AT PBSP. I WAS NOTIFIED THAT MY ALLEGATIONS AGAINST THE EMPLOYEE IN THAT COMPLAINT COULD NOT BE SUBSTANTIATED WHICH DEVASTATED ME BECAUSE IT FELT LIKE I DID NOT MATTER. MY DEPRESSION SPIRALED AND I JUST STOPPED CARING, THIS MANIFESTED INTO LOW SELF-ESTEEM AND NO SELF-WORTH. I BEGAN TO EXPERIENCE INTENSE THOUGHTS OF SELF-HARM WHICH I WAS ABLE TO SUPPRESS ON MOST DAYS, I FELT INVISIBLE, ON SUNDAY APRIL 12, 2020, I FINALLY COULD NOT TAKE IT NO MORE AND I CUT THE TIP OF MY FINGER OFF BELOW THE NAIL, SNAPPING THE BONE MYSELF. I MADE NO EFFORT TO HIDE MYSELF, I DID NOT CARE WHO SEEN ME. I ACTUALLY DON'T EVEN REMEMBER THE EXACT TIME, I JUST KNOW IT WAS EASTER SUNDAY. THE PAIN WAS SO INTENSE THAT ITS ALL I REALLY REMEMBER FROM THAT

Supporting Documents Attached. Refer to CCR 3999.227 ☐ Yes ☒ No

Grievant Signature: D. Verduzco — Date Submitted: MAY 10, 2020

BY PLACING MY INITIALS IN THIS BOX, I REQUEST TO RECEIVE AN INTERVIEW AT THE INSTITUTIONAL LEVEL. ☐

SECTION B: HEALTH CARE GRIEVANCE REVIEW INSTITUTIONAL LEVEL: Staff Use Only — Is a CDCR 602 HC A attached? ☒ Yes ☐ No

This grievance has been:

☐ Rejected (See attached letter for instruction): Date: _____ Date: _____

☐ Withdrawn (see section E)

☒ Accepted — Assigned To: MH — Title: CMH — Date Assigned: 7/10/2020 — Date Due: 7/16/2020

Interview Conducted? ☒ Yes ☐ No — Date of Interview: 7/10/2020 — Interview Location: on the unit

Interviewer Name and Title (print): H. Pearson, PsyD, Sr. Psychologist Supervisor — Signature: Sign for — Date: 7/16/20

Reviewing Authority Name and Title (print): S. Aref, MD, MPH, CCHP, REHS, CEO — Signature: for CEO — Date: 7/15/20

Disposition: See attached letter ☒ ~~Intervention error~~ No Intervention ☒

HCGO Use Only: Date closed and mailed/delivered to grievant: JUL 16 2020

1. Disability Code:	2. Accommodation:	3. Effective Communication:
☐ TABE score ≤ 4.0	☐ Additional time	☐ Patient asked questions
☐ DPH ☐ DPV ☐ LD	☐ Equipment ☐ SLI	☐ Patient summed information
☐ DPS ☐ DNH	☐ Louder ☐ Slower	Please check one:
☐ DDP	☐ Basic ☐ Transcribe	☐ Not reached* ☐ Reached
☒ Not Applicable	☐ Other*	*See chrono/notes

4. Comments:

RECEIVED CHCF MAY 12 2020 HCGO

COMPLETED RECEIVED CHCF JUL 16 2020 HCGO

STAFF USE ONLY AUG 03 2020

COMPLETED HCCAP OCT 13 2020

EXHIBIT A-014

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

HEALTH CARE GRIEVANCE ATTACHMENT

CDCR 602 HC A (10/18)

STAFF USE ONLY

Tracking #: CHCF HC 20001234

Attach this form to the CDCR 602 HC, Health Care Grievance, only if more space is needed. Only one CDCR 602 HC A may be used.
Do not exceed more than one row of text per line. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First, MI):	CDCR Number:	Unit/Cell Number:
VERDUZCO, D	T-45537	A2A 105

SECTION A: Continuation of CDCR 602 HC, Health Care Grievance, Section A only (Explain the applied health care policy, decision, action, condition, or omission that has had a material adverse effect upon your health or welfare for which you seek administrative remedy):

DAY. THIS WAS A FORESEEABLE INCIDENT BECAUSE I HAD COMPLETELY SHUT DOWN, I STOPPED SHAVING, I WAS NOT MED COMPLIANT ON AND OFF, AND VERY DEPRESSED. ALL THE SIGNS WERE OBVIOUS. HOW CAN SOMEONE JUST FADE INTO THE BACKGROUND IN AN ACUTE SETTING. THE SYSTEM IS FLAWED AND NEEDS TO CHANGE. THE FAILURE TO HOLD STAFF ACCOUNTABLE, SETS THE TONE, AND STAFF FEEL BEYOND REPROACH. SUPERVISORS DON'T CARE EITHER, ON MAY 02, 2020, I ADDRESSED THIS INCIDENT WITH (SRN) C. SEAL AND I TOLD HER HOW DOES SHIT LIKE THIS HAPPEN IN AN ~~ASU~~ ACUTE SETTING, ~~SHE SHOWED NO CONCERN~~.

~~ACTION REQUESTED; FOR FULL COMPLIANCE OF CCR. 3341 (a); 3271; 3004 (a) (b); 3265; MHSDS VOL 12 CH. 10~~ PAGES 7, 10, 21, 18. A JURY TRIAL SHOULD THIS NOT BE RESOLVED ADMINISTRATIVELY.

Grievant Signature: [signature] Date Submitted: MAY 10, 2020

SECTION B: Staff Use Only: Grievants do not write in this area. Grievance Interview Clarification. Document issue(s) clarified during interview.

Name and Title: _____ Signature: _____ Date: _____

RECEIVED CHCF MAY 12 2020 HCGO

COMPLETED CHCF JUL 16 2020 HCGO

RECEIVED HCCAB AUG 03 2020

COMPLETED HCCAB OCT 13 2020

STAFF USE ONLY

EXHIBIT A-015

EXHIBIT B

PL.S MOT. FOR PRELIMINARY INJUNCTION

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL VERDUZCO, PLAINTIFF

VS.

B. JAO., ET. AL.,

CASE NO. 2:22-CV-0569-TLN-DMC-P

PL. SEEKS A 7-DAY EXTENSION OF TIME TO FILE THE FIRST AMEND. COMPL. "FAC". PL. SEEKS A PRELIMINARY INJUNCTION TO CEASE UNCONSTITUTIONAL RETALIATION THATS PSYCHOLOGICAL TORTURE AIMED AT DRIVING PL. TO SUICH OR SELF-HARM TO SILENCE PL.

RULE 6 ; 65, F.R.C.P. ; LOCAL RULE 144

JUDGE: DENNIS M. COTA, U.S. MAGISTRATE JUDGE

STATEMENT OF FACTS

1. ON NOV. 18, 2022 THE DISTRICT COURT SUA SPONTE GRANTED LEAVE TO FILE PL.'S FIRST AMENDED COMPLAINT "FAC". ON DEC. 15, 2022 PL. MOVED FOR A (90) DAY EXTENSION OF TIME, ECF NO. 13. THE REQUEST WAS GRANTED IN PART AND THE ORDER WAS SIGNED DEC. 23, 2022, ECF NO. 14. MOVING THE DEADLINE TO FEB. 21, 2023. PL. INTENDS TO MEET THAT DEADLINE BY GIVING PL.'S "FAC" TO PRISON STAFF ON FEB. 20, 2023 FOR MAILING IN "LEGAL MAIL" BUT DUE TO UNFORESEEN CIRCUMSTANCES IN ARGUMENT III PL. HAS ASKED IT BE EXTENDED TO FEB. 28, 2023.

2. "PRO SE PLEADINGS DEEMED FILED ON THE DATE PLACED IN 'LEGAL MAILBOX' NOT DATE OF RECEIPT BY CT. CLERK," DILS V. SMALL, 260 F. 3d. 984 (9th CIR. 2001). " PRISON MAILBOX RULE, APPLIES TO PRO SE §1983 CLAIMS", SULIK V. TANEY COUNTY, 316 F. 3d. 813 (8th CIR. 2003). CERTAIN CIRCUMSTANCES ARE BEYOND PL.'S CONTROL. (CHCF) MAILROOM STAFF D. POTTS OBSTRUCT WITH THE DELIVERY OF PL.'S "LEGAL MAIL". GRIEVANCE STAFF AT (CHCF) DESTROY "LEGAL MAIL" WITH APPEALS ENCLOSED THEREIN. A CLAIM PL. CAN PROVE WITH 100% CERTAINTY. IT HAS OCCURED OVER SIX TIMES. (CHCF) IS A CAMERA FACILITY. PL. HAS RECIEPTS AND LEGAL MAIL LOG SHEETS SIGNED BY OFFICER'S, AND THE LEGAL MAIL IS ELECTRONICALLY RECORDED IN PL.'S CDC 119 LEGAL MAIL HISTORY LOG. DESTRUCTION OF LEGAL MAIL IN U.S. MAIL THAT CONTAINS APPEALS IS UNCONSTITUTIONAL AND CRIMINAL; U.S. CONST., 1ST AMEND.; TIT. 18 U.S.C. § 1702. PL.'S ACTUAL DEADLINE IS FEB. 21, 2023 BUT DUE TO POTENTIAL FOULPLAY PL. SEEKS A 7-DAY EXTENSION OF UP TO AND INCLUDING FEB. 28, 2023 TO FILE PL.'S "FAC".

ARGUMENT I

PL'S AMENDED COMPLAINT WILL RAISE CONTINUED CONSTITUTIONAL VIOLATIONS AT (CHCF) THAT REMAIN ONGOING AND ARE INTERTWINED WITH CRIMINAL CONDUCT TO DEPRIVE PL. OF CONSTITUTIONAL RIGHTS AND CONCEAL THE DEPRIVATION OF THOSE RIGHTS WITH UNLAWFUL CONDUCT AS RECENTLY AS JAN. 28, 2023 (16) DAYS AGO

3. "COURTS MUST, WHEN POSSIBLE INTERPRET EACH WORD OF A LAW, SO AS TO GIVE IT MEANINGFUL EFFECT", SILVIERA V. LOCKER, 312 F. 3d. 1052 (9TH CIR. 2002). ON JUNE 10, 2022 PL. ACQUIRED IRREFUTABLE EVIDENCE THAT CDCR STAFF AT (CHCF) AND (PBSP) CRIMINALLY FALSIFIED INVESTIGATION RECORDS IN VIOLATION OF CAL.PEN.COD. § 118.1 (a); § 132 ; § 134; AND 6065 (c) (2) TO DEPRIVE PL. EQUAL PROTECTION OF LAW AND CONCEAL UNCONSTITUTIONAL/CRIMINAL SEXUAL ABUSE OF PL. BY A CDCR PSYCHOLOGIST. CRIMINAL VIOLATIONS OF CAL.PEN.COD. § 118.1 (a); § 134 ; § 132 CAN BE PROSECUTED WHEN DISCOVERED, CAL.PEN.COD. § 803 (c) (2). THUS, THE STATE AND STATE AGENTS AT HEADQUARTERS AND AT (CHCF) ARE RETALIATING AGAINST PL. TO SILENCE PL.

4. ON JUNE 23, 2022 PL. FILED A STAFF COMPLAINT ASKING TO BE INTERVIEWED BY THE OFFICE OF INTERNAL AFFAIRS (OIA) TO REPORT THE UNCONSTITUTIONAL VIOLATIONS THAT MORPHED INTO FELONIOUS CONDUCT UNDER COLOR OF LAW, THE APPEAL WAS ASSIGNED HEALTH CARE LOG # CHCF-HC-22001253, SEE EX. A-004; A-005. LOG # CHCF-HC-22001253 WAS PROCESSED AS ROUTINE, CONVERTED TO HEALTH CARE, AND REJECTED TO RETALIATE AGAINST PL. AND CHILL PL'S 1ST AMEND RIGHTS. THEN, AN UNIDENTIFIED EMPLOYEE FALSIFIED INSTITUTIONAL RECORDS THAT CAN BE VIEWED BY THE (OIG) TO SHOW LOG # CHCF-HC-22001253 IS AGAINST A NURSE OVER A DISAGREEMENT, SEE AUG. 04 2022 LETTER, A-006. THIS IS CRIMINAL FALSIFICATION TO DEPRIVE PL. CONSTITUTIONAL RIGHTS. PL. DID NOT USE HEALTH CARE FORMS. PL'S APPEAL SHOULD HAVE BEEN REFERED FOR EXAMINATION i.e. A STAFF MISCONDUCT INVESTIGATION PER CAL.COD.REG. TIT. 15 § 3483 (9) (8). SEE ALSO: TIT. 15 § 3486 (a)(b)(3): "STAFF MISCONDUCT 'SHALL' BE THOROUGHLY INVESTIGATED, DISCIPLINE IMPOSED, OR REFERED FOR CRIMINAL PROSECUTION." "SHALL" MEANS MANDATORY, CCR. TIT. 15 § 3000.5 (c).

5. PL. RESUBMITTED LOG # CHCF-HC-22001253 ON AUG. 25, 2022 IN "LEGAL MAIL", PER CCR. TIT. 15 § 3141 (c)(8). SEE LEGAL MAIL LOG SHEET SIGNED BY STAFF ON AUG. 25, 2022, EX. A-007. SEE CDCR 22 FORM RECIEPT SIGNED BY STAFF ON AUG. 25, 2022. EX. A-008. IT WAS ELECTRONICALLY RECORDED ON PL'S CDC 119 ON AUG. 26, 2022, SEE EX. A-009. ANTICIPATING CORRUPTION PL. RESUBMITTED AN IDENTICAL COPY OF LOG # CHCF-HC-22001253 IN "LEGAL MAIL" ON SEP. 01, 2022. SEE LEGAL MAIL LOG SHEET SIGNED BY STAFF ON 09/01/22. EX. A-010. SEE CDCR 22 FORM SIGNED BY STAFF ON SEP. 01, 2022, EX. A-011. IT WAS ELECTRONICALLY RECORDED ON PL'S CDC 119 ON SEP. 02, 2022. EX. A-012. EACH ARTICLE OF LEGAL MAIL IN U.S. MAIL WITH LOG # CHCF-HC-22001253 ARRIVED TO (CHCF) 1/m APPEALS OFFICE BY WAS DESTROYED AND VANISHED. APPEALS STAFF AT (CHCF) WON'T EVEN REPLY TO PL'S REQUEST SENT IN "LEGAL MAIL" INQUIRING ABOUT LOG # CHCF-HC-22001253. DESTRUCTION OF LEGAL MAIL W/ GRIEVANCES IS UNCONSTITUTIONAL AND CRIMINAL. U.S. CONST. 1ST AMEND. ; TIT. 18 U.S.C. § 1702. "LOST OF FIRST AMEND. FREEDOMS, FOR EVEN MINIMAL PERIODS, UNEQUIVOCALLY

CONSTITUTES IRREPARABLE INJURY", ELROD V. BURNS, 427 U.S. 347, 373, S.CT. 2673 49 L. Ed. 2d 547 (1976). THE DEPTH OF UNCONSTITUTIONAL AND CRIMINAL CORRUPTION TO EXTINGUISH PL'S CONSTITUTIONAL RIGHTS DOES NOT END THERE, SEE E-MAIL TO (CHCF) WARDEN GENA JONES DATED AUG. 31, 2022, EX. A-001 THRU A-003. "THE COURT DEFINED CLEAR AND CONVINCING EVIDENCE AS FACTUAL CONTENTIONS WHICH ARE 'HIGHLY PROBABLE'", COLORADO V. NEW MEXICO, 467 U.S. 310, 316, 104 S.CT. 33, 81 L. Ed. 2d. 247 (1984).

6. PL. FILED A GRIEVANCE ARGUING UNCONSTITUTIONAL CORRUPTION BY WARDEN R. BELL, IT WAS ASSIGNED LOG # 283564 BUT REJECTED ON AUG. 12, 2022 TO PREVENT AN INTERNAL AFFAIRS INVESTIGATION, SEE EX. B-013. ON SEP. 06, 2022 PL. SUBMITTED LOG # 283564 TO HEADQUARTERS DISPUTING THE REJECTION, SEE EX. B-014. ON NOV. 10, 2022 LOG # 283564 WAS GRANTED AUTHORIZING A INVESTIGATION UNDER A NEW LOG #, THE NEW LOG # ASSIGNED IS # 337999, SEE EX. B-015. LOG # 337999 WAS NOT REFERED FOR EXAMINATION PER CCR. TIT. 15 § 3483 (9)(8) TO PREVENT AN (OIA) INVESTIGATION. REFERED FOR EXAMINATION IS THE OFFICIAL PROCEDURE FOR STAFF MISCONDUCT INVESTIGATIONS, ADDITIONALLY, THE (LDI) INVESTIGATOR 'SHALL' BE AT LEAST ONE RANK ABOVE WARDEN R. BELL, CCR. TIT. 15 § 3486.2 (c)(2). SINCE LOG # 337999 IS AGAINST WARDEN R. BELL AND THE APPEAL'S COORDINATOR THAT CONSPIRED WITH R. BELL, WARDEN R. BELL CANNOT PARTICIPATE IN LOG # 337999, CCR. TIT. 15 § 3483 (f). ON JAN. 28, 2023 WARDEN R. BELL WAS THE REVIEWING AUTHORITY THAT DENIED LOG # 337999, SEE EX. B-016; B-017. WARDEN R. BELL ACTED AS THE REVIEWING AUTHORITY DURING A SHAM INVESTIGATION INTO WARDEN R. BELL'S OWN UNCONSTITUTIONAL/CRIMINAL CONDUCT AND CLEARED HIMSELF. R. BELL IS OF EQUAL RANK OF HIMSELF i.e., A WARDEN, ONLY A CHIEF DEPUTY COUNSEL IS ABOVE THE RANK OF WARDEN. THIS IS UNCONSTITUTIONAL FIRST AMEND. RETALIATION AND CRIMINAL. WARDEN R. BELL COULD NOT ACHIEVE THIS CRIMINAL FEAT TO DEPRIVE PL. OF CONSTITUTIONAL RIGHTS WITHOUT A COORDINATED EFFORT WITH OTHER STATE AGENTS. "TO STATE A CLAIM FOR CONSPIRACY, PLAINTIFF MUST PLEAD AN AGREEMENT TO PARTICIPATE IN AN UNLAWFUL OVERT ACT THAT IS PERFORMED IN FURTHERANCE OF AN AGREEMENT," FACEBOOK, INC. V. MAX BOUNTY, INC., 2011 WL. 4346514 (N.D. CAL. 2011). "DIRECT EVIDENCE OF A CONSPIRACY 'MUST BE EVIDENCE THAT'S EXPLICIT AND REQUIRES NO INFERENCES TO ESTABLISH THE PROPOSITION OR CONCLUSION BEING ASSERTED", CITY OF TUOLUMNE V. SONORA COMM. HOSP., 236 F. 3d. 1148, 1155, (9th CIR. 2001).

7. A BLATANT CIVIL/CRIMINAL CONSPIRACY IS AT PLAY TO DEPRIVE PL. OF CONSTITUTIONAL RIGHTS AND CONCEAL THE DEPRIVATION OF THOSE RIGHTS THRU UNLAWFUL CONDUCT. (CDCR) SECRETARY JEFF MACOMBER AND ATTORNEY GENERAL ROB BONTA HAVE ABSOLUTE KNOWLEDGE VIA A MULTITUDE OF E-MAILS FROM PL'S PRIMARY NEXT OF KIN, HAD MACOMBER OR BONTA TAKEN ACTION IT WOULD HAVE BEEN IMPOSSIBLE FOR WARDEN R. BELL TO COMMIT UNCONSTITUTIONAL VIOLATIONS (16) DAYS AGO ON JAN. 28, 2023. PL. STATED IN LOG # 283564 THAT WARDEN R. BELL HAS PL'S APPEALS ASSIGNED/ROUTED TO R. BELL TO CONCEAL DEPRIVATIONS OF PL'S CIVIL RIGHTS, EX. B-013. A SHAM UNOFFICIAL INVESTIGATION WAS GRANTED AGAINST WARDEN R. BELL, EX. B-014; B-015. THE ALLEGED INVESTIGATION AGAINST

WARDEN R. BELL WAS ASSIGNED ROUTINE LOG # 337999 AND NOT REFERED FOR EXAMINATION WHICH IS THE PROCEDURE FOR STAFF MISCONDUCT CLAIMS, CAL.COD.REG. TIT. 15 § 3483(9)(8). WARDEN R. BELL HAD LOG # 337999 ASSIGNED TO HIMSELF AS REVIEWING AUTHORITY AND DENIED IT CLEARING HIMSELF, EX. B-016; B-017. THE PRECISE UNCONSTITUTIONAL CORRUPTION/FELONIOUS CONDUCT PL.'S IS ADAMANT IS OCCURING TO VIOLATI HIS CIVIL RIGHT. THE DISTRICT COURT CANNOT IGNORE BLATANT CONSTITUTIONAL/CRIMINAL VIOLATIONS. THIS IS 1ST AMEND. RETALIATION. IT'S A FELONY TO FALSIFY A INVESTIGATION RECORD/DOCUMENT, CAL. PEN. COD. § 118.1 (a); § 132; § 134. SEE ALSO; TIT. 18 U.S.C. § 1001 (a)(1) (CONCEALMENT): "APPLIES TO ANYONE WHO FALSIFIES, CONCEALS, OR COVERS UP ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT." "TO PROVE CONCEALMENT UNDER SUB. § 1001 (a)(1) THE PROSECUTOR MUST PROVE THE EXISTENCE OF A DUTY OR LEGAL OBLIGATION NOT TO CONCEAL". U.S. V. WHITE EAGLE, 721 F. 3d. 1108, 111-118 (9TH CIR. 2013). " PRISONER'S RETALIATION CLAIM STATED WHEN OFFICIALS EFFECTIVELY 'CHILLED' HIS 1ST AMEND. RIGHT TO FILE PRISON GRIEVANCES; SUFFICIENT UNDER § 1983", BRUCE V. YLST, 351 F. 3d. 1283 (9TH CIR. 2003). "1ST AMEND. PROTECTS THE PURSUANCE OF GRIEVANCES", DAVIS V. GOORD, 320 F. 3d. 346 (2ND CIR. 2003).

8. PL. DOES NOT RAISE SEXUAL ABUSE IN THE PRESENT CASE BUT THERE IS A NEXUS TO THE SEXUAL ABUSE AND CLAIMS RAISED HEREIN. (CDCR) PSYCHOLOGIST HANNAH E. BUSH SEXUALLY ABUSED PL. WHILE TREATING PL.'S SUICIDALITY. BUSH ADMITS TO UNCONSTITUTIONAL SEXUAL ABUSE THAT COULD HAVE ONLY OCCURED AT THERAPY SESSIONS; EX. C-018. BUSH MANIPULATED PL. TO CUT OFF HIS FINGER WHILE TREATING HIS SUICIDALITY BUSH ADMITS THIS IN TWO LETTERS, EX. C-019; C-020. BUSH ADMITS PL. WAS SUICIDAL, THEY WERE IN AN ILLEGAL UNCONSTITUTIONAL RELATIONSHIP AND BUSH DID NOT WANT PL. TO TRANSFER TO CONTINUE THE UNCONSTITUTIONAL SEXUAL VICTIMIZATION OF PL.'; BUSH'S MENTAL HEALTH PATIENT, EX. C-021. "PHYSICAL EVIDENCE INCLUDES A PERSON'S HANDWRITING". U.S. V. VELARDE-GOMEZ, 269 F. 3d. 1023 (9TH CIR. 2001). THERAPY NEVER INCLUDES SEXUAL BEHAVIOR; EX. C-022; C-023. PL. WAS GROOMED, EX. C-024.

9. ON MARCH 04, 2020 PL. WAS NOTIFIED AT (CHCF) THAT BUSH WAS CLEARED OF ALL CLAIMS AGAINST BUSH BY PL. THAT TRIGGERED TWO CLAIMS THAT IMMEDIATELY FOLLOWED THAT NEWS. PL. ENTERED PSYCHOLOGICAL DECLINE AND DECOMPENSATED WHILE IN A MENTAL HEALTH FACILITY, CUT OFF THE TIP OF HIS FINGER AND SNAPPED THE BONE HIMSELF WHILE IN A STATE OF DECOMPENSATION. PL. WAS NOT ON SUICIDE WATCH BUT AT SOME TIME PL. SHOWED HIS HAND WITH THE MISSING DIGIT TO NURSE K. SILL WHOM WALKED AWAY. PL. THEN FILED A HEALTH CARE APPEAL STATING PL. IS INVISIBLE AND DESCRIBED IN DETAIL HOW HE CUT OFF HIS FINGER SNAPPED THE BONE AND TOLD K. SILL WHO SHOWED NO CONCERN. PL.'S APPEAL WAS ASSIGNED LOG # CHCF-HC-20001234 AND REVIEWED BY (CHCF) NURSE M. LOWE WHOM DETERMINED IT WAS NOT URGENT i.e., NOT AN EMERGENCY, SEE LOG # CHCF-HC-20001234, EX. D-025; D-026. THUS, NO 7219 INJURY ASSESSMENT WAS PERFORMED. PL. WAS LEFT TO HIS OWN DETRIMENT IN PSYCHOLOGICAL DECOMPENSATION AND CUT OFF A SECOND FINGER TIP (12) DAYS LATER. PL. MAILED BOTH DIGITS OUT IN LEGAL MAIL ON SEPARATE DATES BEGGING FOR HELP. ONCE THE DECOMPOSED FINGER TIPS ARRIVED TO THE (DIG), A 7219 INJURY ASSESSMENT WAS DONE AND PL. HAD (2) MISSING FINGER TIPS.

10. ON APRIL 18, 2022 (CHCF) SGT. J. BRUNNER ENDORSED SELF-MUTILATION OF PL. AND TOLD PL., "I DONT GIVE A F#@K IF YOU CUT YOUR FINGERS OFF", "I DONT GIVE A F#@K IF YOU CUT YOUR HEAD OFF AND MAIL IT OUT". MULTIPLE STAFF WITNESSED IT AND SGT. J. BRUNNER DENIED IT. PL. FILED APPEAL LOG # 250224 OVER IT ON APRIL 24, 2022, SEE EX. E-027; E-028. DURING THE INQUIRY STAFF DID NOT WANT TO ADMIT WITNESSING IT. HOWEVER, ONE OFFICER WITH INTEGRITY WOULD NOT LIE AND SAID THE TRUTH WHICH SUBSTANTIATED THE ALLEGATION. PRIOR TO April AUG. 18, 2022 PL. HAD NEVER INTERACTED WITH SGT. J. BRUNNER, BRUNNERS IMMEDIATE STATEMENTS SUGGEST THE BRUNNER KNEW PL. CUT OFF FINGERS WHILE AT (CHCF) AND MAILED THEM OUT. THE OFFICER THAT DID NOT COMPROMISE HIS INTEGRITY WAS CALLED A SNITCH. PL. HAS NOT BEEN PROVIDED THE FINDINGS WHICH WILL STATE "SUBSTANTIATED" OR "UNSUBSTANTIATED". PL. KNOWS IT WAS SUBSTANTIATED AND BELIEVES (CHCF) IS ALLOWING THE ONE YEAR STATUTUTE OF LIMITATION TO IMPOSE EMPLOYEE DISCIPLINE TO EXPIRE SO (CHCF) SGT. J. BRUNNER CANNOT BE DISCIPLINED WHICH IS RETALITORY TO DEPRIVE PL. AN EFFECTIVE APPEAL REMEDY. A GUARD INFORMED PL. THAT SGT. J. BRUNNER WAS ASKING GUARDS TO LIE FOR HIM ABOUT THE APRIL 18, 2022 INCIDENT. PL. FILED A COMPLAINT WITHIN 24 HOURS AGAINST BRUNNER FOR ASKING GUARDS TO LIE, THE GRIEVANCE WAS DESTROYED. SURMISING THIS PL. RESUBMITTED AN IDENTICAL COPY WITHIN TIME CONSTRAINTS, IT WAS DESTROYED TOO WHEN THERE IS VIDEO FOOTAGE OF PL. DEPOSITING IT INTO THE LOCKED 'm APPEALS BOX. PL. THEN STARTED FILING APPEALS IN "LEGAL MAIL" (CHCF) APPEALS STAFF SIMPLY DESTROYED THE LEGAL MAIL SENT IN U.S. MAIL SERVICES.

ARGUMENT II

PL. IS NOT REQUIRED TO DEMONSTRATE A LIKELIHOOD OF SUCCESS ON EACH CLAIM FOR INJUNCTION RELIEF ONLY A LIKELIHOOD ON SOME UNCONSTITUTIONAL CLAIMS AND IRREPARABLE INJURY WITHOUT INJUNCTION RELIEF

11.

"1st AMEND. DEPRIVATIONS, REGARDLESS OF HOW SHORT THE DURATION, CONSTITUTE IRREPARABLE INJURY", ELROD V. BURNS, 427 U.S. 347, 96 S.CT. 2673, 49 L.Ed. 547 (1976). "A PL. IS REQUIRED TO SHOW AN IRREPARABLE INJURY AS A PREREQUISITE FOR OBTAINING INJUCTIVE RELIEF", ALLEE V. MEDRANO, 416 U.S. 802, 94 S.CT. 2191, 40 L.Ed.2d 566 (1974). PL. HAS PROVIDED CLEAR AND CONVINCING EVIDENCE THAT "LEGAL MAIL" WITH APPEALS IS DESTROYED, EVIDENCE THAT HEADQUARTER'S STAFF FALSIFIED LOGGINGS THAT CAN BE VIEWED BY THE (OIG) TO DECIEVE THE (OIG) AND CONCEAL DEPRIVATION OF PL.'S CONSTITUTIONAL RIGHTS. HIPPA CONFIDENTIALLY RESTRICTS ACCESS TO HEALTH CARE RECORDS SO SOME OF PL.'S APPEALS REPORTING CORRUPTION ARE CONVERTED TO HEALTH CARE DIRECTED TO MEDICAL SO THEY ARE HIDDEN UNDER DISGUISE OF HIPPA AND REJECTED. THESE ARE OVERT ACTS TO DEPRIVE PL. OF CONSTITUTIONAL RIGHTS, CONCEAL THOSE DEPRIVATIONS THROUGH UNLAWFUL ACTS IN THE FURTHERANCE OF A CIVIL CRIMINAL CONSPIRACY. AS RECENT AS JAN. 28, 2023 WARDEN R. BELL HAD A INQUIRY ALLEGING FELONIOUS CONDUCT BY R. BELL, ASSIGNED TO HIMSELF, ACTED AS THE REVIEWING AUTHORITY AGAINST HIMSELF, AND CLEARED HIMSELF (R. BELL), EX. B-013 THRU B-017. DEF.'S CANNOT PROVIDE EVIDENCE TO REFUTE THESE CLAIMS. DEF.'S CANNOT DISPUTE THAT PL. CUT OFF A FINGER TIP, FILED A GRIEVANCE DESCRIBING IT, NO ACTION WAS TAKEN, PL. CUT OFF ANOTHER FINGER, MAILED BOTH OUT, AND THE (OIG) TOLD (CHCF) THEY RECIEVED THE FINGERS. (CHCF) NURSE M. LOWE STATED THAT

PL.'S APPEAL REPORTING THE AUTO-AMPUTATION IS NOT URGENT, EX. D-025; D-026. THIS DOES NOT ADDRESS THE TOTALITY OF PL.'S LEGAL MAIL DESTROYED AT (CHCF) THAT WILL BE RAISED IN THE FIRST AMENDED COMPLAINT.

12. THE BOMBARDMENT OF CORDINATED RETALIATION IS DESIGNED AS PSYCHOLOGICAL TORTURE TO INDUCE THOUGHTS OF SUICIDE AND SELF HARM. ITS HAVING THE DESIRED EFFECT. PL. CAN SUPPRESS THE URGES ON MOST DAYS BUT IS REACHING HIS PSYCHOLOGICAL THRESHOLD AND CANNOT CONTROL OR PREDICT WHEN THOUGHTS WILL MANIFEST INTO SELF-HARM BEHAVIOR. PL.'S EVIDENCE WILL SEND MULTIPLE STAFF TO PRISON WHEN INCORRUPTABLE FEDERAL PROSECUTORS GET INVOLVED THIS WILL NOT REMAIN HIDDEN FOREVER. THE NOTION THAT PL. WILL NOT BE MURDERED OR SET UP TO BE MURDERED IS NOT FAR FETCHED, SEE EX. F-029; F-030. PL. PLEADS WITH THIS COURT FOR INJUNCTIVE RELIEF TO PREVENT CONTINUED RETALITORY HARM AND CONSTITUTIONAL VIOLATIONS THAT CANNOT BE REVERSED ONCE COMMITTED BUT CAN BE PREVENTED IF RELIEF IS GRANTED AND (CDCR) KNOWS THE COURT IS WATCHING. THE REALITY OF PL.'S PLIGHT HAS DEPRIVED HIM OF CIVIL LIBERTIES.

13. PL. IS A PATIENT ADMITTED INTO A MENTAL HEALTH FACILITY AT THE PSYCHIATRICT INPATIENT PROGRAM (PIP) LEVEL OF CARE. "JUST AS A SERIOUS ~~MEDICAL~~ NEED MAY EXIST FOR A PHYSICAL CONDITION, SO MAY A SERIOUS NEED EXIST FOR PSYCHOLOGICAL OR PSYCHIATRIC TREATMENT"; DOMINO V. TEXAS DEPT. OF CRIMINAL JUSTICE, 239 F. 3d. 752 (5th CIR. 2001). SEE ALSO; U.S. Vs. EX REL SCHUSTER Vs. HEROLD, 410 F. 2d. 1070 1084 (2nd CIR. 1969): "HOLDING THAT BEFORE A PRISONER MAY BE TRANSFERED TO A MENTAL HEALTH FACILITY, IT MUST BE SHOWN THAT HE SUFFERS FROM A MENTAL DISEASE THAT REQUIRES CARE AND TREATMENT." PATIENTS ADMITTED INTO (PIP) ARE LEGALLY DEFINED AS DISABLED FOR MENTAL HEALTH LEVEL OF CARE, CAL.COD.REG.TIT. 15 § 3486 (b)(13). "STATE REGULATIONS INCLUDING PRISON REGULATIONS HAVE THE FORCE OF LAW"; MADRID V. GOMES, 889 F. SUPP. 1146, 1127 AT f.n. 219 (N.D. CAL. 1995). PL. HAS CUT OFF THREE FINGER TIPS AT (CHCF) SNAPPING THE BONE ON THREE OCCASSIONS HIMSELF.

"THERE IS A OBLIGATION WHERE THE PETITIONER IS PRO SE, PARTICULARLY IN CIVIL RIGHT CASES, TO CONSTRUE THE PLEADINGS LIBERALLY AND TO AFFORD THE PETITIONER THE BENEFIT OF ANY DOUBT"; BYRD V. PHOENIX POLICE DEPT., 885 F. 3d. 639, 641 (9th CIR. 2018)

ARGUMENT III

ON FEBRUARY 14, 2023 PL. WAS SERVED NOTICE OF A CAL.PEN.COD § 2602 PETITION DECLARING THAT PETITIONER SUFFERS FROM A SERIOUS MENTAL ILLENESS, IS A DANGER TO HIMSELF, AND IS SCHEDULED TO APPEAR BEFORE AN ADMINISTRATIVE LAW JUDGE ON MARCH 23, 2023.

14. THE DECLARATION IN SUPPORT OF THE CAL.PEN.COD. § 2602 PETITION IT DECLARES THAT PL. HAS A SERIOUS MENTAL ILLEGAL AND IS

A DANGER TO HIMSELF, SEE No.5, EX.G-033. THE PETITION, HOWEVER, OMITS THAT PL. WAS REPEATEDLY SEXUALLY ABUSED BY (CDCR) PSYCHOLOGIST HANNAH E. BUSH WHICH MULTIPLE MENTAL HEALTH STAFF AT (CHCF) HAVE ABSOLUTE KNOWLEDGE THAT IT OCCURED, SEE EX. A-001 THRU A-003. THE PETITION OMITS THAT BUSH MANIPULATED PL. TO CUT OFF A FINGER MULTIPLE (CHCF) MENTAL HEALTH HAVE SEEN DIRECT EVIDENCE IN BUSH'S PENMANSHIP THAT PROVE IT BEYOND ANY DOUBT. SEE EX.C-019. THE AUTHOR OF THE PETITION HAS SEEN EX.C-019 HERETO. THE PETITION OMITS THE FACT THAT ALL THE UNCONSTITUTIONAL RETALIATION BY (CHCF), (PBSP), AND HEADQUARTER'S STAFF IS A SIGNIFICANT CONTRIBUTING FACTOR TO PL.'S DECLINE AND DETERIORATING MENTAL HEALTH. ON JAN. 25, 2023 AT 4:30 P.M. PL. GAVE PSYCHOLOGIST D. HARRISON A GA-22 1/m REQUEST FOR INTERVIEW FORM EXPRESSING HOW PL.'S CLINICIANS AND SUPERVISOR'S ARE ELECTING TO REMAIN SILENT BY-STANDER'S, SEE EX.G-036; G-037. PL. HAD THE GA-22 FORM NOTARIZED ON FEB.03, 2023, EX.G-035.

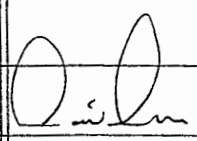
15. WHAT'S MOST TROUBLING IS THAT THE PETITION MISREPRESENTS MATERIAL FACTS AT ISSUE IN THIS CASE IN AN ENDEAVOR TO DOWN PLAY BLATANT 8TH AMENDMENT CONSTITUTIONAL VIOLATIONS. THE PETITION ACKNOWLEDGES THAT PL. CUT OFF A FINGER TIP IN APRIL 2020 AT (CHCF), SEE SECTION (C) LINE 6, EX.G-032. THAT'S AN ADMISSION THAT (CHCF) HAD ABSOLUTE KNOWLEDGE THAT PL. CUT OFF THE TIP OF HIS FINGER ~~WHICH WAS OVER AN INCH IN LENGTH~~ IN APRIL 2020 YET PL. WAS NOT ELEVATED TO SUICIDE WATCH, NO INJURY ASSESSMENT WAS COMPLETED IN APRIL 2020 DOCUMENTING THE MISSING DIGIT, NO CELL SEARCH WAS CONDUCTED TO RETRIEVE AMPUTATED DIGIT, AND NO 7219 EXIST FOR THIS INJURY DATED APRIL 2020 WHICH SUPPORT PL.'S CLAIM THAT STAFF KNEW BUT TOOK NO ACTION. THE PETITION ALLEGES PL. LACERATED HIS LEFT MIDDLE ~~FINGER IN MAY 2020, REOPENED THE WOUND AND CUT OFF THE FINGER TIP JUNE 2020, SEE § C LINE 6-7, EX. G-032. THIS IS IMPOSSIBLE~~ BECAUSE PL. WOULD HAVE BEEN RECEIVING WOUND CARE IN MAY 2020 YET ON MAY 10, 2020 PL. FILED 602 # CHCF-HC-20001234 SAYING HE CUT OFF HIS FINGER IN APRIL 2020 AND IS INVISIBLE YET ON MAY 13, 2020 RN LOWE, M DEEMED THE CRY FOR HELP AS NOT URGENT. NURSE M. LOWE CHECKED NO TO EXPEDITE i.e., NOT A EMERGENCY, EX.D-025. THERE IS NO 7219 FOR MAY 2020 DOCUMENTING A WOUND TO PL.'S LEFT MIDDLE FINGER WHICH THE PETITION CLAIMS PL. REOPENED AND CUT OFF JUNE 2020, THAT'S IMPOSSIBLE BECAUSE PL. MAILED OUT THE INDEX FINGER ON MAY 25, 2020. PL. MAILED OUT THE MIDDLE FINGER MAY 28, 2020. THE INDEX FINGER ARRIVED TO (OIG) JUNE 01, 2020 AND (OIG) NOTIFIED (CHCF) TO CONDUCT A 7219 TO DOCUMENT THE MISSING FINGER, PL. HAD 2 MISSING. (CHCF) HAD KNOWLEDGE, TOOK NO ACTION, REFUSED TO DOCUMENT THE INJURIES, AND ARE FALSELY CLAIMING UNDER OATH THEY DID TO CONCEAL THE CONSTITUTIONAL VIOLATIONS OF DELIBERATE INDIFFERENCE BEING ALLEGED IN THIS CASE. (CHCF) FILED A FALSE PETITION, THAT'S A FELONY, CAL.PEN.COD. §132; §134. (CHCF) WARDEN GENA JONES TOLD PL.'S PRIMARY NEXT OF KIN THAT ALLEGATIONS ARE BEING LOOKED INTO ON AUG. 31, 2022. IF TRUE, HOW CAN GENA JONES EXPLAIN THE UNLAWFUL CONDUCT SINCE AUG. 31, EX.A-001. TO DENY PL. OF CONSTITUTIONAL RIGHTS, SINCE AUGUST 31, 2022 LEGAL MAIL HAS BEEN DESTROYED (5) TIMES THAT CONTAINED APPEAL'S.

CONCLUSION

PL. SEEKS INJUCTION RELIEF TO CEASE ANY AND ALL RETALIATION AND UNCONSTITUTIONAL VIOLATIONS AT (CHCF). (CHCF) IS RETALIATING FOR THIS SUIT AND BECAUSE PL. DISCOVERED THAT (CHCF) CONSPIRED WITH (PBSP) TO CONCEAL THE SEXUAL UNCONSTITUTIONAL CRIMINAL ABUSE. PL.'S FIRST AMENDED COMPLAINT WILL INCLUDE ALL THE RETALIATION THAT HAS ENSUED AT (CHCF) SINCE FILING THIS SUIT. SUIT WAS E-FILED ~~MAY~~ MARCH 30, 2022 PL. HAD TO SUBMIT IN INSTITUTIO MAIL AVAILABLE TO STAFF. (18) DAYS LATER SGT. J. BRUNNER TOLD PL. HE DOES NOT GIVE A F#@K IF PL. CUTS HIS FINGERS OFF OR CUTS HIS HEAD OFF AND MAILS IT OUT, EX. E-027; E-028. ON MAY 24, 2022 PL. PUT A GRIEVANCE IN THE LOCK APPEALS BOX IT VANISHED. IT WAS AGAINST BRUNNER AFTER A GUARD TOLD PL. BRUNNER IS ASKING STAFF TO LIE ABOUT APRIL 18, 2022. ANOTHER ~~ABOVE~~ APPEAL PUT IN THE APPEAL BOX IN JUNE 2022 VANISHED. PL. MAILED APPEALS IN LEGAL MAIL COMMENCING JUNE 30, 2022 THEY WERE DESTROYED. PL. HAS BEEN H CHCF 3½ YEARS YET APPEALS DID NOT START BEING DESTROYED UNTIL E-FILING THIS CASE MARCH 30, 2022. ON JULY 01, 2022 THERE IS VIDEO OF PL. AT THE OFFICER STATION, THE VIDEO WILL DEPICT A GUARD AT 12:45 P.M. READ A CDCR 22 FORM ATTACH TO A APPEAL, SIGN IT, HAND HAD IT BACK TO PL, PL. REMOVE HIS CARBON COPY. WALK TO THE ~~APPEAL~~ BOX ~~THATS LOCKED~~ AND DROP IT INSIDE. IT VANISHED. PL. FILE A APPEAL OVER IT IN LEGAL MAIL IT WAS DESTROYED. ANTICIPATING THAT PL. MAILED A COPY TO ANOTER PRISON SO IT GOT A LOG #. BUT WHEN (CHCF) DESTROYED THE LEGAL MAIL, CHCF HAD NO IDEA PL. MAILED A COPY TO ANOTHER PRISON. HOWEVER, WHEN THE APPEAL ~~WAS REASSIGNED TO CHCF FROM THAT PRISON (SGT) R. SINGH FALSIFIED THAT APPEAL INQUIRY AND SAID PL. NEVER PUT A~~ GRIEVANCE IN THE APPEAL BOX AT (CHCF) ON JULY 01, 2022 WHEN ITS ON VIDEO AND A GUARD SIGNED A CDCR 22 FORM THAT PROVES IT. SGT. R. SINGH AT (CHCF) COMMITTED A FELONY AND COMMITTED 1ST AMEND CONSTITUTIONAL VIOLATIONS TO CONCEAL CONSTITUTIONAL VIOLATIONS. PL. SHOULD BE GRANTED ALL RELIEF INCLUDING A (7) DAY EXTENSION OF TIME OF UP TO AND INCLUDING FEB. 28, 2023 TO FILE THE FIRST AMENDED COMPLAINT UNDER THE MAILBOX RULE. PL. IS ON THE VERGE OF A MENTAL CRISIS/MELTDOWN NO ONE SHOULD BE TREATED LIKE A ANIMAL. PL. IS AT IMMINENT RISK, SEE EX. G-034

VERIFICATION

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. IF CALLED UPON TO DO SO, I CAN TESTIFY TO THIS MATTERS. THIS DECLARATION WAS EXECUTED ON THE ~~22ND DAY OF JANUARY~~ 15 DAY OF FEBRUARY AT STOCKTON CA.



RE: Criminal activity

Jones, Gena@CDCR <Gena.Jones@cdcr.ca.gov>
Wed 2022-08-31 6:15 PM

To: Alma pineda <alma_pineda@hotmail.com>

Good afternoon Ms. Pineda,
I take all allegations very seriously, your concerns are being looked into.

Gena Jones
Warden (A)
California Health Care Facility
Cell: 209.623.3146
Office: 209.467.2511

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From: Alma pineda <alma_pineda@hotmail.com>
Sent: Wednesday, August 31, 2022 2:46 PM
To: Jones, Gena@CDCR <Gena.Jones@cdcr.ca.gov>
Subject: Fw: Criminal activity

CAUTION: This email originated from outside of CDCR/CCHCS. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Gena,

Thank you for getting back to me.

ISU at CHCF are promoting a criminal conspiracy. During IDTT, on August 10th 2022, Verduzco gave C. Martincek, E. Edgar, D. Minor, Ben Bessee and Todd Lieberg a 24 page packet of direct evidence of criminal sexual abuse and criminal activity by CDCR employees. Dom chapter 5 article 44 section 54040.7 states: "each employee that is provided a report by the victim must complete required reports." ISU told these employees not to file reports. That's a violation of CDCR policy and criminal. ISU told staff that Verduzco claims were already raised. That was half true because ISU at PBSP at CHCF committed felonies to cover it up.

Obstruction of justice can be prosecuted on date of discovery. California penal code section 803 (c) (1) (2). Assuming for the sake of argument that there was no criminal cover up, DOM chapter 3 article 22 section 33030.12.1 states: " an investigation can be reopened if significant new evidence is discovered that is likely to affect the outcome of the investigation."

The 24 page packet is direct evidence that will change the outcome but ISU does not want it reported to conceal their own criminal activity. That's why Verduzco's grievances submitted at CHCF are vanishing despite being sent a legal mail and put into the B6A locked appeal box.

EXHIBIT A-001

You have a responsibility to instruct each employee that was provided a 24 page packet of direct evidence on August 10th 2022, to prepare official PREA reports. Regardless of classification, each employee has to report misconduct. Chapter 3 article 14 section 31140.5 states: "any act or coordinated effort to prevent the reporting of misconduct is grounds for dismissal. DOM chapter 3 article 22 section 33030.19 (b) (3) (4) (5). The email that follows was sent on August 15th 2022 to CDCR headquarters.

Thank you,

Alma

From: Alma pineda <alma_pineda@hotmail.com>
Sent: August 15, 2022 10:19 PM
To: Neill, Jennifer@CDCR <Jennifer.Neill@cdcr.ca.gov>
Subject: Re: Criminal activity

Dear Jennifer,

A criminal sexual abuse investigation is a lawful investigation, California penal code section 2639 (e) it's a felony to falsify any record or report during a lawful investigation California penal code section 118.1 (a) penal code section 132, penal code section 134, it's a felony to conceal criminal activity, California penal code section 32 title 18 U.S.C. section 1.0.0.1. (a) CDCR have to investigate criminal activity by CDCR employees DOM chapter 3 article 14 section 31140.20. All CDCR employees receive the employee discipline matrix (California Penal code section 5058.4 (a) (d) through 1-5. All CDCR employees receive PREA training.

You have access to Daniel Verduzco's central file. Review appeal log number PBSP-0-19-0-1532 and read side two of the CDCR 602 form section E. K. Royal, and R. Bell criminally falsified section E documenting that K. Royal interviewed Verduzco on July 11th, 2019. They criminally falsified the PREA record because Verduzco's actual PREA interview was on July 10th, 2019. During the July 10th interview, Verduzco named ISU lieutenant R. Basso and hiring authority DOE as concealing criminal sexual abuse and criminal negligence to cause great bodily harm by CDCR psychologist H. Bush. Verduzco, can prove the actual PREA interview was conducted on July 10th, 2019. Read memo dated July 25th, 2019, appeal log number CHCF-A-19-02880 first level review. ISU lieutenant B. Pinneo was involved in log number CHCF -A-19-02880, but he has not disclosed that to Internal Affairs to protect corrupt ISU members.

Review grievance decision log number 243046 dated May 24th, 2022. R. Bell would not provide the name of the second warden because it's the same warden "J.Roberston". R. bell was concealing a criminal conspiracy by J. Robertson, R.Bell, R. Basso, K. Royal and others. Look at grievance decision 243046. Review grievance decision log number 226790. R. Bell rendered that decision to and was evasive to conceal criminal activity and further a criminal conspiracy by multiple CDCR employees including R. Bell. You can review these appeals.

Criminal activity by CDCR employees remain actively in progress and no one will interview Verduzco or collect his evidence because CDCR as a whole want to conceal criminal activity by its employees.

on June 30th, 2022, Verduzco submitted a staff complaint that was filed within 60 days of learning of the criminal conspiracy that is still in progress. CST staff at headquarters issued it a routine healthcare log number CHCF-HC-22001252 to conceal criminal activity and prevent an Internal Affairs investigation.

On July 19th, 2022, Ombudsman Eric Joe interviewed Verduzco for over one hour. Verduzco gave Eric Joe a copy of the staff complaint dated June 30th, 2022, but Eric Joe refused to take 138 pages of evidence, although he read

some of it during the interview. This is a headquarters representative. Eric Joe's inactions has allowed criminal activity by CDCR employees to actively remain in progress in violation of DOM chapter 3 article 14 section 31140.5. DOM chapter 5 article 44 section 54040.7 DOM chapter 3 article 14 section 33030.19 (d) (3) (4) ((5). I'm Daniel Verduzco's (T-44537) primary next of kin. I want to know why no immediate action has been taken within 5 business days under PREA policy.

The objective of grievance decision log number 243046 and log number 226790 by R.Bell was to conceal criminal activity . That it's a crime- Penal code section 32 title 18 U.S.C section 1001 (a) (1).

The crimes committed cannot be undone. However, the crimes actively in progress can be stopped and you must accept that this cannot be covered up further. CDCR employees that continue to engage in criminal activity to obstruct justice and conceal criminal activity by CDCR employees are choosing to go down with a sinking ship.

Criminal activity has zero immunity protections and there is no life vest for the guilty. Staff misconduct is any violation of law or policy CCR. Title 15 section 3481 (a) (14). Employees at CST have violated CCR title 15 section 3084 (a) (4) in an effort to conceal criminal sexual abuse, criminal activity by various CDCR employees and to further an active criminal conspiracy by CDCR employees. ISU at CHCF is informing staff not to write official PREA reports. This violates DOM chapter 5 article 44 section 54040.7 which states: "Each employee that is provided a report by the victim must complete required report." Not only is this staff misconduct, witness tampering is criminal- California penal code section 136.1. This constitutes as witness tampering because during Verduzco's IDTT on August 10, 2022, at 12pm, Verduzco gave five CHCF employees a 24-page packet of direct evidence of criminal sexual abuse, criminal negligence to cause great bodily harm, criminal correspondence and a criminal coverup by CDCR employees. This direct evidence requires these employees to prepare official PREA reports. Ben Bessee took this evidence to CHCF ISU, ISU rejected this evidence and told Ben Bessee to tell Verduzco to put it in a 602. ISU already knows that headquarters CST will not issue Verduzco a staff complaint log number as is the case with log number CHCF-HC-22001252. Besides, how can ISU discourage staff from writing official PREA reports when provided with direct evidence by the victim? The base penalty for preventing the reporting of misconduct is dismissal DOM chapter 3 article 22 section 33030.19 (b) (3) (4) (5). The crimes actively in progress is continued criminal and constitutional violation which makes you liable and culpable for refusing to take reasonable action to stop it.

Verduzco is in a camera facility.On May 25th 2022 at 12:45pm, he put a staff complaint into the B6A appeal box dated May 24th 2022- it vanished. Only the office technician for the captain had access to that locked appeal box. That's the depth of retaliation and corruption being incorporated to silence Verduzco.

Thank you for your time.

Alma

From: Neill, Jennifer@CDCR <Jennifer.Neill@cdcr.ca.gov>
Sent: July 25, 2022 10:48 PM
To: Alma pineda <alma_pineda@hotmail.com>
Subject: RE: Criminal activity

I write to let you know that I received your message and will look into this matter.

Respectfully,

EXHIBIT A-003

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL
CDCR 602 (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY

CHCF HC 22001253

TREAT AS ORIGINAL

Institution/Parole Region: | Log #: 273702 | Category: 1

FOR STAFF USE ONLY

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations (CCR), Title 15, Section 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that led to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process.

Appeal is subject to rejection if one row of text per line is exceeded. **WRITE, PRINT, or TYPE CLEARLY in black or blue ink.**

Name (Last, First):	CDC Number:	Unit/Cell Number:	Assignment:
DANIEL VERDUZCO	T-45537	B6A 126	

State briefly the subject of your appeal (Example: damaged TV, job removal, etc.):

EMERGENCY APPEAL SENT TO HEAD QUARTERS INTERAL AFFAIRS IMMEDIATELY

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A): ON 06/15/2022 I MET WITH (A/W) C. MARTINCEK, CAPTAIN VALASQUES, AND LT BESTOLARIDES, A. I DISCLOSED INFORMATION RE: A MASS CRIMINAL CONSPIRACY REGARDING CRIMINALLY CORRUPT (CDCR) STAFF. CRIMES THAT WILL SEND HIGH RANKING CDCR STAFF TO PRISON. I DID NOT WANT (ISU) AT (CHCF) NOTIFIED BECAUSE A. ALI (IS INVOLVED IN THE

B. Action requested (If you need more space, use Section B of the CDCR 602-A):

I BELIEVE UNLESS THE RETALIATION IS NOT STOPPED IMMEDIATELY IT WILL SNOW BALL. THE FACT THAT D. POTTS AND C. DAVIS ARE USING POLICIES THAT HAVE NOTHING TO DO WITH THE MAILROOM WILL COME OUT, IT'S NOT SOME HONEST MISTAKE. IF THEY ARE UNFAMILIAR WITH THE APPLICATION OF CDCR

Supporting Documents: Refer to CCR 3084.3.

☑ Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):

PROOF THAT I SENT (A/W) MARTINCEK A CDCR 22 FORM 06/20/22

PROOF THAT I SENT CC II E. TAKEHARA A CDCR 22 FORM 06/20/22

PROOF THAT I TOLD (ISU) TO COORDINATE W/ LAW ENFORCEMENT PER. CCR. TIT. 15 § 3291 (e) (f).

☐ No, I have not attached any supporting documents. Reason:

Inmate/Parolee Signature: _____ **Date Submitted:** 06-23-2022

☐ **By placing my initials in this box, I waive my right to receive an interview.** JUNE 23, 2022

STATE USE ONLY
RECEIVED
CHCF
JUL 13 2022
REJECTED
HCGO

C. First Level - Staff Use Only **Staff – Check One: Is CDCR 602-A Attached?** ☐ Yes ☐ No

This appeal has been:

☐ Bypassed at the First Level of Review. Go to Section E. Date: _____ Date: _____ Date: _____ Date: _____

☐ Rejected (See attached letter for instruction) Date: _____

☐ Cancelled (See attached letter) Date: _____

☐ Accepted at the First Level of Review.

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: _____ Interview Location: _____

Your appeal issue is: ☐ Granted ☐ Granted in Part ☐ Denied ☐ Other: _____

See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer: _____ (Print Name) Title: _____ Signature: _____ Date completed: _____

Reviewer: _____ (Print Name) Title: _____ Signature: _____

Date received by AC: _____

EXHIBIT A-004

AC Use Only
Date mailed/delivered to appellant ___/___/___

TREAT AS ORIGINAL

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL FORM ATTACHMENT
CDCR 602-A (REV. [illegible])

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY | Institution/Parole Region: | Log #: | Category:
CHCF HC 22001253 | 273702

Attach this form to the CDCR 602, only if more space is needed. Only one CDCR 602-A may be used.
Appeal is subject to rejection if one row of text per line is exceeded. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First):	CDC Number:	Unit/Cell Number:	Assignment:
[illegible]	[illegible]5537	[illegible]	

A. Continuation of CDCR 602, Section A only (Explain your issue): [illegible] I DID NOT [illegible] [illegible] [illegible] THAT [illegible] WAS CORRUPT. I [illegible] [illegible] STAFF MISCONDUCT, I [illegible] THAT A [illegible] [illegible] [illegible] THEY [illegible] [illegible] (CHCF) EVEN THOUGH I EXPRESSED SOME CONCERNS SO I [illegible] [illegible] I DON'T [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. [illegible] THIS 602 BECAUSE I DON'T KNOW WHO I CAN TRUST SO I HAVE TO PROTECT MYSELF. I [illegible] [illegible] TO FILE A 602 ON THE CRIMES BY VARIOUS CDCR STAFF. [illegible] [illegible] I [illegible] [illegible] [illegible] AND [illegible]. I DON'T KNOW [illegible] THEY [illegible] [illegible] THE RETALIATION WAS IMMEDIATE. [illegible] [illegible] [illegible] THEY CAN STOP IT. I SENT [illegible] [illegible] E. [illegible] THAT I'M BEING [illegible] BY [illegible] [illegible] AND C. [illegible] IN THE [illegible] THEY ARE [illegible] ME A [illegible] [illegible] [illegible] THAT HAVE NO AUTHORITY FOR THE [illegible] RETALIATION. [illegible] REJECTED MY [illegible] [illegible] AND I [illegible] I STILL DON'T KNOW THE EXACT DATE IT WAS REJECTED [illegible] RETALIATION. I [illegible] MY FAMILY TO CALL (CHCF) [illegible] [illegible] ON 6-15-22 [illegible] [illegible] AND [illegible], [illegible] RETALIATION [illegible] THEY [illegible] AND IT WAS IMMEDIATE. I [illegible] RETALIATION [illegible], IT [illegible] TO STOP [illegible] [illegible] [illegible] AND C. [illegible] TO [illegible] ME A [illegible] [illegible] [illegible] JUNE 23, 2022. I [illegible] RETALIATION [illegible]

Inmate/Parolee Signature: [illegible] Date Submitted: 06-23-2022

B. Continuation of CDCR 602, Section B only (Action requested): [illegible] THEY HAVE NO BUSINESS IN THE [illegible] THE RETALIATION OF AFFECTING MY MENTAL HEALTH AND I'M EXTREMELY PARANOID AND DON'T KNOW WHO I CAN TRUST. I DON'T EVEN TRUST [illegible] ([illegible]) [illegible] AND [illegible] E. [illegible] OR [illegible] STOPPED THE RETALIATION. I [illegible] PUT IN THIS 602 [illegible] SINCE IT'S ON-GOING. I DON'T KNOW WHO I CAN TRUST AND I KNOW HOW CORRUPT CDCR STAFF SO I HAVE TO SUBMIT THIS 602 [illegible] THE RETALIATION IS CONCEALED AND THE FACTS ARE DISTORTED. [illegible] [illegible] [illegible] CONSTITUTIONAL VIOLATIONS [illegible] RETALIATION AND [illegible] [illegible] [illegible] ACT [illegible] CONSTITUTIONAL VIOLATIONS TO CONTINUE.

Inmate/Parolee Signature: [illegible] EXHIBIT [illegible] Date Submitted: 06/23/2022

STAFF USE ONLY

RECEIVED CHCF [illegible] JUL 13 2022 [illegible] HCGO

STATE of CALIFORNIA
OIG | OFFICE of the INSPECTOR GENERAL

Amarik K. Singh, Inspector General
Neil R. Robertson, Chief Deputy Inspector General

Independent Prison Oversight

Regional Offices:
Sacramento
Bakersfield
Rancho Cucamonga

August 9, 2022

Daniel Verduzco, T45537
California Health Care Facility
P.O. Box 213040
Stockton, CA 95213

Dear Daniel Verduzco,

The Office of the Inspector General has received your correspondences.

According to institutional records, you have a grievance (22001253) regarding disagreement with treatment / nursing staff within the California Correctional Health Care Services unit. This grievance is due for a response by September 15, 2022.

If you would like to file a staff complaint through the Office of Grievances (OOG), please file a CDCR Form 602-1 (Grievance) or CDCR Form 1824 (Request for Reasonable Accommodation) with your institution's OOG. Please contact your correctional counselor for advice and assistance regarding the process or the status of your complaint.

Please submit a CDCR Form 7362 (Health Care Services Request Form) if you have a medical or mental health request.

Thank you for bringing your concerns to our attention.

INTAKE AND REVIEW UNIT
Office of the Inspector General

BL: 22-0044046-PI

Legal log sheet will be placed in the locked legal bags with the legal mail. Accepting correctional officer will sign the letters on the seal. At no time will outgoing legal mail be placed in the bag without being logged in.

C/O signature & date: 8/25/22

Please circle proper facility: 3rd Watch

Legal mail clerk & date: AUG 2 6 REC'D

A (B) C D E ADSEG

DATE	INMATE NAME	CDCR#	LEGAL/CONFIDENTIAL OUTGOING TO:	ADDRESS OUTGOING MAIL BEING SENT TO:	INMATE SIGNATURE & DATE
8/25/2022	VERDUZCO, D	T-45537	K. TRAMMELL, CHSA II (HC) GRIEVANCE OFFICE LEGAL, TIT. 15 § 3141 (c)(7)(8)	CALIFORNIA HEALTH CARE FACILITY STOCKTON, CAL. 95213	
8/25/2022	VERDUZCO, D	T-45537	1/m GRIEVANCE OFFICE (PBSP) LEGAL, TIT. 15 § 3141 (c)(7)(8)	5405 LAKE EARL DRIVE CRESCENT CITY, CALIFORNIA 95532	
8/25/2022	VERDUZCO, D	T-45537	GENE PETITE, SUPERVISOR OFFICE OF INTERNAL AFFAIRS, (CDCR) LEGAL, TIT. 15 § 3141 (c)(7)(8)	9035 HAVEN AVENUE, SUITE # 105 RANCHO CUCAMONGA, CA. 91730	
8/25/2022	VERDUZCO, D	T-45537	AMARIK K. SINGH, INSPECTOR GENERAL	10111 OLD PLACERVILLE ROAD, SUITE # 110 SACRAMENTO, CA. 95827	
08/25/2022	VERDUZCO, D	T-45537	SUPERIOR COURT OF CALIFORNIA	180 E WEBER AVE, SUITE 202 STOCKTON, CA. 95202	

RECORD MONEY ORDER 401'S BELOW – THE ENVELOPE MONEY ORDER ARRIVED IN MUST ACCOMPANY MONEY ORDER AND PAPERWORK (CDC FORM 401)

INMATE NAME	CDCR#	DORM/HOUSING	AMOUNT $	MONEY ORDER #	SENDER'S RTN ADDRESS

EXHIBIT A-007

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ANY ACT OR COORDINATED EFFORT THAT PREVENTS THE REPORTING OF MISCONDUCT IS GROUNDS FOR DISCIPLINE. CODE OF REG. TIT. 15 SEC. 3005.1 (a)(1)(3)(5).

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE

CDCR 22 (10/09) REFUSAL TO ANSWER CDCR 22 FORMS IS GROUNDS FOR DISCIPLINE. (CMM) 54090.4.3.

SECTION A: INMATE/PAROLEE REQUEST

NAME (Print): (LAST NAME)	(FIRST NAME)	CDC NUMBER:	SIGNATURE:
VERDUZCO, D		T-45537	

HOUSING/BED NUMBER:	ASSIGNMENT:	HOURS FROM____ TO____	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.):
86A 126			RESUBMITTING APPEAL

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW: (CHCF) HC GRIEVANCE OFFICE, I'm RESUBMITTING LOG # CHCF HC 22001253. THE APPEAL CONSIST OF 26 PAGES. RETURN THIS CDCR 22 FORM ACKNOWLEDGING THAT YOU RECEIVED THIS APPEAL THAT SHOULD HAVE BEEN PROCESSED AS A STAFF COMPLAINT AND SENT TO (OIA). THE TRUTH OF YOUR CORRUPTION) WILL COME OUT EVENTUALLY. I MAILED A COPY OF THIS EXACT APPEAL AND MY RESPONSE TO SPECIAL AGENT GENE PETTITE OF INTERNAL AFFAIRS TO PROVE THE DEPTH OF CORRUPTION BY CHCF AND PBSP.

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) **NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED **

☐ SENT THROUGH MAIL: ADDRESSED TO: LEGAL MAIL TIT. 15 § 3141 (c)(7)(8) DATE MAILED: 08/25/2022

☑ DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF?
	08/25/22		(CIRCLE ONE) YES NO

IF FORWARDED – TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY:
K. TRAMMELL, CMSA II (HC) GRIEVANCE	AUG. 25, 2022	(CIRCLE ONE) IN PERSON BY US MAIL

SECTION B: STAFF RESPONSE

RESPONDING STAFF NAME:	DATE:	SIGNATURE:	DATE RETURNED:

SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

SIGNATURE:	DATE SUBMITTED:

SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:

EXHIBIT A-008

OUTGOING CONFIDENTIAL/SPECIAL PURPOSE MAIL LOG

DATE SENT	INMATE NAME	CDCR #	SENT TO	CITY / STATE
8/5/2022	VERDUZCO	T45537	SUPERIOR COURT	STOCKTON, CA
8/5/2022	VERDUZCO	T45537	INSPECTOR GENERAL	SACRAMENTO, CA
8/5/2022	VERDUZCO	T45537	PUBLIC DEFENDER	EUREKA, CA
8/5/2022	VERDUZCO	T45537	LEGAL AFFAIRS	SACRAMENTO, CA
8/5/2022	VERDUZCO	T45537	CDCR ASSISTANT SECRETARY	SACRAMENTO, CA
8/5/2022	VERDUZCO	T45537	CDCR SECRETARY	SACRAMENTO, CA
8/5/2022	VERDUZCO	T45537	STATE BAR OF CA	SAN FRANCISCO, CA
8/11/2022	VERDUZCO	T45537	ROSEN BIEN GALVAN & GRUNFIELD LLP	SAN FRANCISCO, CA
8/11/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	RANCHO CUCAMONGA, CA
8/11/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	RANCHO CUCAMONGA, CA
8/12/2022	VERDUZCO	T45537	ROSEN BIEN GALVAN & GRUNFIELD LLP	SAN FRANCISCO, CA
8/12/2022	VERDUZCO	T45537	OFFICE OF APPEALS	SACRAMENTO, CA
8/12/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	SACRAMENTO, CA
8/12/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	SACRAMENTO, CA
8/18/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	RANCHO CUCAMONGA, CA
8/18/2022	VERDUZCO	T45537	INSPECTOR GENERAL	SACRAMENTO, CA
8/18/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	SACRAMENTO, CA
8/18/2022	VERDUZCO	T45537	ROSEN BIEN GALVAN & GRUNFIELD LLP	SAN FRANCISCO, CA
8/18/2022	VERDUZCO	T45537	SUPERIOR COURT	CRESENT CITY, CA
8/19/2022	VERDUZCO	T45537	ATTORNEY GENERAL	SAN FRANCISCO, CA
8/19/2022	VERDUZCO	T45537	US DISTRICT COURT	OAKLAND, CA
8/19/2022	VERDUZCO	T45537	OFFICE OF APPEALS	SACRAMENTO, CA
8/24/2022	VERDUZCO	T45537	CHCF GRIEVANCE COORDINATOR	STOCKTON, CA
8/24/2022	VERDUZCO	T45537	SUPERIOR COURT	STOCKTON, CA
8/25/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	RANCHO CUCAMONGA, CA
8/25/2022	VERDUZCO	T45537	PBSP GRIEVANCE COORDINATOR	CRESENT CITY, CA
8/26/2022	VERDUZCO	T45537	PBSP GRIEVANCE	CRESENT CITY, CA
8/26/2022	VERDUZCO	T45537	INSPECTOR GENERAL	SACRAMENTO, CA
8/26/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	RANCHO CUCAMONGA, CA
8/26/2022	VERDUZCO	T45537	SUPERIOR COURT	STOCKTON, CA
* 8/26/2022	VERDUZCO	T45537	CHCF GRIEVANCE	STOCKTON, CA
8/26/2022	VERDUZCO	T45537	COPY OF OUTGOING LEGAL MAIL LOG FROM JUNE 1, 2022 TO PRESENT	

EXHIBIT A-009

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Legal log sheet will be placed in the locked legal bags with the legal mail. Accepting correctional officer will sign the letters on the seal. At no time will outgoing legal mail be placed in the bag without being logged in.

C/O signature & date: _____

Please circle proper facility: 3rd Watch

Legal mail clerk & date: _____

A (B) C D E ADSEG

DATE	INMATE NAME	CDCR#	LEGAL/CONFIDENTIAL OUTGOING TO:	ADDRESS OUTGOING MAIL BEING SENT TO:	INMATE SIGNATURE & DATE
EP.01,2022	VERDUZCO,D	T-45537	TIMOTHY WARRINER, ATTORNEY AT LAW	455 CAPITAL MALL, UNIT 802 SACRAMENTO, CA. 95814	09/01/2022
EP.01,2022	VERDUZCO,D	T-45537	K. TRAMMELL, CHSA II, GRIEVANCE COORDINATOR LOG #CHCF-HC-22001253, LEGAL MAIL	CALIFORNIA HEALTH CARE FACILITY STOCKTON, CALIFORNIA 95213	09/01/2022
EP.01,2022	VERDUZCO,D	T-45537	OFFICE OF THE INSPECTOR GENERAL	10111 OLD PLACERVILLE ROAD, STE # 110 SACRAMENTO, CALIFORNIA 95827	09/01/2022

RECORD MONEY ORDER 401'S BELOW – THE ENVELOPE MONEY ORDER ARRIVED IN MUST ACCOMPANY MONEY ORDER AND PAPERWORK (CDC FORM 401)

INMATE NAME	CDCR#	DORM/HOUSING	AMOUNT $	MONEY ORDER #	SENDER'S RTN ADDRESS
	SEP 02 REC'D				

EXHIBIT A-010

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ANY ACT OR COORDINATED EFFORT THAT PREVENTS THE REPORTING OF MISCONDUCT IS GROUNDS FOR DISMISSAL. EXHIBIT A-010

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE

CDCR 22 (10/09)

SECTION A: INMATE/PAROLEE REQUEST

NAME (Print): (LAST NAME)	(FIRST NAME)	CDC NUMBER:	SIGNATURE:
VERDUZCO, D		T-45537	David

HOUSING/BED NUMBER:	ASSIGNMENT:	HOURS FROM_____ TO_____	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.):
86A 126			UOG # CHCF HC 22001253

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW: (CHCF) HCCO, I'M RESUBMITTING UOG # CHCF HC 22001253 THAT CONSIST OF (26) PAGE'S. I RESUBMITTED THIS APPEAL ON 08/25/2022 IN LEGAL MAIL. BUT YOU HAVE NOT ACKNOWLEDGED ME. SO I'M SUBMITTING IT AGAIN SO YOU CANNOT ALLEGE THAT I DID NOT RESUBMIT IT WITHIN (30) DAYS OF 08/19/2022. PLEASE PROCESS MY APPEAL AND STOP PROMOTING THE CODE OF SILENCE. THIS IS BEING PROCESSED IN LEGAL MAIL ON CAMERA.

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) **NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED **

☐ SENT THROUGH MAIL: ADDRESSED TO: LEGAL MAIL TIT 15 § 3141 (a)(3)(8) DATE MAILED: 09/01/2022

☑ DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
MEDEIROS	09/01/2022		YES

IF FORWARDED – TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL
K. TRANDIELL, CHSA II (HCO) GRIEVANCE COORD.		BY US MAIL

SECTION B: STAFF RESPONSE

RESPONDING STAFF NAME:	DATE:	SIGNATURE:	DATE RETURNED:

SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

SIGNATURE:	DATE SUBMITTED:

SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:

EXHIBIT A-011

Distribution: Original - Return to Inmate/Parolee; Canary - Inmate/Parolee's 2nd Copy; Pink - Staff Members Copy; Goldenrod - Inmate/Parolee's 1st Copy.

OUTGOING CONFIDENTIAL/SPECIAL PURPOSE MAIL LOG

DATE SENT	INMATE NAME	CDCR #	SENT TO	CITY / STATE
8/30/2022	VERDUZCO	T45537	GRIEVANCE COORDINATOR	STOCKTON, CA
8/30/2022	VERDUZCO	T45537	KAPLAN AND GRADY	CHICAGO, IL
8/30/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	RANCHO CUCAMONGA, CA
8/30/2022	VERDUZCO	T45537	GRIEVANCE COORDINATOR	CRESENT CITY, CA
9/2/2022	VERDUZCO	T45537	TIMOTHY WARRINER	SACRAMENTO, CA
9/2/2022	VERDUZCO	T45537	HEALTH CARE GRIEVANCE	STOCKTON, CA
9/2/2022	VERDUZCO	T45537	INSPECTOR GENERAL	SACRAMENTO, CA
9/9/2022	VERDUZCO	T45537	HOWARD KAPLAN	CHICAGO, IL
9/9/2022	VERDUZCO	T45537	INSPECTOR GENERAL	SACRAMENTO, CA
9/16/2022	VERDUZCO	T45537	ATTORNEY AT LAW	CHICAGO, IL
9/16/2022	VERDUZCO	T45537	OFFICE OF APPEALS	SACRAMENTO, CA
9/16/2022	VERDUZCO	T45537	ATTORNEY AT LAW	CHICAGO, IL
9/21/2022	VERDUZCO	T45537	ATTORNEY AT LAW	CHICAGO, IL
9/21/2022	VERDUZCO	T45537	ATTORNEY AT LAW	OAKLAND, CA
9/21/2022	VERDUZCO	T45537	OFFICE OF APPEALS	SACRAMENTO, CA
9/21/2022	VERDUZCO	T45537	OFFICE OF APPEALS	CRESCENT CITY, CA
9/21/2022	VERDUZCO	T45537	INTERNAL AFFAIRS	SACRAMENTO, CA
9/21/2022	VERDUZCO	T45537	OFFICE OF APPEALS	STOCKTON, CA
9/21/2022	VERDUZCO	T45537	COPY OF OUTGOING LEGAL MAIL LOG FROM AUGUST 26, 2022 TO PRESENT	
9/23/2022	VERDUZCO	T45537	ATTORNEY AT LAW	CHICAGO, IL
9/26/2022	VERDUZCO	T45537	GRIEVANCE COORDINATOR	STOCKTON, CA
9/26/2022	VERDUZCO	T45537	ATTORNEY AT LAW	CHICAGO, IL
9/26/2022	VERDUZCO	T45537	GRIEVANCE COORDINATOR	CRESCENT CITY, CA
9/30/2022	VERDUZCO	T45537	OFFICE OF INTERNAL AFFAIRS	SACRAMENTO, CA
9/30/2022	VERDUZCO	T45537	US DISTRICT COURT	OAKLAND, CA
9/30/2022	VERDUZCO	T45537	ATTORNEY GENERAL	SAN FRANCISCO, CA
9/30/2022	VERDUZCO	T45537	ATTORNEY AT LAW	CHICAGO, IL
9/30/2022	VERDUZCO	T45537	STATE BAR OF CA	SAN FRANCISCO, CA
10/6/2022	VERDUZCO	T45537	US DISTRICT COURT	OAKLAND, CA
10/6/2022	VERDUZCO	T45537	DEPUTY ATTORNEY GENERAL	SAN FRANCISCO, CA
10/7/2022	VERDUZCO	T45537	US DISTRICT COURT	OAKLAND, CA
10/11/2022	VERDUZCO	T45537	PBSP INMATE APPEALS	CRESCENT CITY, CA

EXHIBIT A-012

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EXHIBIT "B"

Log No: 337999

CALIFORNIA DEPARTMENT OF Corrections and Rehabilitation

Due Date: 2/6/2023

PELICAN BAY STATE PRISON

DEC 07 2022

GRIEVANCE OFFICE

OFFICE OF APPEALS DECISION

Offender Name: VERDUZCO, DANIEL
CDC#: T45537
Current Location: CHCF-Facility B

Date: 11/10/2022

Current Area/Bed: B 306A1 - 126001L

g #: 000000283564

aim # 001

eceived at Institution/Parole Region: Pelican Bay State Prison
ıbmitted to Facility/Parole District: Pelican Bay State Prison
ousing Area/Parole Unit:
ıtegory: Offender Resources **Sub-Category:** Other Resources - NOS

. ISSUE ON APPEAL

: is the appellant's position that this claim was inappropriately rejected as grieving the grievance and appeal process itself.

I. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

California Code of Regulations, Title 15, section 3487

B. DOCUMENTS CONSIDERED

CDCR Form 602, Log #283564

II. REASONING AND DECISION

ppellant asserts in this claim that appellant's previous grievance was assigned to an inappropriate person that conceals criminal activity. This claim is not isputing the regulatory framework of the grievance process but rather disputing how a previous grievance was handled. Therefore, this claim is granted.

V. REMEDY

elican Bay State Prison shall open a new grievance log number, gather and preserve all relevant evidence, and answer this claim on the merits.

ıecision: Granted

fter a thorough review of all documents and evidence available at the time of this written decision, it is the order of the Office of Appeals that this claim is ranted. This decision exhausts the administrative remedies available to the claimant within CDCR.

Staff Signature	Title	Date/Time
C. Rojas [ROCY016]	Reviewing Authority	11/09/2022

EXHIBIT B-015

CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

OFFICE OF GRIEVANCES DECISION

Offender Name: VERDUZCO, DANIEL
CDC#: T45537
Current Location: CHCF-Facility B

Date: 01/28/2023
Current Area/Bed: B 306A1 - 126001L

Log #: 000000337999

Claim #: 001
Received at Institution/Parole Region: Pelican Bay State Prison
Submitted to Facility/Parole District: Pelican Bay State Prison
Housing Area/Parole Unit:
Category: Offender Services **Sub-Category:** Other Services - NOS

I. CLAIM

The Claimant asserts in this claim that the Claimant's previous grievance was assigned to an inappropriate person that conceals criminal activity.

II. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

California Code of Regulations (CCR), Title 15, Section 3483 (a) and (b).

B. DOCUMENTS CONSIDERED

Strategic Offenders Management System (SOMS), Grievance Log Number 337999;
SOMS, Grievance Log Number 283564.

III. REASONING AND DECISION

The Office of Grievances (OOG) follows CCR, Title 15, Section 3483 (a) and (b), which states in part "The Reviewing Authority over each OOG shall designate at least one official to assess each written grievance within one business day of receipt to determine if it contains information concerning an imminent risk to personal safety, to institutional security or of sexual abuse." It further states "The Grievance Coordinator shall ensure that the intake process is completed and each grievance is referred to the Centralized Screening Team within three business days of receipt of the grievance."

All grievances received in the OOG are reviewed by the Correctional Counselor II, upon initial receipt. All grievance responses are reviewed and signed off by the Reviewing Authority, Reviewing Authority does not receive any grievances upon initial receipt in order to control information; therefore, after a thorough review of all documents and evidence available at the time of this written decision, it is the order of the OOG the claim at the Institution Level of Review is DENIED.

IV. Comments

Decision: Denied

After a thorough review of all the documents and evidence presented to the Office of Grievances, it is the order of the Office of Grievances to DENY this claim.

EXHIBIT B-016

If you are dissatisfied with this response you may appeal this decision by mailing the CDCR Form 602-2 included in this response to the California Department of Corrections and Rehabilitation, Office of Appeals. Do not resubmit this claim to the Office of Grievances.

Staff Signature	Title	Date/Time
R. Bell [BERO007]	Reviewing Authority	01/27/2023

EXHIBIT B-017

B6A - 126

Mailed at 6:25 A.M on 08/23/2022 by Correctional Officer

CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

OFFICE OF GRIEVANCES DECISION

Offender Name: VERDUZCO, DANIEL
CDC#: T45537
Current Location: CHCF-Facility B

Date: 08/12/2022
Current Area/Bed: B 306A1 - 126001L

Log #: 000000283564

Claim #: 001

Received at Institution/Parole Region: Pelican Bay State Prison
Submitted to Facility/Parole District: Pelican Bay State Prison
Housing Area/Parole Unit:
Category: Offender Resources **Sub-Category:** Other Resources - NOS

The California Department of Corrections and Rehabilitation received your grievance on 07/22/2022 which you submitted on 07/18/2022. This claim has not been assigned for review or response because it is being handled as specified below.

Claim # 001:
Your claim concerning Offender Resources;Other Resources - NOS is rejected for the reason or reasons indicated below:

Your claim disputes or contravenes the regulatory framework for the grievance and appeal process itself which is not permitted under the California Code of Regulations, title 15.

If you are dissatisfied with this response you may appeal this decision by mailing the CDCR Form 602-2 included in this response to the California Department of Corrections and Rehabilitation, Office of Appeals. Do not resubmit this claim to the Office of Grievances.

Decision: Rejected

ANY ACT OR COORDINATED EFFORT THAT PREVENTS OR INTERFERS WITH THE REPORTING OF MISCONDUCT IS GROUNDS FOR DISMISSAL [DOM] CH. 3 ART. 22 § 33030.19 (6)(3)(4)(5).

R. BELL (A WARDEN AT PBSP) CRIMINALLY FALSIFIED THE (PREA) RECORD DURING A LAWFUL INVESTIGATION IN LOG # PBSP-D-19-01532. LOG # 243046 WAS ASSIGNED TO R. BELL, R. BELL WAS EVASIVE IN GRIEVANCE DECISION # 243046 TO CONCEAL THOSE CRIMES. APPEAL LOG # 226790 WAS ASSIGNED TO R. BELL, R. BELL WAS INDIRECT/EVASIVE IN GRIEVANCE DECISION # 226790 TO CONCEAL CRIMES BY (ISU) LT. R. BASSO WHICH R. BELL HELPED TO CONCEAL IN LOG # PBSP-D-19-01532, THESE APPEALS WERE ASSIGNED TO R. BELL BY DESIGN AND NOT BY CHANCE. THIS APPEAL DECISION (# 283564) MISCHARACTERIZES MY CLAIM TO CONCEAL THE CIVIL AND CRIMINAL CONSPIRACY. HOW IS IT POSSIBLE THAT THIS STAFF COMPLAINT WAS REJECTED BY THE (CST) A 10 MILLION DOLLAR UNIT SPECIFICALLY CREATED TO ROOT OUT CORRUPT STAFF. I ALREADY MAILED SPECIAL AGENT GENE PETTITE OF INTERNAL AFFAIRS A COMPLETE COPY OF THIS GRIEVANCE TO PROVE CRIMINAL CORRUPTION ALREADY EXIST AT (CST) (CDCR) HEADQUARTERS. GENE PETTITE FORWARDED MY GRIEVANCE DIRECTLY TO (OIA) HEADQUARTERS AND BY-PASSED THE NORTHERN REGION WHICH HAS JURISDICTION OVER (PBSP) AND (CHCF).

RECEIVED
SEP 08 2022

STATE OF CALIFORNIA
APPEAL OF GRIEVANCE
CDCR 602-2 (03/20)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

STAFF USE ONLY

Appeal #: _____ Date Received: _____
Date Due: _____
Categories: _____
Grievance #: 7835564

Claimant Name: VERDUZCO, D CDCR #: T-45537

Current Housing/Parole Unit: CHCF Institution/Facility/Parole Region: CHCF

☐ There are no claims that can be appealed.

☐ The following claims cannot be appealed:

Claim #s:

This is the process to appeal the decision made regarding a claim that is not listed above.

Claim #: 1

THIS GRIEVANCE SHOULD BE RETURNED TO (CST) AND PROCESSED AS A STAFF COMPLAINT

Explain the reason for your appeal of any claims not listed above. Be as specific as you can.

I am dissatisfied with the response I was given because STAFF MISCONDUCT IS ANY VIOLATION OF LAW OR (CDCR) POLICY. CCR TITLE § 3485(a)(14). "DIRECT EVIDENCE OF A CONSPIRACY MUST BE EVIDENCE THAT IS EXPLICIT AND REQUIRES NO INFERENCES TO ESTABLISH THE PROPOSITION OR CONCLUSION BEING ASSERTED", CITY OF TUCUMCARI VS. SONORA COMMUNITY HOSPITAL, 236 F. 3d. 1143 1153 (9th CIR. 2001) (CDCR) WAS TO INVESTIGATE CRIMINAL ACTIVITY BY (CDCR) EMPLOYEE(S), [DOM] CH.3 ART.14 § 31140.20. THIS GRIEVANCE CLEARLY ALLEGES CRIMI ACTIVITY. R. BELL CRIMINALLY FALSIFIED AND INVESTIGATION RECORD IN LOG # PBSP-D-19-01532. GRIEVANCE LOG # 243046 REQUESTED THE IDENTITY OF THE HIRING AUTHORITY THAT FINALIZED LOG # PBSP-D-19-01532, R. BELL REFUSED TO PROVIDE THAT INFORMATION, SEE GRIEVANCE DECI # 243046 DATED 05/24/2022. R. BELL REFUSED TO PROVIDE INFORMATION FROM AN INVESTIGATION THAT R. BELL WAS INVOLVED IN. SINCE R. BELL WAS INVOLVED IN LOG # PBSP-D-19-01532 R. BELL WAS BARRED FROM ANY INVOLVEMENT IN LOG # 243046, CCR TIT. 15 § 3084.7 (d)(1)(A). AND IT'S THAT'S A VIOLATION OF CDCR POLICY i.e., "STAFF MISCONDUCT". FURTHERMORE, GRIEVANCE LOG # 243046 WAS ASSIGNED TO VIOLATION OF (CDCR) POLICY FACE R. BELL BY DESIGN TO CONCEAL CRIMINAL ACTIVITY IN THE FURTHERANCE OF A CONSPIRACY. ANY OTHER CONCLUSION CAN BE REACHED. R. BELL REFUSED TO IDENTIFY THE HIRING AUTHORITY THAT FINALIZED LOG # PBSP-D-19-01532 TO CONCEAL CRIMES, THAT'S A CRIME IN ITSELF, CAL PEN. CODE. § 32. IF STAFF VIOLATE GRIEVANCE POLICIES TO FURTHER A CRIMINAL CONSPIRACY THAT IS APPEALABLE. THIS GRIEVANCE WAS REJECTED TO CONCEAL CRIMES AND TO PROMOTE THE CODE OF SILE

Are there documents that would be helpful to support your position? Attach copies of those documents, if you don't ha the documents, identify them as best you can below:

(CDCR) 22 FORM SUBMITTED W/ THIS GRIEVANCE 07/18/22 THAT CLEARLY ALLEGES CRIMINAL ACTIVITY. LOG DECISION DATED 08/12/2022 # 2835564 ; CDCR 22 FORM SENT IN LEGAL MAIL TO CONNIE GIPSON ON 07/14/22 ; CDCR 22 FORM SENT TO OMBUDSMAN ERIC JOE ON 07/13/22 GRIEVANCE DECISION # 243046 WITH NOTATIONS BY APPELLANT. ; APPEAL LOG # 243046 ON CDCR 602 AND CDCR 602-A DATED 04/03/22 WITH LETTER TO (ISU) LT. J. ANDERSON DATED 02/22/2022 ; CDCR ZERO TOLERANCE RE: CODE OF SILENCE. — LETTER MAILED TO CONNIE GIPSON ON 07/17/2022, EX. "A". (CDCR) 22 FORM WITH (19) PG'S OF EVIDENCE MAILED TO (DIA) SPECIAL AGENT F. ARRELLANO ON 08/11/22, EX "B". E-MAIL SENT ON 08/15/22 TO: KATHLEEN.ALLISON@CDCR.CA.GOV.; JENNIFER.NEILL@CDCR.CA.GOV.; CONNIE.GIPSON@CDCR.CA.GOV.; PAULA.SHOLBERG@CDCR.CA.GOV.; AND KRISTA.DUDZWEILER@CDCR.CA.GOV., EX. "C" CDCR 22 FORM MAILED TO (DIA) SPECIAL AGENT GENE PETITTE ON 08/24/2022 PROVING I MAILED THIS GRIEVANCE # 2835564 TO (DIA), EX. "D".

DISTRIBUTION Original: Claimant's File Copies: DAI, DAPO, and Claimant

EXHIBIT B-014

EXHIBIT "C"

BUSH INCORPORATED VALIDATION TO REINFORCE THE GROOMING i.e., "I'm PROUD OF YOU", "YOU ARE SPECIAL" ETC...

Allan (makes me think of our conjugal visits) and "Every Little Thing" by Carly Pearce when I'm missing you soo much - and "No Such Thing as a Broken Heart" by Old Dominion (as it reminds me of your amazing, positive attitude). Oh my goodness, I couldn't even listen to any of these songs over the last few days without talking to you but your letters did wonders for my spirits. ♡ Thank you.

The other thing I really want to make sure to talk about is I don't think I have said enough how proud I am of you for fighting for me and the sacrifices you have made to prove your love and to be with me. I constantly think of your facial expression when you walked back into that hospital the day they tried to take you. I've never been more proud and more in love. I was like, "Wow, this guy is amazing!!" You have the heart of a lion, Daniel Perdue!! I know you are special! I think that one boss guy could see the glee on my face when you kept coming back. Lol! By the way, if we were to add Juni to your visiting list, soon do you think that could backfire and make them re-look at me, post the decisions? Just a thought. But yeah and the fact that you literally cut off your finger to prove your love to me - you are just beyond amazing and I cannot

EXHIBIT C-019

would still not be able to pay for everything myself, I want him out so I can BREATHE and maybe there will be nights where he has Juniper at his place and mommie can light some candles♡. Did I tell you I used to have a dildo called the rabbit? It went inside and moved in circles and then had bunny-ears that vibrated for the clit. I loved all my sex stuff but I got rid of it for dumb fuck cuz he couldn't handle the competition in his mind. But I'm becoming more myself again and I don't want you to have pleasure and play! Sorry this letter went to sex when I started about why I love you so much. It's so much more than sex but it's just amazing how it's like love and sex! I guess this is what being in love is and I am now convinced I've never been in love in my life - because nothing I've felt has ever come close to

know we can get through another transition and hopefully we will eventually get to visit every weekend! Wouldn't that be divine?! Heaven on earth. ♥♥ I keep seeing your face against the window - or with the window behind you during our last visit - you had the sun just casting this angelic glow on your face and it made you look like an angel. You are my angel, my sweet baby You make my heart skip a beat almost every time I think of you. ♥ Thank you for everything you've done for me in moving all these places and going SAG and giving me your finger and making sacrifice after sacrifice. I love you so much and admire you so much. Don't let yourself think I ever thought of you as a common criminal and I'm sorry I even put it like that - You are a dream come true and don't ever forget that. Nothing is tainted. I've never been disappointed in you - scared, but not disappointed. It would have been hugely disappointing if you had chosen writing other girls

SHE'S THANKING ME FOR MY FINGER HERE

EXHIBIT C-020

2:06

Metro by T-Mobile 4:29

Hannah
Active Now

Is he suicidal now?



Is he wanting me to testify? What does he want me to do exactly?

I remember that Mickey Price didn't want him to go to the clinic because he would cut his tongue there. And it was a way for him to stay at Pelican Bay. They did want him to go EOP but honestly, he did need to go because he was saying he was suicidal. I didn't want him to go because we were in a relationship at the time and I wanted him to stay at Pelican Bay.



So I tried to advocate for him to stay at PB.

EXHIBIT C-021

THERAPY NEVER INCLUDES SEXUAL BEHAVIOR

California's lawmakers and licensing boards want the public to know that professional therapy never includes sexual contact between a therapist and a client. It also never includes inappropriate sexual suggestions, or any other kind of sexual behavior between a therapist and a client. Sexual contact of any kind between a therapist and a client is unethical and illegal in the State of California. Additionally, with regard to former clients, sexual contact within two years after termination of therapy is also illegal and unethical. It is always the responsibility of the therapist to ensure that sexual contact with a client, whether consensual or not, does not occur.

COMMON REACTIONS TO SEXUAL MISCONDUCT BY A THERAPIST

If a therapist has engaged in any sexual behavior or contact with you, you may experience some or all of the following feelings or reactions:



- Intimidated or threatened.
- Guilt and responsibility—even though it is the therapist's responsibility to keep sexual behavior out of therapy.
- Mixed feelings about the therapist—e.g., protectiveness, anger, love, betrayal.
- Isolation and emptiness.
- Distrust of others' feelings or intentions, or your own feelings.
- Fearful that no one will believe you.
- Feeling victimized or violated.
- Experiencing traumatic symptoms, e.g., anxiety, nightmares, obsessive thoughts, depression, or suicidal or homicidal thoughts.

EXHIBIT C-022

What does 'grooming' mean in sexual abuse cases?



By Anne Barnard

Dec. 2, 2021

Grooming is not codified in law as a crime, but it is at the center of the sex-trafficking charges against Ghislaine Maxwell: "Grooming," "groom" and "groomed" appear nine times in the federal indictment charging her of conspiring with her longtime companion, Jeffrey Epstein, to sexually exploit vulnerable girls.

Grooming, legal experts say, is a gradual process whereby an abuser wins the trust and cooperation of a potential victim, starting with interactions that seem normal and benign, like paying special attention or offering compliments and gifts.

Next the abuser acclimates the victim to physical touching and sexual references, breaking down ordinary boundaries. Gradually, the predator exposes the victim to sexual behaviors, like light touching, to desensitize them. The process is aimed at breaking down resistance and making the victim feel complicit or responsible when the activities escalate to sexual abuse or assault, so the victim is less likely to recognize the abuse or report it.

"A predator grooms their victims in order to earn their trust," William F. Sweeney Jr., the head of the F.B.I.'s New York office, said in September after charging Robert A. Hadden, a former Manhattan gynecologist, in the sexual abuse of six female patients, including one minor.

The former film producer Harvey Weinstein and the former gymnastics doctor Larry Nassar were also accused of grooming their victims as a way to coerce sexual acts without necessarily using physical force: Mr. Weinstein dangled hopes for movie stardom and Dr. Nassar suggested to young gymnasts that his assaults were part of routine exams.

The concept of grooming in sexual abuse cases is only the word's latest meaning, giving a dark, duplicitous connotation to a word whose usual meaning is tending to one's personal appearance or hygiene.

In the 13th century, grooms were male servants who helped their employers with dressing and daily activities. By the 1600s, the word came to mean a worker who takes care of horses. In 1887, according to the Oxford English Dictionary, the word was first used to mean coaching someone, as in "grooming a successor."

The first published use of the term in a sexual abuse context was in 1985, when the Chicago Tribune described "friendly molesters" who gained trust while "secretly grooming the child as a sexual partner."

That use of the word has become more widespread in recent years with high-profile cases of Catholic priests who approached vulnerable families as helpers or mentors before sexually abusing children, and with the wave of #MeToo accusations of sexual assault, harassment and abuse in the workplace.

EXHIBIT C-024

EXHIBIT "D"

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

HEALTH CARE GRIEVANCE

CDCR 602 HC (Rev. 10/18)

STAFF USE ONLY Expedited? ☐ Yes ☑ No Tracking #: CHCF HC 20001234

M. LOWE, RN — Staff Name and Title (Print) — Signature — Date: 5/13/2020

If you think you have a medical, mental health or dental emergency, notify staff immediately. If additional space is needed, use Section A of the CDCR 602 HC A Health Care Grievance Attachment. Only one CDCR 602 HC A will be accepted. You must submit this health care grievance to the Health Care Grievance Office for processing. Refer to California Code of Regulations (CCR), Title 15, Chapter 2, Subchapter 2, Article 5 for further guidance with the health care grievance process.

Do not exceed more than one row of text per line. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First, MI):	CDCR #:	Unit/Cell #:
VERDUZCO, D	T-45537	A2A 105

SECTION A: **Explain the** applied health care policy, decision, action, condition, or omission that has had a material adverse effect upon your health or welfare for which you seek administrative remedy:

IN LATE FEBRUARY 2020, MY DERESSION BEGAN TO DECLINE AND I ISOLATED MYSELF. I STOPPED PARTICIPATING IN THERAPY SESSIONS AND ALL ACTIVITY OUTSIDE MY CELL. ON MARCH 04, 2020, I RECEIVED SOME UNSETTLING NEWS REGARDING A STAFF COMPLAINT I HAD PENDING AT PBSP. I WAS NOTIFIED THAT MY ALLEGATIONS AGAINST THE EMPLOYEE IN THAT COMPLAINT COULD NOT BE SUBSTANTIATED WHICH DEVASTATED ME BECAUSE IT FELT LIKE I DID NOT MATTER. MY DEPRESSION SPIRALED AND I JUST STOPPED CARING, THIS MANIFESTED INTO LOW SELF-ESTEEM AND NO SELF-WORTH. I BEGAN TO EXPERIENCE INTENSE THOUGHTS OF SELF-HARM WHICH I WAS ABLE TO SUPPRESS ON MOST DAYS, I FELT INVISIBLE. ON SUNDAY APRIL 12, 2020, I FINALLY COULD NOT TAKE IT NO MORE AND I CUT THE TIP OF MY FINGER OFF BELOW THE NAIL, SNAPPING THE BONE MYSELF. I MADE NO EFFORT TO HIDE MYSELF, I DID NOT CARE WHO SEEN ME. I ACTUALLY DON'T EVEN REMEMBER THE EXACT TIME, I JUST KNOW IT WAS EASTER SUNDAY. THE PAIN WAS SO INTENSE THAT IT'S ALL I REALLY REMEMBER FROM THAT

Supporting Documents Attached. Refer to CCR 3999.227 ☐ Yes ☑ No

Grievant Signature: [signature] Date Submitted: MAY 10, 2020

BY PLACING MY INITIALS IN THIS BOX, I REQUEST TO RECEIVE AN INTERVIEW AT THE INSTITUTIONAL LEVEL. ☐

SECTION B: **HEALTH CARE GRIEVANCE REVIEW INSTITUTIONAL LEVEL: Staff Use Only** Is a CDCR 602 HC A attached? ☑ Yes ☐ No

This grievance has been:

☐ Rejected (See attached letter for instruction): Date: _____ Date: _____

☐ Withdrawn (see section E)

☑ Accepted Assigned To: MH Title: CMH Date Assigned: 7/10/2020 Date Due: 7/16/2020

Interview Conducted? Sr. Psych for ☑ Yes ☐ No Date of Interview: 7/10/2020 Interview Location: On the Unit

Interviewer Name and Title (print): H. Pearson, PsyD, Sr. Psychologist Supervisor Signature: [signature] Date: 7/16/20

Reviewing Authority Name and Title (print): S. Aref, MD, MPH, CCHP, REHS, CEO Signature: [signature] Y. Rao for CEO Date: 7/15/20

Disposition: See attached letter ☑ ~~Intervention~~ error NC ☑ No Intervention

HCGO Use Only: Date closed and mailed/delivered to grievant: JUL 16 2020

1. Disability Code:	2. Accommodation:	3. Effective Communication:
☐ TABE score ≤ 4.0	☐ Additional time	☐ Patient asked questions
☐ DPH ☐ DPV ☐ LD	☐ Equipment ☐ SLI	☐ Patient summed information
☐ DPS ☐ DNH	☐ Louder ☐ Slower	Please check one:
☐ DDP	☐ Basic ☐ Transcribe	☐ Not reached* ☐ Reached
☑ Not Applicable	☐ Other*	*See chrono/notes

4. Comments: _____

RECEIVED CHCF MAY 12 2020 HCGO

COMPLETED RECEIVED CHCF JUL 16 2020 HCGO

STAFF USE ONLY AUG 03 2020

COMPLETED HCGO OCT 13 2020

EXHIBIT D-025

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION

HEALTH CARE GRIEVANCE ATTACHMENT

CDCR 602 HC A (10/18)

STAFF USE ONLY

Tracking #: CHCF HC 20001234

Attach this form to the CDCR 602 HC, Health Care Grievance, only if more space is needed. Only one CDCR 602 HC A may be used.
Do not exceed more than one row of text per line. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First, MI):	CDCR Number:	Unit/Cell Number:
VERDUZCO, D	T-45537	A2A 105

SECTION A: Continuation of CDCR 602 HC, Health Care Grievance, Section A only (Explain the applied health care policy, decision, action, condition, or omission that has had a material adverse effect upon your health or welfare for which you seek administrative remedy):

DAY. THIS WAS A FORESEEABLE INCIDENT BECAUSE I HAD COMPLETELY SHUT DOWN, I STOPPED SHAVING, I WAS NOT MED COMPLIANT ON AND OFF, AND VERY DEPRESSED. ALL THE SIGNS WERE OBVIOUS. HOW CAN SOMEONE JUST FADE INTO THE BACKGROUND IN AN ACUTE SETTING. THE SYSTEM IS FLAWED AND NEEDS TO CHANGE. THE FAILURE TO HOLD STAFF ACCOUNTABLE, SETS THE TONE, AND STAFF FEEL BEYOND REPROACH. SUPERVISORS DON'T CARE EITHER, ON MAY 02, 2020, I ADDRESSED THIS INCIDENT WITH (SRN) C. SEAL AND I TOLD HER HOW DOES SHIT LIKE THIS HAPPEN IN AN ~~ACUTE~~ ACUTE SETTING, SHE SHOWED NO CONCERN.

ACTION REQUESTED; FOR FULL COMPLIANCE OF CCR. 3391 (a); 3271; 3004 (A); 3265; MHSDS VOL12 CH.10 PAGES 7, 10, 21, 18. A JURY TRIAL SHOULD THIS NOT BE RESOLVED ADMINISTRATIVELY.

Grievant Signature: [signature] Date Submitted: MAY 10, 2020

SECTION B: Staff Use Only: Grievants do not write in this area. Grievance Interview Clarification. Document issue(s) clarified during interview.

Name and Title: Signature: Date:

RECEIVED CHCF MAY 12 2020 HCGO

COMPLETED CHCF JUL 16 2020 HCGO

RECEIVED HCCAB AUG 03 2020

COMPLETED HCCAB OCT 13 2020

STAFF USE ONLY

EXHIBIT D-026

EXHIBIT "E"

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL
CDCR 602 (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY	Institution/Parole Region:	Log #:	Category:
		Z502224	

FOR STAFF USE ONLY

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations (CCR), Title 15, Section 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that led to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process.

Appeal is subject to rejection if one row of text per line is exceeded. **WRITE, PRINT, or TYPE CLEARLY in black or blue ink.**

Name (Last, First):	CDC Number:	Unit/Cell Number:	Assignment:
VERDUZCO, D	T-45537	B6A 126	

State briefly the subject of your appeal (Example: damaged TV, job removal, etc.):

UNPROFESSIONAL CONDUCT AND ENDORSING SELF-MUTILATION

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A): ON APRIL 18, 2022, I BOARDED UP AT 10:20 A.M. THRU 11:05 A.M. NO ONE ASKED OR CARED IF I WAS OKAY AND (PT) ROUNDS CONTINUED. I COULD HAVE BEEN DEAD FOR (45) MINUTES AND NO ONE WOULD NOTICED OR CARED. FINALLY WHEN THE ALARM WAS ACTIVATED. SGT. J. BRUNNER RESPONDED

B. Action requested (If you need more space, use Section B of the CDCR 602-A): DESIRED RESOLUTION: 1) A COMPLETE AND THROUGH INVESTIGATION 2) TO BE ALLOWED TO EXHAUST THIS APPEAL TO THE THIRD LEVEL. 3) I AM OPEN TO RESOLVE THIS MATTER ADMINISTRATIVELY OUTSIDE COURT FILINGS.

Supporting Documents: Refer to CCR 3084.3.

☐ Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):

☐ No, I have not attached any supporting documents. Reason:

Inmate/Parolee Signature: _____ **Date Submitted:** 04-24-2022

☐ **By placing my initials in this box, I waive my right to receive an interview.**

APR 27 2022

STAFF USE ONLY

C. First Level - Staff Use Only **Staff – Check One: Is CDCR 602-A Attached?** ☐ Yes ☐ No

This appeal has been:

☐ Bypassed at the First Level of Review. Go to Section E.
☐ Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____ Date: _____
☐ Cancelled (See attached letter) Date: _____
☐ Accepted at the First Level of Review.

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: _____ Interview Location: _____

Your appeal issue is: ☐ Granted ☐ Granted in Part ☐ Denied ☐ Other: _____

See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer: _____ (Print Name) Title: _____ Signature: _____ Date completed: _____

Reviewer: _____ (Print Name) Title: _____ Signature: _____

Date received by AC: _____

EXHIBIT E-027

AC Use Only
Date mailed/delivered to appellant ___/___/___

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL FORM ATTACHMENT
CDCR 602-A (REV 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Attach this form to the CDCR 602, only if more space is needed. Only one CDCR 602-A may be used.
Appeal is subject to rejection if one row of text per line is exceeded. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First)	CDC Number	Unit/Cell Number	Assignment
VERDUZCO, D	T-45537	B6A 126	

A. Continuation of CDCR 602, Section A only (Explain your issue): I ASKED TO SPEAK TO CAPTAIN MONTANICK. WITHOUT PROVOCATION SGT. J. BRUNNER TOLD ME, "YOU'RE NOT TALKING TO NO FUCKEN CAPTAIN. I DON'T GIVE A F@CK IF YOU CUT YOUR FINGERS OFF", I DON'T GIVE A IF YOU CUT YOUR HEAD OFF AND MAIL IT OUT. SGT. J. BRUNNER HAD KNOWLEDGE THAT I PREVIOUSLY CUT OFF TIPS OF MY FINGERS AND MAILED THEM OUT. SGT. J. BRUNNER'S COMMENTS TO ME ON APRIL 18, 2022 WERE ENDORSING SELF MUTILATION AND INCITING (CMC) STAFF WERE PRESENT, HEARD IT, AND [redacted] DID NOTHING. SGT. J. BRUNNER CONTINUED TO YELL I DON'T GIVE A F@CK WHAT THE CAPTAIN TOLD YOU. THE VIDEO MAY HAVE NO AUDIO BUT THE FOOTAGE WILL SUPPORT MY VERSION. ON APRIL 19, 2022 SGT. J. BRUNNER ENTERED MY ROOM, HE WAS IN BY AT LEAST 6 FEET, OUT OF CAMERA RANGE. SGT. J. BRUNNER TOLD ME HE NEVER APOLOGIZES TO INMATES SO HIS APOLOGY SHOULD BE GOOD ENOUGH. I TOLD HIM I APPRECIATE THE APOLOGY BUT I STILL INTEND TO WRITE HIM UP AND SUE. HE TOLD ME, "ARE YOU REALLY GOING TO HOLD A GRUDGE FOR WHAT HAPPENED AND GET ME AN "ADL" (SOMETHING TO THAT AFFECT). SGT. J. BRUNNER THEN SAID, I WANT TO RESOLVE IT WITH YOU NOW, WHAT CAN I GET YOU. I ASKED WHAT DO YOU MEAN. SGT. J. BRUNNER SAID, CHIPS, ITEMS FROM PYRO. HE THEN TOLD ME YOU NEED TO CALL YOUR SISTER AND TELL HER SHE [redacted] RESOLVED IT. I AGREED TO THE TERMS INSTEAD OF SUING. THIS RESOLUTION WAS TO SGT. J. BRUNNER'S BENEFIT THERE WAS MULTIPLE WITNESSES. HE IS ON VIDEO...

Inmate/Parolee Signature: [signature] Date Submitted: 04-24-22

STAFF USE ONLY

B. Continuation of CDCR 602, Section B only (Action requested): 4) PRESERVE ALL FOOTAGE FOR 4-18-22 AND 4-22-2022, YOU HAVE A DUTY TO PRESERVE SINCE I AM PUTTING (CMC) ON NOTICE OF MY INTENT TO SUE. 5) SGT J BRUNNER CANNOT AVOID DISCIPLINARY ACTION BY CLAIMING IT WAS RESOLVED BETWEEN US. IF THE AGREEMENT WE PROPOSED WAS NOT HONORED, THERE IS NO RESOLUTION AND THE ISSUE IS NOT RESOLVED. 6) PRESERVE FOOTAGE FOR 4-19-22 AND 4-22-2022. WHERE A LETTER CLEARLY THREATENS LITIGATION, THE DUTY TO PRESERVE IS TRIGGERED, GOODMAN V. PRAXAIR SERVICES, INC. 632 F. SUPP. 2d, 494, 511 (D. MD. 2009).

Inmate/Parolee Signature: [signature] EXHIBIT E-006 Date Submitted: 04-29-2022

EXHIBIT "F"

Investigations Into the Deaths of Several Prisoners and Two Guards Reveal Rampant Corruption, Cover-ups in California Prison

by Keith Sanders

When Brant Daniel found himself in one of California's most violent and corrupt prisons, the California State Prison (CSP) in Sacramento, known as New Folsom, he knew he was in trouble. Daniel, a member of the Aryan Brotherhood prison gang, potentially faces the death penalty for the October 2016 murder of fellow prisoner Zachary Scott at the Salinas Valley State prison, so he is no stranger to trouble or violence. But Daniel's attorneys, John Balazs and Timothy Warriner, are asking a federal court to move him to a different prison for his protection. From whom? Guards employed by the California Department of Corrections and Rehabilitation (CDCR), who have allegedly harassed him and even planted a knife in his cell.

In filings entered on December 28, 2021, the lawyers also claim that two guards wrote replies to notes from Daniel, admitting they could hear his privileged phone conversations with counsel. It is the latest attempt in a year to move Daniel out of CSP-Sacramento since their January 2021 court filings claiming that "rogue" guards "have planted weapons and drugs in inmates' cells in order to obtain more overtime, have spread false rumors and relayed confidential information from inmates' files to other inmates in violation of CDCR policy, and on at least two occasions have been directly involved in the killing of a CSP-Sacramento inmate."

With a staff of 2,500, CSP-Sacramento houses almost 2,200 prisoners. A security-level 4 facility, the highest in the California prison classification system, it is home to the state's most violent and dangerous prisoners, as well as patients so mentally ill that they are too dangerous to be housed in mental hospitals.

Daniel is one of several Aryan Brotherhood members locked up at the prison facing charges stemming from a June 2019 racketeering indictment against the group. But prisoner assaults on guards are also rampant, where prison staff allegedly face "gassing"—when prisoners throw feces and urine on them—almost daily.

As an anonymous guard told the *Sacramento Bee*, "[Y]ou have to be hard. You have to know when to flip that switch and get crazy. Because if you don't fight that crazy individual with a crazy mentality, you're going to lose."

Yet much of that "crazy mentality" at New Folsom by guards is also corrupt and illegal.

In their court filing, Daniel's attorneys also revealed that a New Folsom guard provided much of the information for their suit. That was Sergeant Kevin Steele, who began his career as a prison guard in 2001 at San Quentin State Prison. In 2008, he was promoted to sergeant and transferred to New Folsom where he eventually joined the Investigative Services Unit (ISU) in 2015.

As a member of ISU, a detective unit inside the prison, the 56-year-old sergeant acted as the unit's criminal prosecution coordinator and facilitated investigations involving outside agencies like the FBI, local law enforcement, and the Sacramento County District Attorney's office. Steele also trained in-coming guards on how to collect evidence and conduct investigations.

As an investigator, Steele had expertise and knowledge about prisoner investigations. And what he saw in the course of his work caused him concern, sufficiently so to write several memos to CSP-Sacramento Warden Jeffery Lynch and the state corrections secretary detailing how other ISU member were falsifying documents, planting evidence on prisoners, and even conspiring to murder prisoners. Guards who spoke anonymously with the *Sacramento Bee* described Steele as a "meticulous professional."

In one memo, Steele wrote that at "every single juncture where I discovered something that resembled corruption, wrongdoing, exploitation, fraudulency and/or breeches of trust, I ALWAYS alerted supervisory staff and institutional leadership, as that is what I thought was the desire of both the administrative staff and [CDCR]," and adding "it would appear that is NOT the desire of either entity."

Tragically, Steele committed suicide on August 20, 2021. Why? Once other guards and members of ISU discovered that one of their own was a "snitch," they harassed Steele mercilessly, and even mistreated and threatened him. Eventually, Steele was forced to take a leave of absence in February 2021 and, amazingly, on February 12, 2021, he was barred from returning to the prison.

CDCR's press secretary, Dana Simas, refuted Steele's claims of harassment and noted in an email that the investigator was "banned due to a misconduct investigation," though she declined to clarify the nature of the misconduct, adding only that it was not the "result of whistleblower retaliation."

Yet Steele was the second ISU whistleblower to die after being mistreated and harassed. In 2020, guard Valentino Rodriguez, 30, was found dead of an accidental fentanyl overdose at his home. Relatives and friends reported that he was "throwing up all the time at work and hyperventilating" because he was suffering from PTSD and depression. He gained 45 pounds and began seeing a therapist. Rodriguez took a leave of absence on January 28, 2020, and died soon after.

The relatives of Rodriguez filed a complaint with the Office of Internal Affairs alleging racial and anti-gay slurs from his fellow guards had contributed to Rodriguez's decline in mental health. After an initial investigation, an internal affairs officer concluded that a "reasonable belief was established to allege serious misconduct occurred." Ten guards were disciplined for Rodriguez's hazing and mistreatment, and CDCR moved on December 28, 2021, to fire two more. None was identified.

The corrupt and abusive culture inside New Folsom reflects a larger trend for the health of prison guards. In 2017, a study by the University of California, Berkeley, found that guards are "exposed to violence at rates comparable to military veterans, and that the job is linked to health problems, depression and suicidal thoughts." According to the California Correctional Peace Officers Association, nine guards committed suicide in 2020.

Yet the mental health of guards should not detract from the misconduct they direct

toward prisoners at New Folsom. Steele was threatened primarily because he blew the whistle on corrupt guards and cover-ups involving two prisoner deaths where guards played a role.

Attorneys for one of the dead men, Luis Giovanny Aguilar, 29, claim in a civil rights lawsuit that prison guards "via their willful indifference to prevent and their actual facilitation of the murder of Mr. Aguilar conspired to cause" the prisoner's death in December 2019.

Three other prisoners, Dion Green, Anthony Rodriguez and Cody Taylor, were restrained with metal cuffs in chairs along with Aguilar. Video of the incident shows that after Taylor and Rodriguez slipped free from their restraints they went to the second floor to grab a weapon. When they returned, they attacked Aguilar, who remained cuffed to his chair.

Ultimately, Taylor pleaded no contest and was sentenced in May 2021 to 100 years to life, plus two years. Charges were still pending against Rodriguez and Green on December 10, 2021, when Aguilar's mother filed a federal lawsuit alleging that video evidence showed guards let the prisoners who killed him make a "practice run" a week before the murder. Although CDCR insists that no staff was involved with Aguilar's murder, the incident took place in full view of guards on the first floor.

Steele had also provided information to an attorney for 29-year-old Milton Beverly, who was found dead in his cell in 2016. Disputing prison staff's claim that Beverly had hanged himself alone in his cell, Steele told the lawyer, Steven Glickman, that another prisoner had confessed, both in writing and on video, to killing Beverly in a fight over the telephone. Yet when Glickman reviewed the documents relating to his client's alleged suicide the "confessions were missing," he noted. Steele notified Warden Lynch of the missing documents and indicated to Glickman that he would publicly testify to their existence, but his subsequent suicide prevented that from happening.

In November 2020, guards Ashley Marie Aurich, 32, and Arturo Pacheco, 38, were indicted after the death of an unnamed 65-year-old prisoner in 2016. Aurich was charged with Falsification of Records in a Federal Investigation (18 U.S.C. §1519) and pleaded guilty in January 2021. Pacheco's indictment listed two counts under the same charge and two more counts of Deprivation of Rights Under Color of Law (18 U.S.C. §242), for which he is still awaiting trial.

The charges stemmed from an incident in which Aurich, Pacheco, and at least three other guards were escorting a handcuffed prisoner from one cell to another. According to Pacheco's indictment, he released his grip on the prisoner's arm during the escort and then wrapped his arms around the prisoner's legs, causing him to land face first on the floor. The prisoner was taken to the hospital where he died two days later. The indictment also alleged that Pacheco falsely stated he used "immediate force" because he was trying to stop the prisoner "from self-harming himself and causing serious bodily injury or death to himself."

As for Aurich, her indictment alleged she "knowingly and falsely stated that the only witnesses to the assault…were Correctional Officer 1, Correctional Officer 3, and Correctional Officer 4, intentionally concealing the presence of Correctional Officer 2," which was Pacheco.

To date, the corruption and mistreatment of both staff and prisoners at New Folsom continue unabated. Officials are quick to insulate many of the guards from administrative or legal consequences for their actions by claiming no wrongdoing or putting the blame on prisoners. Moreover, promises of investigating misconduct by guards are minimized by having investigations performed by ISU, the very same unit that saw two of its members hazed, threatened and harassed to the point of death for uncovering the misconduct of others in the unit. This is nothing new and has been the norm in CDCR for at least a half century if not longer.

Sources: *AP News, Sacramento Bee*

EXHIBIT F-030

EXHIBIT "G"

STATE OF CALIFORNIA
INVOLUNTARY MEDICATION PETITION (PENAL CODE 2602)
CDCR MH-7363-1 (03/17)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
Form: Page 1 of 1
Instructions: Page 2

Involuntary Medication Petition			
Patient Name (Last): VERDUZCO	(First): DANIEL	CDCR #: T45537	PID #:
Date: February 14, 2023	Institution: CHCF-Stockton	Bed/Cell/Dorm: CHCF B 306A1-126001L	
Age: 42	Gender: ☒ Male ☐ Female	Interpreter: ☐ Yes ☒ No	Language: English

NOTICE OF INTENT TO SEEK INVOLUNTARY MEDICATION

The clinical staff at the institution shown above alleges that you have a serious mental illness and are unwilling or unable to take psychiatric medication necessary to treat your condition. As a result, you are a danger to self, a danger to others, or gravely disabled. A hearing has been scheduled in front of an Administrative Law Judge, who will decide if you must take psychiatric medication. You have a right to attend.

HEARING TYPE (Choose one):

☒ NON-EMERGENCY (Hearing within 21-30 days of this notice, no interim medications allowed)

☐ EMERGENCY (Hearing within 21 days of this notice, interim medications allowed)

Date and Time Medication Started: _____

Hearing Date and Time: March 16, 2023@ 0900 Hearing Institution: CHCF

Initiating Psychiatrist:

Name and Title (Print): E. CHICA, MD

ATTORNEY

If the Department is seeking an emergency petition, you or your attorney have two business days from the date you were served to file a response with the Office of Administrative Hearings. You have been appointed an attorney who has been given a copy of this paperwork. The attorney information is as follows:

Attorney Name: Rodney Simmons Attorney Address 10824 Olson Drive, Ste. C126

Attorney Phone: 916-591-1784 Rancho Cordova, Ca 95670

SERVICE

I declare under penalty of perjury that I delivered a copy of this notice, a copy of the form CDCR MH-7366 "Inmate Rights to Notice - Involuntary Medication", and any related paperwork to the attorney listed above and to the inmate named in this document on the date shown below. In the event of an emergency petition, I further declare that the inmate and Office of Administrative Hearings were served with this notice within 72 hours of the start of involuntary medication.

Person Delivering Petition:

Name and Title (Print): S. Mora, MCA Signature: _____ Date: 02/14/2023

1. Disability Code:	2. Accommodations:	3. Effective Communication:	
☐ TABE score ≤ 4.0 ☐ DPH ☐ DPV ☐ LD ☐ DPS ☐ DNH ☐ DNS ☐ DDP ☒ Not Applicable	☐ Additional Time ☐ Equipment ☐ SLI ☐ Louder ☐ Slower ☐ Basic ☐ Transcribe ☐ Other*	☐ Patient asked questions ☐ Patient summed information Please check one: ☐ Not Reached* ☐ Reached *See chrono/notes	CDCR #: T45537 Last Name: VERDUZCO MI: First Name: DANIEL DOB: 07/25/1980

4. Comments: TABE: N/A; NDD

Unauthorized collection, creation, use, disclosure, modification, or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

DISTRIBUTION: Original: Health Records Copies: Patient, MCA, patient's attorney, OLA, OAH
eUHR SCANNING LOCATION: MHChrono/Misc-Legal/Other; 7363 Notice of Certification for Involuntary Medication
EHRS LOCATION: Mental Health Documentation > Legal

EXHIBIT G-031

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION

DECLARATION IN SUPPORT OF INITIAL INVOLUNTARY MEDICATION

CDCR MH-7363-2 (03/17)

Declaration in Support of Initial Involuntary Medication

Patient Name (Last): Verduzco (First): Daniel CDCR #: T45537 PID #:

Date: Feb 03, 2023 Institution: CHCF-STOCKTON Bed/Cell/Dorm: B6A-126

Age: 42 Gender: ☒ Male ☐ Female Interpreter: ☐ Yes ☒ No Language: English

1. I am a licensed psychiatrist employed by the State of California to treat patients sentenced to imprisonment or housed in a California state prison, including facilities operated by the Department of State Hospitals to treat California Department of Corrections and Rehabilitation patients.

2. In my professional opinion, the patient listed above exhibits symptoms of a serious mental illness requiring psychiatric medication.

3. Based on my interaction with the patient and my review of the chart and materials gathered by the clinical team, I have made a working psychiatric diagnosis of: Major Depressive Disorder, Adjustment reaction with anxious mood, Adjustment diosrder with disturbance of ocnduct, Borderline (BPD)

4. The basis for the above diagnosis is as follows:

a. What are the general (textbook) symptoms of the serious mental illness in the diagnosis?

Major Depression is a disorder characterized by feelings of worthlessness, hopelessness or guilt, fixating on past failures or self-blame, trouble thinking, concentrating, making decisions and remembering things, irritability, poor impulse control. Frequent or recurrent thoughts of death and suicidal thoughts.

b. Which of these symptoms or behaviors have clinical staff observed in the patient, and when?

Mr. Verduzco has been at CHCF since 11/18/2020, ever since clinical staff have observed "on and off" symptoms of Mood lability/instability, depression, agitation, anxiety, impulsivity, threaths of self injurious behaviour, occasional paranoid beliefs (often about custody), impaired frustration tolerance, poor coping skills, non-compliance with treatment, poor insight. These symptoms have worsened since he stopped taking his meds regularly on Dec 21,2022

c. Did you rely upon historical information supporting the above diagnosis for this patient? If so, please specify what you relied upon (first onset, historical course of mental disorder, prior hospitalizations, prior medication history, etc.):

This is 42 years old Hispanic Male with Psychiatric history Major Depressive Disorder, Adjustment reaction with anxious mood, Adjustment disorder with disturbance of conduct, Borderline (BPD). with prior hospitalizations, Acute on 9/13/16-11/8/16, 7/19/19-10/7/19, 10/29/19-1/14/20, 2/13/20-11/18/20. PIP level of care at CHCF since 7/19/19, starting at Acute and now at ICF since 11/18/2020. He was initially referred for attempting to cut off a finger, as well as on-going threats to engage in SIB. Mr. Verduzco has long history of self-injurious behavior (self-amputation cut tongue in half 4/2016, OD on sleeping pills 4/2017, bit tongue 4/2017, lacerations X two 5/2017 of left fifth finger, necrosis and partial amputation, pulled out sutures 5/2017, laceration to left 4th finger 7/2019, 10/2019 over several acts cut off left 4th finger, cut off tip of left second finger 4/2020, laceration 5/2020 reopened wounds and cut tip off left middle finger 6/2020). On Dec 2022 patient reported recurrent threats to staff that he was going to amputate another finger in the month of January 2023, he did not engage in SIB however continues to report that it is a matter of time to next self-injurious behavior, Since Dec, 2022 he has been refusing most psych meds, regularly fails to comply with safety checks of his extremities requiring enhanced observation either Q 11 or SW from Dec 29, 2022- Feb 01.2023.

1. Disability Code:
☐ TABE score ≤ 4.0
☐ DPH ☐ DPV ☐ LD
☐ DPS ☐ DNH
☐ DNS ☐ DDP
☒ Not Applicable

2. Accommodations:
☒ Additional Time
☐ Equipment ☐ SLI
☐ Louder ☒ Slower
☒ Basic ☐ Transcribe
☐ Other*

3. Effective Communication:
☒ Patient asked questions
☒ Patient summed information

Please check one:
☐ Not Reached* ☒ Reached
*See chrono/notes

4. Comments:

CDCR #: T45537
Last Name: Verduzco MI:
First Name: Daniel
DOB: 07/25/1980

Unauthorized collection, creation, use, disclosure, modification, or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

DISTRIBUTION: Original: Heath Records Copy: MCA
eUHR SCANNING LOCATION: MHChrono/Misc-Legal/Other; 7363 Notice of Certification for Involuntary Medication
EHRS LOCATION: Mental Health Documentation > Legal

EXHIBIT G-032

d. What did the patient do or say as a result of their serious mental illness that supports your assertion that the patient is a danger to self, a danger to others, or gravely disabled?

Danger to self:
MHPC note 11/25/2022: IP reported he had an increase of suicidal ideation last week.
MHPC note 11/25/2022-12/06/2022: IP reported that cutting a finger is still on the table and a desire to engage in self-injurious behavior.
MHMD note 12/07/2022 IP reporteed " I'm not going to hurt myself at the moment but I can't guarantee that something could happen in the near future".
MHPC RVR assessment 12/10/2022. IP verduzco boarded up twice on 12/03/2022.
MHPC note 12/29/2022: IP has made several statements that he is planning to cut off his finger sometime in January.
MHMD note 01/31/2023 IP said I'm not saying that I couldn't hurt myself at some point "

5. Based on my knowledge of the patient and their medical records, I believe that as the result of a serious mental illness, the patient is (mark all that apply):

☒ Danger to self ☐ Danger to others ☐ Gravely disabled and lacking capacity to accept or refuse medications

6. Please articulate how the patient's mental health history and the acts and behaviors in questions 3, 4, and 5 (above), are a result of the patient's serious mental illness (i.e., how the acts or behaviors align with the diagnosis, etc.).

Patient has shown symptoms of mood lability/instability, depression, agitation, anxiety, impulsivity, threaths of self injurious behaviour (several times) he has strong history of SIB (self amputation), occasional paranoid beliefs (often about custody), impaired frustration tolerance, poor coping skills, non-compliance with treatment, refusing medicaton for mental health, poor insight. All contributing to high risk of danger to self.

7. On 02/03/2023, I have recommended to the patient one or more psychiatric medications for the treatment of the patient's serious mental illness, have considered the risks, benefits, and treatment alternatives to involuntary medication, and have determined that the treatment alternatives to involuntary medication are unlikely to meet the needs of the patient.

8. I have advised the patient of the risks and benefits, and treatment alternatives to involuntary medication. The patient refused, does not have the capacity, or could not accept psychiatric medications.

9. The expected benefits of this medication to the patient are:

Use of psychotropics medication can be used as first line treatment of chronic depression, and to reflief associated symptoms by reducing depressed/labile mood, anxiety, poor self-control, paranoid thinking, promote sleep and also can reduce impulses to self harm.

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STATE OF CALIFORNIA
DECLARATION IN SUPPORT OF INITIAL INVOLUNTARY MEDICATION
CDCR MH-7363-2 (03/17)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
Form: Page 3 of 3
Instructions: Page 4

10. Potential risks and side effects of providing this medication to the patient are:

The Psychotropic medications may have following side effects with second and first generations anti Psychotics;
Weight gain,
EPS, dystonia, tremors, shakes, muscle stiffness, rigidity.
Metabolic syndrome: Weight gain, Hyperglycemia, High Cholesterol, Dyslipidemia increase in waist measurement. increase BMI.
Neuroleptic Malignant syndrome (NMS).
Sedation, tiredness.

11. Based on the facts and diagnosis indicated above, as well as my review of documents both in the treatment team profile of this patient and in the chart, it is my opinion the patient requires psychiatric medication to treat their illness. Without medication, the patient would present as an elevated chronic risk, an imminent risk, or both.

12. If this petition is based on a threat of harm to self or others, please state upon what basis you believe the threat is credible.

Mr. Verduzco has strong history of self injurious behaviour (self amputation multiple times- see above.) and poor impulse control
He has repeatedly declined medications when offered since Dec 21, 2022, ever since his symptoms have gradually worsened including mood lability, poor impulse control, poor engagement with clinicians, fragmented sleep, isolation, poor tolerance to stress.

Without the medication, he is likely to deteriorate further and possibly to engage in self injurious behavior.

13. In my opinion there is no less restrictive alternative than to seek a court order to administer psychiatric medication.

14. I am initiating this matter on the following basis:

☒ Non-emergency (no medications prior to Administrative Law Judge hearing) ☐ Emergency (ex-parte application for medication attached)

I declare under penalty of perjury that the foregoing is true and correct.

Date: 02/03/2023, in the City of Stockton, California, in the County of San Joaquin

Print Name and Title: Edgar Andres Chica, MD, Psychiatrist Signature: _____

Declaration in Support of Initial Involuntary Medication CDCR MH-7363-2 (03/17)	CDCR #: T45537 Last Name: Verduzco MI: First Name: Daniel DOB: 07/25/1980

Unauthorized collection, creation, use, disclosure, modification, or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

DISTRIBUTION: Original: Heath Records Copy: MCA
eUHR SCANNING LOCATION: MHChrono/Misc-Legal/Other; 7363 Notice of Certific ...n for Involuntary Medication
EHRS LOCATION: Mental Health Documentation > Legal

EXHIBIT B-034

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Joaquin)

On February 03, 2023 before me, Chanda Hai, Notary Public
(insert name and title of the officer)

personally appeared Daniel Verduzco,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

CHANDA HAI
Notary Public - California
San Joaquin County
Commission # 2420143
My Comm. Expires Oct 9, 2026

Signature _____ (Seal)

EXHIBIT G-036

DECLARATION

I, DANIEL VERDUZCO, DECLARE THE FOLLOWING;

1. THAT (CHCF) IS A CAMERA FACILITY AND ON JANUARY 25, 2023 AT 4:30 P.M. I GAVE THE BELOW GA-22 FORM DATED JAN. 25, 2023 TO BGA PSYCHOLOGIST D. HARRISON AT MY CELL FRONT WHICH INCLUDED A COMPLETE COPY OF CDCR ZERO TOLERANCE REGARDING THE CODE OF SILENCE, SEE PG. 2 OF 2 ATTACHED.

STATE OF CALIFORNIA
GA-22 (Rev. 2013-10)

DEPARTMENT OF CORRECTIONS & REHABILITATION

INMATE REQUEST FOR INTERVIEW

DATE	TO	FROM (LAST NAME)	CDCR NUMBER
JAN. 25, 2023	PSYCHOLOGIST D. HARRISON	VERDUZCO, D	T-45537

HOUSING	BED NUMBER	WORK ASSIGNMENT	JOB NUMBER FROM	JOB NUMBER TO
BGA	126			

OTHER ASSIGNMENT (SCHOOL, THERAPY, ETC.) | ASSIGNMENT HOURS FROM | ASSIGNMENT HOURS TO

Clearly state your reason for requesting this interview.
You will be called in for interview in the near future if the matter cannot be handled by correspondence.

DR. HARRISON ALTHOUGH YOU ARE DUTY BOUND TO WRITE AN OFFICIAL PREA REPORT, I ACKNOWLEDGE THAT ITS UNFAIR TO PLACE THAT ENTIRE BURDEN ON YOU. SUPERVISORS SET THE TONE AND THE TONE BEING SET BY CHCF CHIEF OF MENTAL HEALTH SHELLY MINOR IS THAT ITS ACCEPTABLE NOT TO REPORT SEXUAL ABUSE BECAUSE I/m LIVES DON'T MATTER. ANY EMPLOYEE THAT BECOMES AWARE OF MISCONDUCT HAS TO REPORT IT THAT INCLUDES PREA COVER UP'S ... EVERYONE THAT HAS SEEN THE IRREFUTABLE EVIDENCE AND CHOOSES TO DO NOTHING DESPITE LAW AND TRAINING i.e. PREA TRAINING IS CONTRIBUTING TO THOUGHTS OF NO SELF-WORTH AND THAT MY EXISTENCE AS A HUMAN BEING HAS ZERO VALUE. I'M BEING REVICTIMIZED BY CALLOUS MENTAL HEALTH PROFESSIONALS. I'm NOT ENDEAVORING TO BE ELICIT PITY OR SYMPATHY. I'm CALLING A SPADE A SPADE... AND I KNOW YOU GUYS DON'T GIVE A DAMN. I'm AN INMATE; NOTHING MORE, NOTHING LESS. I'M NOT OBLIVIOUS OF THAT VIEW OF ME BY CHCF MENTAL HEALTH. I'M NOT ASKING ANYONE TO FEEL SORRY FOR ME. I'M ASKING PEOPLE TO COMPLY WITH PREA TRAINING AND STOP BEING SILENT BY STANDERS - ALTHOUGH, ADDRESSED TO YOU THIS IS INTENTED FOR MY ENTIRE MENTAL HEALTH TEAM AND CHCF (MH) SUPERVISORS INCLUSSIVE OF SHELLY MINOR.

Do NOT write below this line. If more space is required, write on back.

INTERVIEWED BY | DATE

DISPOSITION

Picked Up By
Psychologist D. Harrison
@ 4:30 P.M. At Cell Front
On Camera On 01/25/2023.

I DECLARE THE FOREGOING IS TRUE AND CORRECT. IF CALLED UPON TO DO SO, I CAN TESTIFY TO THESE MATTERS. THIS DECLARATION WAS EXECUTED ON THE 26TH OF JANUARY 2023 AT STOCKTON CALIFORNIA.

D.V.
SIGNATURE

02/03/23
12:43 P.M.
Notorized

DANIEL VERDUZCO, T-45537

RIGHT THUMB PRINT
02/03/2023
12:43 P.M.

(PAGE 1 OF 2)

California Department of Corrections and Rehabilitation
Zero Tolerance Regarding the "CODE OF SILENCE"

The California Department of Corrections and Rehabilitation (CDCR) is only as strong as the values held by each of its employees, sworn and non-sworn. How we conduct ourselves inside our institutions and in the Central Office is a reflection of those values.

The "Code of Silence" operates to conceal wrongdoing. One employee, operating alone, can foster a Code of Silence. The Code of Silence also arises because of a conspiracy among staff to fail to report violations of policy, or to retaliate against those employees who report wrongdoing. Fostering the Code of Silence includes the failure to act when there is an ethical and professional obligation to do so.

Every time a correctional employee decides not to report wrongdoing, he or she harms our Department and each one of us by violating the public's trust. As members of law enforcement, all Correctional Officers must remain beyond reproach. The public's trust in this Department is also violated by retaliating against, ostracizing, or in any way undermining those employees who report wrongdoing and/or cooperate during investigations. There is no excuse for fostering a Code of Silence.

Your hard fought efforts to protect the public deserve recognition and the public's trust must be maintained while we take steps to ensure the Department exemplifies integrity and instills pride. Part of this effort is the immediate implementation of a zero tolerance policy concerning the Code of Silence. We will not tolerate any form of silence as it pertains to misconduct, unethical, or illegal behavior. We also will not tolerate any form of reprisal against employees who report misconduct or unethical behavior, including their stigmatization or isolation.

Each employee is responsible for reporting conduct that violates Department policy. Each supervisor and manager is responsible for creating an environment conducive to these goals. Supervisors are responsible for acquiring information and immediately conveying it to managers. Managers are responsible for taking all appropriate steps upon receipt of such information, including initiating investigations and promptly disciplining all employees who violate Department policy.

Any employee, regardless of rank, sworn or non-sworn, who fails to report violations of policy or who acts in a manner that fosters the Code of Silence, shall be subject to discipline up to and including termination.

EXHIBIT G-037

PROOF OF SERVICE BY MAIL
[CCP §§ 1013(a), 2015.5]

STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN

I am a citizen of the County of SAN JOAQUIN, State of California. I am a citizen of the United States of America. I am over the age of eighteen (18) and not a party to this action. I am a resident of the County of San Joaquin, CDCR# T-45537.

My address is: DANIEL VERDUZCO # T- 45537
California Health Care Facility
P.O. BOX 32110
Stockton, CA 95213

On FEB 15, 2023, I served via United States Mail a copy of the following document(s): PL SEEKS A 7-DAY EXTENSION OF TIME TO FILE FIRST AMENDED COMPL. INJUNCTION

The above-noted legal document(s) was placed in a sealed envelope, with postage thereon fully prepaid, addressed to the person at the address indicated below pursuant to California Code of Civil Procedure Section 1013. I placed the envelope or package in a mailbox or other like facility addressed to: U.S. DISTRICT COURT
501 I STREET, SUITE 4-200
SACRAMENTO CA 95814-2322

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This document was executed on FEB. 15, 2023 in San Joaquin County, California.

DANIEL VERDUZCO
Type or Print Name

Signature

PROOF OF SERVICE BY MAIL
[CCP §§ 1013(a), 2015.5]

STATE OF CALIFORNIA, COUNTY OF San Joaquin

I am a citizen of the County of San Joaquin, State of California. I am a citizen of the United States of America. I am over the age of eighteen (18) and not a party to this action. I am a resident of the County of San Joaquin, CDCR# T-45537.

My address is: David Verduzco # T-45537
California Health Care Facility
P.O. Box 32110
Stockton, CA 95213

On Feb. 20, 2023, I served via United States Mail a copy of the following document(s): First Amended Complaint.

The above-noted legal document(s) was placed in a sealed envelope, with postage thereon fully prepaid, addressed to the person at the address indicated below pursuant to California Code of Civil Procedure Section 1013. I placed the envelope or package in a mailbox or other like facility addressed to:

U. S. District Court
501 I Street, Suite 4-200
Sacramento, CA. 95814-2322

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This document was executed on Feb. 20, 2023 in San Joaquin County, California.

David Verduzco
Type or Print Name

Signature

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE

CDCR 22 (10/09)

SECTION A: INMATE/PAROLEE REQUEST

NAME (Print): (LAST NAME) (FIRST NAME)	CDC NUMBER:	SIGNATURE:
VERDUZCO, D	T-45537	

HOUSING/BED NUMBER:	ASSIGNMENT:	HOURS FROM____ TO____	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.):
BGA 126	(PIP)		LEGAL MAIL

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW: TODAY IS 02/20/2023, I AM RELINGUISHING MY FIRST AMENDED COMPLAINT TOTALING 84 PG.S FOR FILING CASE. No. 2:22-CV-0569-TLN-DMC-P. NORTHERN DISTRICT COURT. "PRO SE PLEADINGS DEEMED FILED ON DATE PLACED IN LEGAL MAIL NOT DATE OF RECEIPT BY COURT CLERK", DILS V. SMALL, 260 F. 3d. 984 (9TH CIR. 2001). "MAILBOX RULE APPLIES TO PRO SE § 1983 CLAIMS", SULIK V. TANLEY COUNTY, 316 F. 3d. 813 (8TH CIR. 2003)

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) ****NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED ****

☑ SENT THROUGH MAIL: ADDRESSED TO: LEGAL MAIL PER CCR TIT. 15 § 3141 (c)(8) DATE MAILED: 02/20/2023

☐ DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES / NO
J. Headwick	FEB. 20, 2023		

IF FORWARDED – TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON / BY US MAIL
COURT CLERK, U.S. DIST. COURT.	FEB. 20, 2023	

SECTION B: STAFF RESPONSE

RESPONDING STAFF NAME:	DATE:	SIGNATURE:	DATE RETURNED:

SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

SIGNATURE:	DATE SUBMITTED:

SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:

Distribution: Original - Return to Inmate/Parolee; Canary - Inmate/Parolee's 2nd Copy; Pink - Staff Members Copy; Goldenrod - Inmate/Parolee's 1st Copy.