

As detailed in the attached documents, my public messaging was turned off for a year in March after I used it to contact a journalist about wrongdoing within the BOP. After repeated inquiries, I was told by SIA Moore that he'd cut it off because I'd been "using it for the wrong thing," which he clarified to mean talking to the press. Moore did not dispute this account when I presented it in my BP-8. As shown in the relevant SENTRY records, McKinney logged my BP-9 on June 4th, missed his response deadline, filed for an extension, and missed his extended deadline. After sending several internal e-mails to McKinney and the assistant warden requesting the BP-9 back so that I could file a BP-10, I received the BP-9 along with a response on August 28th, nine days after the listed date of response and over a month after the response was due. As provided for by P1330.18 and FTW1330.13(E), having not received "a response within the time allotted for reply," I am proceeding to the regional level. I will nonetheless reference the contents of this belated reply so as to demonstrate that the institution's position is groundless.

In this reply, the warden does not even pretend to address my request that it produce the local supplement to the TRULINCS program statement that it is required to have on hand as per P4500.11, presumably because no such document exists. The administration's clear violations of the procedures set forth in P5265.13 regarding "Pending Investigation of Disciplinary Action" are also not addressed. It's asserted that my access was cut off due to the conduct inherent to the charges to which I pled guilty in 2014, a claim that Moore originally floated during our April conversation despite not having been able to name those charges at the time and having anyway gone on to admit that my real offense was my discussions with reporters. The fact that I'd been charged with the crimes in question three years ago, was convicted a year ago, had been sentenced several months prior, and had arrived at FCI Fort Worth weeks before, all without losing my e-mail, but did not manage to keep it for an hour after I tried to use it to alert the media to criminal conduct by BOP employees, is rather telling. But even were this suspiciously-timed "charge" claim not a clear pretext, it would still be contrary to policy; my exclusion from public messaging violates P4500.11 which directs that "[i]nmates must not be excluded from participation based on general categories of previous conduct." Indeed, none of my previous conduct even involves the use of e-mail, as may be readily determined. Additionally, inmates who are actually denied access based on the nature of their charges lose that access for the duration of their sentence, whereas Moore removed mine for a period of a year, a sanction that is linked to punishments -- in this case, it seems, I was punished for trying to alert the public to the sort of misconduct that Moore himself is supposed to be addressing in his role as SIA, rather than engaging in misconduct himself, as he is actually doing.

Perhaps being aware that the "charges" claim fails on its face, the administration has now produced a second, more bizarre claim that is even flimsier than the first: that on March 31st, I used the messaging system to engage in "illegal activity" when, having received an e-mail from my friend Anna Smith which included an account of a reported protest campaign by participants of the hacktivist movement Anonymous against websites operated by the Islamic State, I replied with the message, "You cannot prevent us." The warden refrains from explaining how I managed to commit a crime with a four-word reply to a friend about a news story she'd just brought to my attention, and does not even deign to note which law it was that I broke; the only explanation that I can come up with is that, after four months of obfuscation, they now hope to portray the message as some sort of threat to Anna Smith. Here follows a

selection of reasons why this is insane: (a) Even a brief review of my past messaging with Smith would reveal that "you cannot prevent us" is a gag phrase that she herself alerted me to after it appeared in a statement by a group of alleged North Korean hackers that was being discussed in the media at the time. (b) Even being unaware of that, no honest observer could seriously conclude that I was proclaiming to an Austin-based documentary filmmaker that she'd be unable to prevent someone's online campaign against the online infrastructure of a Middle Eastern terrorist syndicate. (c) Even if we assume that Smith is in fact a member of ISIS, as would seem to be a prerequisite for making sense of the institution's implied position to the effect that my alleged anti-ISIS rhetoric is most reasonably interpreted as an illegal threat to her, it remains unclear how my supposedly serious contention that she is not in a position to stop an online attack on her apparent Sunni exclusionist paymasters would constitute any sort of threat, rather than simply a clear-eyed assessment of Ms. Smith's total inability to deploy any effective cyberwarfare counter-measures in defense of her messiah, the 12th or "Hidden" Imam. (d) Despite pretending to believe that I threatened her, the institution has not restricted my ability to communicate with Smith, and prison records will of course show that I've had a number of phone conversations and exchanges of letters with her since the day of this fabricated criminal incident. One might expect the prison to have stricken her from my contact list had they actually believed their own cover story about simply wanting to protect the ISIS-loving public from my unhinged anti-terrorist rhetoric. (e) I have not been charged with any crime or infraction whatsoever, whereas neither the BOP nor the FBI have been shy about charging me with all sorts of pretend offenses whenever they have seen any way of making them stick; in this case, the prison may have actually come up with something so absurd that even the Feds won't touch it. (f) The administration refuses to provide me with the required written notice of cause that I've been requesting since April, a refusal they justify on the pretext of unspecified "safety concerns," no doubt involving Boko Haram.

I request that the email restriction ending April 1, 2016 be lifted immediately, that Region direct the prison to create the local TRULINCS supplement that it is required to provide by policy, that Region direct the prison to explain why the various policy violations pertaining to media access, TRULINCS access, and the Administrative Remedy process occurred to begin with, and that the response be immediately provided to me along with an indication as to what steps Region intends to take to ensure that further policy and civil rights violations do not occur with quite so much regularity at the institutions for which it is responsible.

I attest that the preceding is true, under penalty of perjury.

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