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speaking out. Now, they don't have to worry about going through a media outlet and if that media outlet will properly convey their message or misquote them or even choose to run their story like I did. Now, they can utilize their own social media. Like Dwyane Wade told me in "We Matter": "With social media being as powerful as it is, you become, in essence, a reporter. So it's hard for someone to tell you not to say things that you want on your social media platform. You can't be in the position that LeBron is in, that Melo (Carmelo Anthony) is in, myself, CP (Chris Paul) and really care about criticism."

**D.P.:** For athletes who may want to become activists but don't know what it takes to be one, what are some necessary tools needed to make the transition?

**E.T.:** Just to do your research and know what you are talking about and to be prepared for the criticism that is going to follow. You have to be able to also defend your position because certain portions of the media are going to attempt to discredit you personally and make you out to be a buffoon who has no business speaking on this topic, just as Laura Ingraham attempted to do with LeBron James and Kevin Durant.

**D.P.:** What was the experience like to speak with families of victims of gun violence in relation to cop killings, racism, systemic injustices, etc.

**E.T.:** Those were the most difficult interviews I have ever done in my life. I spoke to Emerald Snipes, who is Eric Garner's daughter. I interviewed the mother and sister of Philando Castile, Valerie and Alysza Castile. I interviewed Jahvaris Fulton, brother of Trayvon Martin, and Tiffany Crutcher, twin sister of Terence Crutcher. They were literally heartbreaking, but I think they were important to show for many reasons.

People have forgotten what these protests were about. Somehow, it has transformed into being about the military or the flag, but those weren't the reasons Kaepernick listed for him taking a knee. It was about the constant killings at the hands of the police of unarmed black men and women without any form of accountability for the police. When D-Wade and LeBron and the entire Miami team wore the hoodies, it was because of the killing of Trayvon Martin. So I spoke to Trayvon's brother Jahvaris about the impact from that.

Russell Westbrook spoke out after the killing of Terence Crutcher, and I spoke to Terence's sister Tiffany about the impact of that as well. The entire WNBA had their media blackout and protested after the back-to-back killings of Alton Sterling and Philando Castile, and Philando's sister Alysza spoke so passionately about what it felt to her, seeing that. And although these interviews were extremely difficult to do, they were important to really show what these protests are all about.

# Suing solitary

*Oregon Department of Corrections employees named in civil rights lawsuit claiming abuse*

**BY EMILY GREEN**  
SENIOR STAFF REPORTER

**O**regon Department of Corrections staff fabricated evidence and unlawfully used solitary confinement in order to punish two inmates without due process, claims a lawsuit being filed in federal court on the inmates' behalf.

Representing the inmates are Portland-based civil rights attorney Juan Chavez, who sits on the advisory committee to Oregon Justice Resource Center and on the Executive Board of the Portland National Lawyers Guild, and criminal defense attorney Crystal Maloney.

The plaintiffs, inmates Shane Staggs, 32, and Rafael Mora-Contreras, 37, were featured this past August in a Street Roots' report on the use of solitary confinement at Oregon State Penitentiary, a state-run maximum-security prison in Salem.

Both men, who were not affiliated with each other, were employed within the prison and in good standing when they were placed in solitary confinement for extended periods while under investigation for separate nonviolent infractions.

The complaint being filed in their case mirrors allegations outlined in Street Roots coverage (see "Caged" at news.streetroots.org), which revealed a pattern of bad practices at Oregon State Penitentiary with regard to its use of solitary confinement and the internal investigations into inmate misconduct that lands prisoners in it. Specifically, accusations of coercion and abuse of power directed mainly at one individual in the department's Special Investigations Unit: Lt. Douglas Yancey. Street Roots originally withheld Yancey's name. Oregon DOC Director Colette Peters, Inspector General Craig Prins and Hearings Officer Jeremy Nofziger are also named in the lawsuit, which as of press time, Chavez said he planned to file in U.S. District Court's Eugene Division April 20.

Both plaintiffs, and other inmates involved in the case, allege Yancey attempted to bribe and coerce inmates into submitting false testimony against the plaintiffs and retaliated against inmates by placing them in solitary confinement.

"I think this makes a strong case to show that a correctional officer shouldn't be trusted with this specific tool, because it will be abused," said Chavez.

The case also alleges the large-scale riot at Oregon State Penitentiary involving 200 inmates in 2016 was the result of Yancey telling a group of gang members that another inmate was a "snitch," after that inmate refused to provide him with false information.

While the suit seeks damages that, as of press time, had not been determined, as well

as punitive measures, "what my clients are primarily concerned with is accountability," said Chavez. "They lived this day in and day out, and they want to feel like they're making a change in their environment and aren't voiceless in this whole thing."

"I just want to see some justice served for once," Staggs told Street Roots during a phone call from Snake River Correctional Institution, located in Ontario. While he is far from friends and family, he said as much as he would love to be transferred back to Oregon State Penitentiary, "I'm scared of becoming a target."

He was convicted of second-degree robbery and kidnapping in 2009 and is set to be released in 2026.

Mora-Contreras is currently 15 years into a life sentence for murder. However, in light of new judicial findings, he has been granted a re-trial in Washington County.

"If he is in fact exonerated by a jury or by the state," said Chavez, "then all of that torture he went through was incredibly unwarranted."

The suit claims both men suffered emotionally, physically and economically — due to lost wages — as a result of their stay in solitary confinement.

"If you don't have a strong mind," Staggs said, "you'll go crazy."

Mora-Contreras began to suffer from auditory hallucinations while in solitary, according to the lawsuit, and both men lost significant weight and suffered from anxiety and severe distress.

In Oregon, solitary confinement means spending 23.3 hours each day in a 6-foot by 10-foot cell with no natural light, access to outdoors and limited opportunities to speak with people, according to court documents.

Chavez's lawsuit comes on the heels of a Disability Rights Oregon report finding that at the same facility, Oregon State Penitentiary, employees are failing to make progress on a pledge to allow inmates with severe mental health issues out of their cells more frequently in the Behavioral Health Unit where they reside. While some improvements have been made, this unit remains another form of solitary confinement.

The use of solitary confinement against Mora-Contreras and Staggs, the lawsuit claims, is a violation of their Eighth Amendment right to be free from cruel and unusual punishment, as well as a violation of their Fifth Amendment rights of due process and First Amendment rights to be free from compelled speech and retaliation.

The suite also claims the state violated the equal protection clause of the 14th Amendment on the grounds that it places people of color in solitary confinement at a



higher rate than other inmates.

In March, Mora-Contreras filed two other lawsuits claiming constitutional rights violations against various DOC employees at Two Rivers Correctional Institution in Umatilla, however he has not retained counsel to represent him on either of those cases.

Historically, solitary confinement cases claiming cruel and unusual punishment have failed, but decisions issued two months ago are beginning to change that precedent.

"Supreme Court precedent says how we judge what's cruel and what's unusual is based on an evolving standard of decency," explained Chavez.

On Feb. 21, in Virginia, a federal judge ruled it was cruel and unusual to confine death row prisoners to solitary confinement.

Chavez pointed out that decision was partially based on growing evidence that shows solitary confinement is psychologically and physically harmful.

"We know more about the abuse that it creates and the trauma that stems from it," he said.

In her decision, U.S. District Judge Leonie Brinkema stated that, "Given the rapidly evolving information available about the potential harmful effects of solitary confinement," her decision was not bound by the "decades-old determinations" on which defendants in solitary confinement cases typically rely.

Also in February, a federal court judge in Pennsylvania granted an injunction to release death-row inmate Darrick Hall from solitary confinement, where he had been held for the past 24 years, despite his death sentence being vacated in 2014. In this case, the judge ruled the Pennsylvania Department of Corrections violated the inmate's 14th Amendment due process rights.

Much of Chavez's case, however, relies on inmate testimony, which he admits could be difficult.

"But I think the public is coming to understand that we shouldn't confuse power with credibility," he said. "Having a badge doesn't mean you get a pass at accountability. The paper trail here supports my clients' stories and theories of this case."

emily@streetroots.org  
@greenwrites