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Jason Davis Civil Rights Case - Followup

1 message

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Thu, Oct 17, 2019 at 1:03 PM

To: "Handford, Everett (Warren)" <everett_handford@warren.senate.gov>, "Warriner, Christina (Markey)" <christina_warriner@markey.senate.gov>

Everett/Christina:

I represent Jason Davis and his family.

The reported federal opinions in the Davis series of cases evidence the fact that its constitutional precedents offer some of the most profound and important constitutional protections ever adopted for the Nation's mentally ill by any Federal Court. See Davis v. Rennie, 264 F. 3d 86 (1st Cir. 2001); Davis v. Rennie, 997 F. Supp. 137 (D. Mass. 1998); Davis v. Rennie, 553 U.S. 1053 (2002); Davis v. Rennie, 178 F. Supp. 2d 28 (D. Mass. 2001). These matters are of utmost importance to our Nation. All Davis related litigation and appellate periods have long since concluded.

In the Spring of 2018 I sent a series of emails and letters to Senator Markey and Senator Warren concerning my committed, mentally ill client being beaten half to death in a Massachusetts mental health facility by violent convicted felon employees. I sought justice for the Davis family and a cure for the gaping hole in the Federal Civil Rights Act via a one sentence amendment to 42 U.S.C. Section 1983. Our nation is in dire need of this amendment. It will cure some of the ills that plague our society.

The results of my efforts culminated in a meeting at Senator Warren's Springfield, Massachusetts office on 4.13.18 which included participation by not only Senator Warren's staff but Senator Markey's staff as well. His senior staff attorney participated in the call. During the meeting I was asked to respond, in writing, to numerous inquiries posed during the meeting in preparation for either a second meeting or a phone conferral. I responded through a 4.19.18 letter which is attached. The gravamen of the substantive interaction between my office and the Senators' offices is set forth in the attachments to this email. See also jasonstrongma.com (Exhibits 54-60). **I was then shuffled off to a scheduling clerk when I asked for the follow up appointment. Even the scheduling clerk refused to return my phone calls and my emails.**

These issues at stake here are gravely important to our Nation and the Davis family. I know they are politically charged since at least five powerful Massachusetts Democrats did wrong to Jason Davis and his family. I must respectfully submit that I guess the "game", so to speak, consists of shuffling off "thorny" and politically charged constituent problems to a scheduling clerk and then hiding behind her. That is

not right. We Democrats preach loudly, in these turbulent times, about Country over Party. We must take our own advice.

Through my 5.21.18 email to you I stated that: "I would just like to ask this question if I could: Is Senator Warren going to stand with the Davis family and help them obtain justice? I would really appreciate a yes or a no answer. 'Scheduling' has turned into a challenge into itself. The family needs her help to end this sordid story of governmental corruption at the highest reaches of State Government. It is time to act; it is not, I must respectfully submit, the time to lay silent. There has been way too much silence for 25 years."

Sometimes governmental officials are forced to look themselves in the eye and confess that what their fellow officials have done is wrong. In one of his finest hours President Clinton did just that. His apology for the Tuskegee Experiment in the East Room of the White House on May 16, 1997 – some 65 years after it commenced – sounds as if it was written for the ears of the Davis family. It certainly is equally applicable to it. President Clinton said then that: **"What was done cannot be undone. But we can end the silence. We can stop turning our heads away. We can look at you in the eye and finally say on behalf of the American people, what the United States government did was shameful, and I am sorry. The American people are sorry — for the loss, for the years of hurt. You did nothing wrong, but you were grievously wronged. I apologize and I am sorry that this apology has been so long in coming."**

We are in dire need of that fix to our Federal Civil Rights Act. The Davis family is in dire need of justice.

Democrats have always considered themselves to be the Civil Rights party but we cannot simply be "cocktail party" Civil Rights leaders. We must *act* like great Civil Rights leaders would have *acted* when confronted with real life Civil Rights cases. We cannot stand idly by and look away when faced with Civil Rights deprivations. To date, that is precisely what Senators Warren and Markey have done here. The great Civil Rights leaders – such as Robert F. Kennedy, Dr. King and Representative Cummings – would not turn their heads away from Jason Davis or the inequities in the law which his case highlights ever so well.

Will Senator Warren and Senator Markey embrace and meet with the Davis family, assist them in obtaining justice and assist our Nation in fixing the gaping hole in the Federal Civil Rights Act?








It is time for each of them to act. I hope they do not turn their heads away again. President Clinton stated, on that fateful day in 1997, that **"It is not only in remembering that shameful past that we can make amends and repair our nation, but it is in remembering that past that we can build a better present and a better future. And without remembering it, we cannot make amends and we cannot go forward."**

I must say, with all due respect, that enough is enough. Senator Warren and Senator Markey should call out, in the public domain, all those who inflicted injustice upon Jason Davis and help us right this terrible wrong notwithstanding the fact that Democratic powerbrokers were the wrongdoers.

Accountability will never be achieved if we look away.

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7 attachments

-  **54. Letter to Senator Warren - 3.22.18.pdf**
191K
-  **55. Email to Senator Warren - 4.12.18.pdf**
45K
-  **56. Attachment to Email - 4.12.18.pdf**
134K
-  **57. Email to Senator Warren and Senator Markey - 4.19.18.pdf**
36K
-  **58. Letter to Senator Warren and Senator Markey - 4.19.18.pdf**
224K
-  **59. Email to Senator Warren - 5.21.18.pdf**
29K
-  **60. Email to Senator Markey - 5.21.18.pdf**
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