

Senate Resolution 8 - Introduced

SENATE RESOLUTION NO. 8

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ALONS

1 A Resolution urging the federal government to
2 investigate and arrest officials in charge of the
3 District of Columbia Jail (jail) operated by the
4 District of Columbia Department of Corrections in
5 Washington, D.C., for violations of the United
6 States Constitution and of federal law.
7 WHEREAS, on the morning of January 6, 2021,
8 thousands of citizens gathered peacefully in
9 Washington, D.C., to support the President of the
10 United States Donald J. Trump; and
11 WHEREAS, around noon on January 6, 2021, President
12 Donald Trump gave a speech to the individuals that
13 were gathered, and stated later on in his speech, that
14 they were going to peacefully and patriotically make
15 their voices heard during their protest near the United
16 States Capitol; and
17 WHEREAS, citizens made their way to the Capitol
18 and multiple arrests were made for those who became
19 violent and trespassed at the Capitol, and many of
20 these individuals are being held in the jail; and
21 WHEREAS, the charges made against those arrested
22 were obstruction of Congress of the United States
23 and official proceedings, assault and interference
24 with law enforcement, using a dangerous weapon,
25 unlawful possession of a firearm, entering a restricted
26 building, disorderly conduct, and parading, among other
27 charges; and

1 WHEREAS, these are serious charges that are being
2 investigated, court proceedings are being held, and
3 if and when found guilty the appropriate sentence
4 according to the law is being and should be issued and
5 carried out; and

6 WHEREAS, the federal Department of Justice, with
7 the consent of federal judges in Washington, D.C., has
8 kept many of the individuals who entered the Capitol
9 or were involved in the attack on January 6 in prison
10 awaiting trials that are months from beginning or until
11 the prisoners accept a plea deal; and

12 WHEREAS, most of these individuals do not hold a
13 felony history, yet they have been denied bond; and

14 WHEREAS, while in pretrial detention, reports have
15 been leaked that have raised substantial questions
16 regarding the absolutely tortuous squalor and cruel,
17 abusive, and unconscionable living conditions imposed
18 on these prisoners and whether the rights of prisoners
19 have been denied and whether even the most basic care
20 needs of human beings are being withheld; and

21 WHEREAS, living in this jail is "like living in
22 a third-world country", according to Ned Lang, the
23 father of one detainee, because the conditions are so
24 "appalling"; and

25 WHEREAS, according to Joseph McBride, an attorney
26 for one of the individuals who was arrested on January
27 6 and detained in the jail, the prisoners are "held in
28 shoebox-size cells for long periods of time"; and

29 WHEREAS, reports say the prisoners are held in
30 solitary confinement for 23 to 24 hours a day, and

1 suffer mental, physical, social, legal, and spiritual
2 abuse, which has led them to suffer permanent mental
3 damage and a high reliance on anti-anxiety and
4 anti-depressant drugs; and

5 WHEREAS, reports say prisoners are given strict
6 standards for keeping their cells in order, and are
7 stripped of the little recreational and out-of-cell
8 activity time which they are granted, if they fall
9 slightly short of those standards; and

10 WHEREAS, according to attorney Joseph McBride,
11 "There is a pattern of abuse and of targeting of
12 the defendants who are being held pursuant to what
13 happened on Jan. 6. He stated, "It is targeted. It is
14 ruthless. It is nonstop."; and

15 WHEREAS, reports say that random handcuffing and
16 beating, pepper spray sprayed in the face, and face
17 slamming into the concrete floors of the jail have all
18 been acts of violent physical abuse by prison guards
19 at the jail; and

20 WHEREAS, reports also say the victims of abuse
21 have suffered extreme physical damage including one
22 victim who suffered a blind eye, detached retina, and
23 fractured skull from a severe beating from an officer,
24 while another suffered a broken finger; and

25 WHEREAS, reports say prisoners struggle to receive
26 treatment for these injuries and they are also denied
27 proper medical care for both major and minor health
28 issues including cancer; and

29 WHEREAS, prisoners missed medical appointments for
30 illness care and surgery and have experienced delays

1 in medical appointments and procedures, due to the
2 delay of jail officials in fulfilling the required
3 procedures; and

4 WHEREAS, Christopher Worrell, a prisoner, was denied
5 access to his prescription medications to treat his
6 cancer, a type of non-Hodgkin's lymphoma, and was
7 unable to see an oncologist for months while in jail,
8 and during his time in jail his cancer progressed from
9 stage 1 to 3 cancer; and

10 WHEREAS, reports indicate countless prisoners
11 have also suffered mental torture from threats,
12 agonizing verbal harassment, and racial and religious
13 discrimination from the prison guards, along with the
14 mental anguish that results from severe isolation; and

15 WHEREAS, reports indicate religious services, which
16 are protected by the First Amendment to the United
17 States Constitution, are not provided to prisoners, and
18 prisoners who have attempted to organize them have been
19 harshly confronted and severely beaten by officers; and

20 WHEREAS, reports also indicate the prisoners have
21 lacked proper communication with their family members,
22 friends, and loved ones, which has caused a decline in
23 their emotional and psychological health; and

24 WHEREAS, according to attorney Steven Metcalf II,
25 who represents several of the defendants from the
26 January 6 Capitol incident, conditions in the jail are
27 "unconstitutional" and are "violating every single
28 basic human right"; and

29 WHEREAS, while speaking about one of his defendants,
30 Jake Lang, Metcalf also shared that "the water

1 [provided to the prisoners] is black [and] he has to
2 filter the water through a sock in order to even drink
3 water"; and

4 WHEREAS, reports indicate that the prisoners have
5 experienced the following while in the jail: excessive
6 heat; lead paint inside the cells; mold-covered walls,
7 floors, vents, and showers; rusty pipes and desks;
8 broken sinks and toilets; cockroaches; mice; black
9 sewage flies inside the cells and showers; and raw
10 sewage that has overflowed into the cells multiple
11 times, causing human fecal matter to flood the rooms,
12 resulting in unlivable conditions that defy the federal
13 regulations; and

14 WHEREAS, reports also indicate detainees are
15 often denied a chance to shower, which is a basic
16 humanitarian need, and they are not allowed to shave
17 or obtain a haircut, unless they have received the
18 COVID-19 vaccine; and

19 WHEREAS, the COVID-19 vaccine has also been required
20 for visitations and access to speak to a lawyer; and

21 WHEREAS, reports indicate that in addition to these
22 deplorable conditions, the prisoners are given small
23 and insufficient portions of the same food almost on a
24 daily basis, they suffer the lack of clean water, and
25 are often left suffering from starvation, weakness,
26 nausea, malnutrition, hair loss, eye loss, scurvy, and
27 other nutritional deficiencies because of it; and

28 WHEREAS, the right to legal access is a basic right
29 for all Americans, yet detainees in the jail struggle
30 to receive it or have an opportunity to speak with

1 an attorney privately, which has made legal matters
2 complicated for their attorneys; and

3 WHEREAS, reports indicate that privileged legal
4 documents have been confiscated from the cells of
5 detainees and video evidence under attorney-client
6 privilege has been taken and watched by jail
7 employees; and

8 WHEREAS, official government video footage that
9 prisoners have a legal right to is being withheld from
10 the public; and

11 WHEREAS, prisoner Zach Rehl was held without bail
12 and has been deprived of visits with his family and
13 daughter, who he has not yet been able to meet; and

14 WHEREAS, 34 January 6 prisoners have requested their
15 transfer and residence at Guantanamo Bay, a detention
16 facility that has held and still holds the most violent
17 terrorists and criminals since they get far better
18 treatment; and

19 WHEREAS, journalists and visitors have been
20 prohibited from entering the jail, as well as lawmakers
21 who attempted to inspect the conditions of the
22 prisoners in the jail, were turned away, and remain
23 unable to inspect or enter the jail; and

24 WHEREAS, many of the prisoners from the January
25 6 incident have been forced without trial to endure
26 jail conditions for an unnecessary period of time,
27 based on their crimes, that are far worse than what
28 most convicted murderers and rapists have to endure,
29 and would rival those conditions of the most notorious
30 concentration camps of World War II, the gulags of the

1 former Soviet Union, the prison camps of Communist
2 China, and the torture camps of North Korea; and

3 WHEREAS, the Eighth Amendment to the United
4 States Constitution forbids the infliction of cruel
5 and unusual punishment and federal law prescribes
6 requirements for protecting prisoner rights and meeting
7 basic human needs of prisoners; NOW THEREFORE,

8 BE IT RESOLVED BY THE SENATE, That the Iowa Senate
9 condemns the actions of the Washington, D.C., jail
10 and city officials and the federal government for the
11 abject dereliction of duty to ensure cruel and unusual
12 punishments are not inflicted and to ensure the proper
13 rights due prisoners are respected, all outlined in
14 the United States Constitution and federal law; and to
15 ensure humanitarian care for the most basic human needs
16 is given, for the January 6 prisoners; and

17 BE IT FURTHER RESOLVED, That the Iowa Senate urges
18 the administration of President Joseph Biden and the
19 federal Department of Justice to investigate and arrest
20 officials in charge of the District of Columbia Jail
21 operated by the District of Columbia Department of
22 Corrections in Washington, D.C., for violations of the
23 United States Constitution and of federal law.