

42 USC 1983

IN THE UNITED STATES DISTRICT COURT

Governors office, mayors office,
Sheriff's office and any
subordinates under and
working at or for El Paso
County Criminal Justice Center,
(Defendants)

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 25 2020

JEFFREY P. COLWELL
CLERK

v.

Kam Fredrick Kelshaw,
Tyler James Nelson,
Past and Future inmates
of the Criminal Justice Center,
El Paso County, CO.
2739 "E" Las Vegas
Colorado Springs, CO 80906.,
(Plaintiffs)

ALLEGATIONS

Reckless endangerment, attempted 1st degree murder,
attempted 1st degree manslaughter, violations of United
States constitution amendments 4, 5, 8, and 14, and
any other Federal OR state Constitutional Rights that
the Court may deem applicable to this situation,
Class based discrimination, and emotional/physical
pain and suffering.

IN SUPPORT THEREIN STATES:

1- Comes now above and below signed and mentioned inmates and petitioners; past, present, and future inmates, in and out of custody; and respectfully moves and asks this Honorable Court to grant this petition and intercede on the plaintiffs behalf ordering a cease and desist injunction because if life threatening actions were to continue, they could and would (and have) lead to imminent emotional, physical harm, and/or death.

2- Due to the negligence on behalf of the defendant's institutions and their policies, or lack there of, all humans arrested and detained during the time frame of the global deadly pandemic known as the Coronavirus or "COVID 19" have been subjected to inhumane and criminally negligent and dangerous policies and practices that show no regard for human: life, physical and emotional well being. Due to the defendant's actions and/or inaction, all humans detained during this time period ^{are} willfully and consciously placed in direct harm's way.

3- Humans that have tested negative for COVID 19 upon entry into the Criminal Justice Center in El Paso County, CO (from here on known as "CJC") are carelessly and recklessly placed into wards known to have or have had covid - positive test rate of ~~95%~~ up to 90%

4- Humans are arrested and transported to cjc, where while still in transport vehicles in the sally ports are given what is said to be an "emergency covid test" and no matter what the results, the human is taken into the jail, booked and placed into the population with no consideration given to the results of the covid test. All inmates, both negative and positive are placed into the same wards. For example, Kevin Kershaw tested negative twice and was placed with no regards for his "High-risk" status due to his age and pre-existing health conditions. (documented)

5- Due to "policy", CJC deputies are not allowing human inmates access to the grievance process, medical kits, hot water to wash hands, masks, clean linens, functioning washers and dryers, cleaning supplies, disinfectants, personal toilet paper rolls, sanitization of living areas, etc.

6- Human beings are made to live in dangerous conditions that have life altering physical & emotional consequences. For example, Plaintiff Tyler James Nelson and many others may have permanently lost or damaged their senses of taste and smell. Losing one of your senses is debilitating and potentially dangerous. Tyler Nelson has no taste/smell as of 11/22/20

7- Wards that have tested 100% covid negative are being exposed to and populated with people that have had

little to no quarantine. ~~and~~ This recklessness caused the entire ward to test positive within days. (see attachments.)

8- Human inmates at CJC, as well as their families, friends and loved ones, have suffered great emotional pain and damage as a result of CJC's criminal conduct. The stress of living in an unsanitary and unsafe environment during a "deadly global pandemic," packed to the brim with COVID positive inmates, causes a traumatic fear of death. ^{and never being with family members again.}

9- Inmates ^{are} ~~were~~ not tested before being released to their homes and families that are now also potentially in danger of catching the corona virus due to CJC's negligence.

10- Inmates are only given one ^{free 5-minute} phone call per week to inform their families of their health and well being during the outbreak at CJC.

11- CJC has a long standing history of discrimination against the poor. It costs money for basic necessities like medication, phone calls and underwear, and now the poor will be forced to watch as the "upper class inmates" are allowed to play on tablets all day. If you have money, you have privileges, such as the ability to bond out and fight your case properly.

12- People ~~are~~ being held as pre-trial detainees, supposed to be innocent until proven otherwise, are being housed

in this dangerous facility without the ability to bond due to parole and community corrections holds. These inmates could not escape the wrath of the defendant's recklessness, even if they did have the money to bond.

Request for Legal Aid

Since we are not attorneys and have very limited access to the law library, especially during "COVID", we ask this Honorable Court to appoint us legal council to better prepare any further legal documents and motions. We also ask that this matter be set for oral argument.

Protection order

We ask that this court enter an order of protection for all human inmates involved in this USC 1983 Civil Rights motion to protect them ~~from~~^{against} retaliation from any and all defendants or associated parties, (ie. el Paso County Court house workers, and the District attorney's office in the 4 judicial district in Colorado) (or anywhere else)

Bemedies Requested

In closing, we ask this Honorable Court to enter an immediate cease and desist injunction, and order that a policy of better quarantine/sanitization be implemented here at CJC.

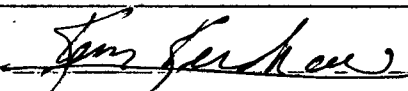
also, we ask that a policy be implemented to better help indigent inmates, ~~have the~~ and those not allowed to a bond, have the same privilege as those who have money and are allowed to bond.


We ask for punitive compensation in the amount of \$200 billion for the physical & emotional damages caused by the Defendant.

We ask this most Honorable Court to construe this document liberally.

Finally, we ask that this court act swiftly, as lives are at risk this very moment.

Signed this 22 day of November 2020


Ken Keeshaw

Tyler Nelson


Certificate of indigent
Status

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 25 2020

JEFFREY P. COLWELL
CLERK

Kem Kershaw an inmate at
present of the Criminal Justice Center
is indigent and can not afford to
pay any and all filing fees.

Kem Kershaw the initiator of
this petition may or may not be
still in the custody of the Criminal
Justice Center so ask that
All return communications be
return to

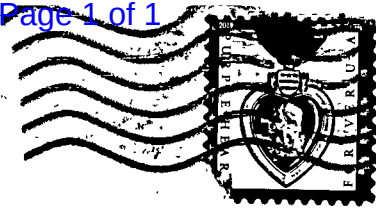
mailing
address

Kem Kershaw
1955 1/2 13th St
Gering, Ne.

62841

Kem Kershaw
2739 E LAS VEGAS ST
Colorado Springs, CO

DENVER CO 802
23 NOV 2020 PM 2 L



LEGAL
Mail

Alfred E Arraj
United States Court House
901 19th St
Denver, CO 80294

80294-250099

