

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 21 2017

JEFFREY P. COLWELL
CLERK

Civil Action No. 16-cv-02733-GPG
(To be supplied by the court)

Bionca Charmaine Rogers , Plaintiff,

vs.

Denver Women's Correctional Facility , Defendant
P.O. Box 392005
Denver, CO, 80239

Rick Raemisch , Defendant
Department of Corrections
1250 Academy Park Loop
Colorado Springs, CO, 80910

(List each named defendant on a separate line.)

PRISONER COMPLAINT

A. PARTIES

1. Rogers, Bionca Charmaine, 169704,
Denver Women's Correctional Facility
P.O. Box 392005
Denver, CO, 80239

(Plaintiff's name, prisoner identification number, and complete mailing address)

2 Rick Raemisch
Department of Corrections
1250 Academy Park Loop
Colorado Springs, CO, 80910

Defendants

(Name, title, and address of first defendant)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? x Yes No (CHECK ONE). Briefly explain your answer:

Department of Colorado Corrections (DOC) enforces the Department Women's Correctional Facility to reject installment of a Sorenson Video Phone (SVP). The Facility is authorize to allow A TTY telephone Device to be used for every inmate located in DWCF, myself included as the 14th amendment Equal Protection Clause requires, but does not permit the Use of a SVP. It should be noted that DOC agrees and follows the regulations and rules both Spanish and English offers when in use of a telephone. Therefore both Spanish and English are options that can be chosen to communicate on the Phone. However, American Sign-language (ASL) is also its separate language and requires rules and regulations to be met to comprehend and understand the language itself, and DOC ignores the demands of ASL such as the use of Visual Contact. The use of an outdated telephone machine TTY is mockery itself because it only allows a typed method to be expressed for a sender and a responder to have a conversation when clearly indifference is demonstrated when Spanish and English are being used on the Regular Telephone itself. DOC Executive Director Mr. Rick Raemisch, has the authority to authorize a SVP to be installed, due to having control over protocols that must be met for every Prison located in Colorado, and he and his organization choose to dismiss the Rules of ASL, in a form of a shortcut in technology, by only allowing a Written method to be Used for Communicating.

3 Department of Corrections
Prison System
1250 Academy Park Loop
Colorado Springs, CO, 80910

A. PARTIES

(Name, title, and address of second defendant)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? x Yes No (CHECK ONE). Briefly explain your answer:

Department of Corrections Prison System are authorized to successfully Protect the 14th Amendment Equal Protections Clause, by ensuring that essentially all persons similarly situated should be treated alike. In a sense that all inmates are approved to use the Telephone for TTY- Sign- language, Spanish, and English, it is agreed that in use of either choice of Communication, that the Rules would be met to consider a person's needs when

in use of that specific language. The actual Telephone offers a Person to Either use Spanish or English, and when one option is chosen immediately the responses on the phone speak that language. This symbolizes that the Rules of that Language are being met so that understanding of what is being spoken, is given. The TTY does not apply to ensuring that the Rules of ASL will be met, such as the visual contact, equalizing that Spanish, English, and Sign-language are all being used to its full effect by abiding to the Rules of that Language. ASL is not Protected under the 14th amendment Clause- under DOC authorization because the benefits that Spanish and English Receive are not given to ASL due to it only supplying a written method such as only Text, TTY. This identifies that Discrimination and Inequality towards American Sign-language is being met and the 1st amendment of Free Speech thereof that I have the right to use ASL is not being taken into consideration because I can't Appropriately use ASL as its rules requires.

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(Name, title, and address of third defendant)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law? __Yes __No (CHECK ONE). Briefly explain your answer:

(If you are suing more than three defendants, use extra paper to provide the information requested above for each additional defendant. The information about additional defendants should be labeled "A. PARTIES.")

B. JURISDICTION

1. I assert jurisdiction over my civil rights claim(s) pursuant to: (check one if applicable)

 x 28 U.S.C. § 1343 and 42 U.S.C. § 1983 (state prisoners)

 28 U.S.C. § 1331 and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) (federal prisoners)

2. I assert jurisdiction pursuant to the following additional or alternative statutes (if any):

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

On the dates of August 25, 2015, September: 17, 2015, September 23, 2015, September 24, 2015, October 28, 2015, February 09, 2016, February 17, 2016 etc.

I, Bionca Rogers 169704, requested Denver Woman's Correctional Facility to obtain a Sorenson Video Phone (SVP) in DWCF, for my use, to be able to exercise my 1st Amendment of Free Speech, which prohibits the free exercise thereof to speak to persons of my choice. The Woman's Correctional Facility has no authority to authorize the installment of a SVP, however the Executive Director Rick Raemisch, of Dept. of Corrections 1250 Academy Park Loop, Colorado Springs CO, 80910, as the Woman's Correctional Facility Superior has the authority to do so. In my Grievance Responses you'll find that numerous people have been contacted in order for me to obtain the SVP. It is my Understanding, that though no responder can technically be held accountable for violation of my amendment Rights, and that Rick Raemisch and Department of Correction Prison System are the Defendants in this matter, I'd like to make each Responders names aware to the Courts: Anthony DeCesaro , Michelle Brothers (12725), Terry Jaques, Janet Smith (16460), Adrienne Jacobson (14299), Marshall Griffith (14298), Jason Lopez (15866), Bryon Sparling, Keegan Fowler, and David Johnson. It is my belief that the named individuals were attempting to supply answers to enforce the Policy of Dept. Of Corrections- the Correctional system that enforces the policies and regulations of all the Prisons located in Colorado.

I have been rejected by all the above listed responders and with answers that clearly identify Discrimination and Inequality in regards to: Sexism, and Hearing vs Non-Hearing individuals in a series of responses throughout Grievances. Therefore, I am under the impression my rights remain as violated due to what their responses dispute, and the approval of DOC policies to allow the responses that were given

My dispute of claims considered the Major Differences in ASL and English. It should be noted that though my ability to hear is a factor, I am affected greatly due to not being able to use ASL the way it is required in an appropriate manner to develop ongoing conversation with a Deaf Person of my choice since I do speak ASL. This creates Heartache and misunderstanding of Communication to me due to not being able to express and visualize through Facials, Body Language, and Hand Gestures to provide meaning to my listening party. As I participate in an ongoing conversation with a hearing person I do not face the complications of communications or suffer as bad because my voice detects the Demeanor, Attitude, Pitch, and Tone. etc. When either listening or speaking to a Hearing individual. My knowledge and Factual information determining that ASL is not similar to English in the way it is used; depresses me mentally because I can't exercise my 1st amendment effectively and formulate a complete comprehensive conversation with anyone involved in the Deaf Community outside of the prison.

The idea that I am being forced to submit to one form of Communication to contact Deaf Individuals to type my thoughts on a TTY device- as demanded by DOC through Denver Women s Correctional Facility creates Inequality in communication and also links very similar communication as when a letter is being written. Hearing individuals who haven't requested an effective way to communicate with Deaf People receive the opportunity and pleasure of using a telephone device and a very different form of communication method such as writing letters. This Unequal use of a TTY Phone method eliminates me from being able to understand my home language- ASL in the most appropriate way. The meaning of Communication for me is Lost
(Rev. 1/30/07)

Removes the Specific Requirements ASL demands to receive a comprehensive conversation.

“C. NATURE OF CASE”

DOC enforces Denver Woman's Correctional Facility to express their intentions of possibly providing a Man's Facility with the Sorenson Video Phone, because they are “Majority” and did not specify if they were definite about Placing a Sorenson Video Phone in the women's Facility, only that they are considering it since women are “Minority”. The mention of this statement demonstrates Sexism. DOC regulates and approves of Rules that neglect my 14th amendment Rights of Equality for Men and Women and it also does not prove a blue print or an outline of an expectancy date for the installment of a Sorenson Video Phone inside the Corrections Facilities. It only creates a pacified thought to remove any further complaints I may have.

I have taken a series of routes to process my Grievance Complaints through my Chain of Command and its Superiors of DOC: Rick Raemisch, and have been disregarded and rejected each time, despite my legitimate reasoning for having effective communication such as the Sorenson Video Phone to use with my Biological Parents. I cannot stress how important it is for a Person to have equal understanding of one another when occurring in an ongoing conversation. Especially when the rules and regulations of a language- Such as American Sign-language requires such. Yet, DOC refuses to recognize the importance of effective communication.

While DOC permits all inmates as a whole access to an outdated phone system such as the TTY- yet ignores the idea that approving the outdated TTY welcomes the idea of being allowed to communicate with deaf people in which could now possibly be a misunderstood technique of writing an ongoing conversation since many words are spelled alike however call for a totally different sign. This method leads myself into broken conversations and is emotionally damaging, due to not being able to comprehend what is said on both the Responder and Listening Parties.

DOC symbolizes they are fine with inmates connecting to outside parties through TTY- however removes and ignores the actual rules ASL requires- which would enforce DOC to change the telephone method to a Video Device. While DOC accepts and allow all inmates access to communicate on the actual telephone through Spanish Or English, if inmates chooses- DOC respects The Rules Spanish or English demands by changing the entire wording heard through the phone to make a phone call and does not offer the same treatment to ASL. It is Present that DO C follows the Rules of either languages but dismisses the obligations that ASL requires to communicate. ASL is exempt from the same procedure of having its languages rules obeyed. A SVP allows such and offers much more that what a TTY can give in following the rules of ASL's languages. However, this is the only telephone method provided for by DOC. Allowing myself and all inmates, so that we're all treated similarly alike access to a SVP would be equivalent to how Spanish and English rules are followed by DOC. By changing the policies to authorize a SVP inside the Prisons, My 14th Amendment Rights are protected and are not violated due to DOC choosing to only allow all inmates access to a TTY which isn't equal.

D. CAUSE OF ACTION

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

1. Claim One: Amendment I (1791). Freedom of Religion, Speech, Press, Assembly, and Petition- Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Supporting Facts: On August 28, 2015- I notified My Case Manager- Jason Lopez (15866) and Captain Keegan Fowler, that my request for Accommodation was due to my Biological Parents being Deaf. The Substantial Limitation that are required in the documentation "Offender Request for Accommodation" exist for my request for help, they are as follows: Hearing, Speaking, and Communicating. I requested the Sorenson Video Phone (SVP) to be installed in the DWCF Prison located in Colorado which lies under DOC Jurisdiction. It is the most appropriate effective communication up to - date. I did not receive approval for this phone, nor acknowledgement for the SVP device, yet was expected to only use a TTY device for communication. I disagreed with the approval, and was denied Proper Communication. The usage of a TTY device is very similar to that of a letter being written.

The fact that I am being eliminated from being able to communicate with anyone apart of the Deaf Community; via an updated and effective device such as a SVP; without specific Cause from DOC expressing their objection deliberately emphasizes that DOC has no plausible legitimate reasoning behind the Denial of installment. I have been ordered by Judge Prudek, Marla R, Division 14, of EL Paso County, Colorado, to be sentenced to Custody of the Executive Director of the Dept. of Corrections- which would now be considered Rick Raemisch, to serve sentencing time, not having or including a Restraining Order that involves my Ability to contact my Biological Deaf Parents. I have not been recommended any Refusal of communicating with anyone in the Deaf Community such as my Parents; reserving my right to exercise my 1st Amendment- This information can factually be found under my Archive Mittimus Data: Action date and Time beginning at 08/05/2015 at 17:37:19.

My continuous complaints/ Request for an SVP have been instead rejected without the approval of the study of my punishment demanding I not be afforded communication with the deaf community of my parents via SVP. I'd like to also include the factual information that a SVP is being considered for CTCF as grievance #1 suggest which I recognized as not being a threat to prison management, such as a possible security breach dispute due to CTCF being one of the prisons under DOC'S control management just as DWCF is, which I'd argue have the same or very similar regulations under Mr. Rick Raemisch's management and the concerns for any possible security breach can be resolved under very similar resolutions- i.e if CTCF has a private room available for the possibility of a SVP, it should be expected that DWCF follow the same procedure. The protocol for prison management protects the safety of both

inmates and staff and the prison itself and the operation itself is highly organized so that all prisons are safe. In knowing this information the prison's rejection to install a phone into DWCF as their considering for CTCF demonstrates that the policies for safety protocol for Security Breach have been infringed to protect Men and employees of CTCF and tampers safety Protocol for the rest of Colorado's prisons. In this argument I'd like the opportunity to petition the government for a redress of my submitted grievances to DWCF since it is clear that my 1st Amendment Rights aren't being respected or protected from DOC as a woman prisoner in DWCF. In making this claim I do not believe the decision to reject a SVP is "reasonably related to a legitimate penological interest."

D. CAUSE OF ACTION

- 2 Claim Two: XIV Amendment (1868) Protection of Civil Liberties: Definition of citizenship; Due Process of Law and Equal Protection of the Laws.
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Supporting Facts: On September 09, 2015- Denver Woman's Correctional Facility received My Step 1 Grievance expressing the lack of equality for communication through telephone device(s) to outside links, which I have to suffer from because my outside link members include Deaf people when compared to a hearing individual. I carefully explained the misunderstanding that consists when I cannot appropriately sign in ASL to my audience- demonstrating my 1st Amendment violation; abridging my Freedom of speech since I am hindered from communicating in the way it requires.

Under Mr. Rick Raemisch regulations, both Grievance Coordinator Michelle Brothers (12725) received a receipt of complaint on September 17, 2015 acknowledging that she was aware of the Denial of a Sorenson Video Phone, which was replied to by Smith, Janet (16460), on September 17, 2015. The Response stated that all offenders, both hearing and deaf are allowed access to the TTY telephone device.

It expressed that a Video Phone is being considered for CTCF- which is Colorado Territorial Correctional Facility- a Man's Facility due to majority deaf offenders' residential placement being there. It also stated that eventually a video phone will be available to all DOC facilities. This response demonstrates Sexism and Inequality since I, as a woman who speaks ASL have to abide to limitations since my gender is rejected from equal protection of receiving a video phone in the woman's facility due to my sexuality being "minority."

The idea that DOC enforces the Dept of Women's Corrections to allow such separation in how to communicate effectively in the language ASL, on how it is required between men and women- yet gives hearing phones the pleasure of effectively speaking in the language Spanish or English requires violates my XIV amendment rights. It demonstrates that due to Men being the gender majority they are able to receive privileges, such as the possibility of a Video Phone being installed.

Though all offenders have access to use of a TTY –recognized from the statement, “all offenders both deaf and hearing are able and allowed to use the TTY” It should also be noted that just the same all offenders have access to choice to use Spanish or English by their own choice on a Regular hearing phone. In both options offenders are given the advantage of Following the Procedure and Rules obligated to communicate in either language. Inequality is demonstrated due to my only choice of Using a telephone device, such as access to the TTY to speak with Deaf People provides a major disadvantage to me since I am not given freewill choice to use ASL's facials, hand gestures, body language etc. to communicate. I am forced to type a text written conversation removing all ASL requirements to communicate.

In enforcing the TTY to be the only available telephone link conversation for offenders unequal form of communication is produced between the regular telephone itself and the TTY, due to the fact that they do not both comply to having very similar or closely linked goals in being able to address the way the phone is used. I.E TTY is only readable; while the phone allows voicing to demonstrate what a person is saying and how they are saying it. As a hearing person whom uses ASL to converse with individuals such as my parents; I am excluded from actually reaching my desired goal of communicating freely how I need to with Deaf People. The TTY does not obtain the ability to receive the option of learning how I am saying something to recognize what frame of mindset I could potentially be in. In enforcing my use of TTY to be the only link to deaf people, I'd have to use symbols to express my figure of speech, which could

Continued Claim 2

easily lead to confusion, because a Deaf person could possibly identify the symbols such as !, @, ; , and , etc. in the wrong form of context. I, myself, am not skilled enough in ASL writing to correctly place pronouns, verbs, symbols, etc. in a written sentence. Although all offenders have access to the TTY and could possibly struggle with the same concerns of correctly writing ASL, more so than not do they have to handle this concern. Most people here at DWCF can hear and their attracted audience member are hearing individuals.

ASL is not my 1st language, so I do struggle with writing since my audience leads to my deaf parents mainly and I am unfortunately still unable to accomplish my goal of Talking to my family equivalent to other offenders since the TTY and Regular phone's objective is completely different, providing different outcomes. This is a major Barrier to effectively communicating in ASL, satisfying the idea that DO C demands DWCF to prohibit the free exercise of how I am able to speak accurately in ASL.

D. CAUSE OF ACTION

3. Claim Three: Amendment I (1791). Freedom of Religion, Speech, Press, Assembly, and Petition- Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.
-

Supporting Facts: On September 24, 2015 Denver Women's Correctional Facility became aware of my Second (2nd) Grievance stating major concerns of misinterpretation that a TTY phone consists of, leading to the purpose of a Video Phone. I stated the difference in communication American Sign-language (ASL) requires compared to English.

I also stated that the sentence that Department of Corrections carries is at a minimum of one (1) year and one (1) day demanding a person to be on a hold in a correctional facility-supplying them with living arrangements.

Following Rick Raemisch orders from DOC, DWCF employees- Michelle Brothers (12725) and Jacobson, Adrienne (14299) rejected this acknowledgment and by-passed my several claims and reasoning behind obtaining a Video Phone. DOC response remained with the TTY telephone device being the provided telephone device. This rejection occurred on October 05, 2015. The Desire to speak with my family in an appropriate way and in a way that expresses my 1st Amendment Rights are being used successfully and in a way that American Sign-Language (ASL) requires is disallowed by my Authoritative Chain of Command- Rick Raemisch through DWCF.

The TTY telephone device is approved for use to all inmates at DWCF; just as other inmates and I are allowed to communicate with outside links such as Family members, through both telephone and written letters. The objective of a telephone device is to allow both the listening and responding party a chance to have a comprehensive conversation where both parties can have somewhat of clear understanding between one another. This goal can be more closely reached by determining vocals, pitch, demeanor, attitude, tone etc. of dialect through listening to what's being spoken from the Responder. In exercising to successfully attempt to satisfy this goal- both the mouth piece and the hearing piece of a telephone must be of Clarity and functioning properly. If and when this stipulation is met; other inmates- such as hearing people can obtain the Goal/ objective at having a comprehensive conversation. In either speaking English or Spanish: which are both available options on the telephone- providing access to all inmates; the Rules of that Language fall into the category of determining the type of dialect through the pitch, tone, attitude, etc.

In offering all these factors through both the mouth and hearing piece of a phone- Both Spanish speaking and English speaking individuals successfully are allowed the protection of their 1st Amendment rights. However, As a (ASL) American sign language speaker which is its own separate language I am not given the pleasure of protection of my 1st Amendment rights from DOC through DWCF, in fact a major violation of my U.S. Constitutional rights are being broken. DOC is abridging my freedom of speech through DWCF due to not allowing ASL to be used in the same likeness Spanish and English are being used – I.e reaching a comprehensive conversation by use of factors that are required of both such as vocals, tone, etc.

It is a known fact that ASL is considered to be a visual language and in many Sign-language Books-due to its use connecting to audience that may include deaf members such as both my parents. In reaching a comprehensive conversation successfully requirements include visual contact through hand gestures, facials, body language, etc. a regular telephone includes both a mouth, speaking and hearing, listening piece, which both are limitations that a deaf person

(Rev. 1/30/07)

suffers from, due to their use not being of use to one who can't hear or speak themselves. In this issue, I am shortened able opportunity to communicate with my parents or deaf community since I cannot freely exercise my 1st amendment, through a regular telephone device, since they can't understand me or I understand them.

DOC dismisses the rules ASL demands to communicate effectively while Participating in the rules Spanish and English demand. DOC refuses to install a SVP which possesses the qualities to fulfill ASL requirements of Visual Contact and in doing so DOC entertains a violation to my 1st Amendment Rights- abridging my free speech. Instead of meeting the necessary requirements to fulfill the idea my rights are safe; DOC enforces TTY to be the only available telephone device- which only gives way to having a Text written conversation, this is unacceptable due to it not giving consideration to what creates barriers to successfully being able to speak ASL- and in this neglect DOC subjects me to using ASL in a broken form; presenting prohibition towards me using the free exercise thereof ASL demands. This does not offer any form of "reasonably related legitimate penological interest." due to DOC going above and beyond to meet English and Spanish requirements; however offering a TTY to use to communicate with Deaf community members to justify their actions of not going above and beyond to meet ASL requirements which is to connect with the Deaf community and after they've already submitted to using a device to reach Deaf People- but not to the extent in the way ASL demands of me to use to communicate effectively.

“D. CAUSE OF ACTION”

Claim Four:

Amendment XIV (1868). Protection of Civil Liberties- Definition of Citizenship, Due Process of Law and Equal Protection of the Laws.

On October 28, 2015 Denver Woman's Correctional Facility accepted my Step 3 Grievance under DOC executive Director Rick Raemisch furthering evidence on Factual Information that separates American Sign-Language (ASL) from English. I submitted knowledge to the Department of Corrections explaining that same like spelling words such as “Gay” “Mow” “Gather” etc. influences a different hand gesture in Sign-language to provide a comprehensive conversation with a Deaf Person. I also took the liberty of including the idea of a sentence being totally misinterpreted if spelled and not seen, due to the same-likeness of spelled words- as ASL requires. This information is found in American Sign- Language labeled books such as *The American Sign-Language phrase book by Lou Fant and Barbara Bernstein Fant.*

In Providing this updated information to DOC, I spoke about the unfair treatment being placed upon me since I am eliminated from equal communication or equivalent communication that would allow me to express myself through hand gestures, body language, facials etc. through the SVP phone. In doing all these actions it is giving an opportunity to allow my deaf audience to detect my demeanor, attitude, tone etc. just as the regular telephone allows.

DOC Employee Anthony A. DeCesaro supplied the Final Response on November 16, 2015- Brothers, Michelle (12725) was aware of and accepting receipt of complaint on October 29, 2015, and Griffith, Marshall (14298) denied the Grievance on November 12, 2016. I was and am still unable to understand the separation I am forced to have; knowing that my 1st amendment rights protects my free speech, with whom I desire and makes recognition that if my choice of free speech is abridged, it is disallowed constitutionally.

The continuous rejected Grievances offers the idea that Denial of Authorizations on a Video Phone installment is approved/ or recommend under Mr. Raemisch executive decision ignoring the fact I have 1st amendments rights still, even as a prisoner. My 1st amendment violation exist because due to my biological parents being deaf it creates a different form of communication I must have to appropriately speak ASL, and that needs to be equivalent to use of a Regular telephone- which abides to the rules of the Spanish/ English language. In factually knowing ASL is a visual language its rules requires visual contact. In rejecting my need to abide by the ASL rules to communicate, DO C entertains prohibiting free exercise of my Free speech and also hinders and abridges my needs of Free Speech with my desired audience. I have declined to Sign my Step 3 Grievance, The uncertainty of Denver Woman's Corrections that proclaims “eventually submitting a Sorenson Video Phone in the Facility” expresses no blue print or outline of the actual probability of receiving one.

Furthermore, I have been housed in Colorado Springs, El Paso County, Colorado and the jail itself has a Sorenson Video Phone. This creates major concern to myself, since the County is not labeled as permanent living arrangements or permanent placement for individuals. It is simply a place for temporary living, until a decision is recommended and ordered by a Judge of the Court of Law for the release of freedom to a person or to be sentenced elsewhere. The judgment of allowing a Sorenson Video Phone into a Temporary place such as County Jail when a Permanent place of Living is in a Prison Setting, demonstrates a major hazard to me.

E. PREVIOUS LAWSUITS

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

1. Name(s) of defendant(s) in prior lawsuit:
2. Docket number and court name:
3. Claims raised in prior lawsuit:
4. Disposition of prior lawsuit (for example, is the prior lawsuit still pending? Was it dismissed?):
5. If the prior lawsuit was dismissed, when was it dismissed and why?
6. Result(s) of any appeal in the prior lawsuit:

F. ADMINISTRATIVE RELIEF

1. Is there a formal grievance procedure at the institution in which you are confined?
 X Yes No (CHECK ONE).
2. Did you exhaust available administrative remedies? X Yes No (CHECK ONE).

G. REQUEST FOR RELIEF

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

I am requesting that DOC and Denver Women's Correctional Facility and neighboring Prisons recognize that American Sign-language (ASL) is in fact its own separate language which demands visual attention to respond effectively should be offered and accepted as a second language, just as Spanish is offered and accepted.

I am asking politely for DOC to allow the Department of Denver Woman's Corrections to Immediately Install a Sorenson Video Phone due to it being the most appropriate telephone device. I ask that a Blue Print be created and Completed outlining the latest date and Expiration date not to be exceeded for the installment of the Sorenson Video Phone inside DOC's prison named, Denver Woman's Correctional Facilities.

I desire a relocation of housing facilities into another Prison state if Colorado DOC and or Woman's Department of Corrections and/ or its employees, or business associates seek retaliation against me for disputing and challenging the Prison for intentionally violating my Amendment rights. I do Fear that due to my mandatory sentence of Life without Parole, the Facility will attempt to place me in much worse harm- creating a danger to my Life and Liberty as a Person. . I wish not to involve myself in any more danger of mental or physical harm, upon DOC or Denver Woman's Corrections discretion to impose on me for voicing my concerns legally.

I also am seeking the relief of currency in the amount of 15 Million American Currency dollars for the difficulties and hardships I have faced here at the Denver Women's Corrections Facility because I cannot connect with my family, due to the DWCF facilities discretion, under DOC management. I am still currently to this date, suffering tremendously with the disconnection my family and I are forced to have.

The fact that the DOC allows and acknowledges Denver Women's Correctional Facility the possibility of installment of a Sorenson Video Phone- into a Man's Facility named "Colorado Territorial Correctional Facility (CTCF)" due to their gender being labeled as the "Majority" factually deprives me of my 14th amendment rights as a woman since we are grouped as "Minority" The discrimination that DOC allows the Colorado Woman's Department of Corrections approves of in regards to Women Vs Men places society as a whole; in Grave danger of back pedaling and shows no appreciation for the Advocacy of People- both Men and Women have overcome to Accept Women as equal to Men. DOC has even gone so far as to challenge America as One Nation under God, by singling women out to be the lesser of the group since we are "minority." DOC shows their lack of concern to and for the judicial system and equality amongst all.

I, Bionca Charmaine Rogers, hereby certify that I have mailed a copy of the Foregoing 1983 Civil Complaint to the below named agency by placing this document in the United States Mail Postage Prepaid. This day Feb. 16, 2017.

Clerk of the Court
Alfred A. Arraj United States Courthouse
United States Courthouse
901 19th St. Room A105
Denver, CO, 80294-3589

Denver District Attorney
Mitchell R. Morrissey
201 W. Colfax Ave
Denver, CO, 80202

Bionca Charmaine Rogers Bionca Charmaine Rogers 169704

DECLARATION UNDER PENALTY OF PERJURY

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

Executed on FEBRUARY 16, 2017
(Date)

Bionca Rogers Bionca Rogers
(Prisoner's Original Signature)

Register Number 11697104
Unit SC
Box Number 392005
City, State, Zip DENVER CO, 80239

Alfred A. Arabi, United States Court House
901 19th St. Room A 105
Denver CO, 80244-3589



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