

DECLARATION OF  
DAVID E. MCMASTER  
AS TO THE EVENTS OF MAY 24, 2016

I, David E. McMaster, hereby declare:

1. I am an inmate currently incarcerated at FCI Beaumont Low. I am housed in Unit UB. I have been housed in this unit since transferring to FCI Beaumont Low on October 13, 2015 to present.

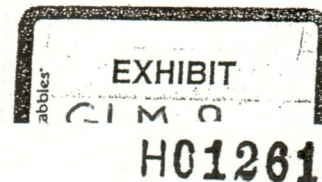
2. On the evening of Tuesday May 24, 2016 I was seated in the T.V. room alongside the wall shared with the room assigned to Gary McDuff to use for preparation for his upcoming hearing. I was seated in this position from approximately 7:00pm to 7:20pm.

3. I was one of three inmates assigned/authorized to help McDuff prepare for his hearing.

4. At approximately 7:18pm I "felt" and heard a large bang against the wall that is shared with McDuff's work area. My immediate thought was that there was a fight or someone "goofing around" and that one or both of the two large laundry bins had been slammed against the wall.

5. At approximately 7:20pm inmate James Howard entered the T.V. room and said that I should check on McDuff's legal work. Howard knew I was assigned to helping McDuff.

6. I immediately went out of the T.V. room with Howard and entered McDuff's work area and was shocked to see two bags strewn across the table and boxes that had McDuff's legal work, with water still draining from the bags and water all over the paperwork, boxes, and on the floor.



7. There was a large amount of paperwork floating on the floor in the water and thousands of pages of documents strewn about the table and cardboard boxes that were soaked and water continuing to drain onto the floor.

8. There was not a square inch of an area that was approximately 9-foot x 3-foot along one wall and an additional 3-foot x 2-foot area along the other corner wall (the area encompassing the table and cardboard workspace assigned to McDuff) that was not completely soaked, including the typewriter and other supplies that had been assigned to McDuff the previous day.

9. I immediately realized that the "bang" I had heard and felt was one of the water bags, I estimate that each bag held 3-4 gallons of water, hitting the wall and on top of the table.

10. Howard explained to me that he and several other inmates observed Officer M. Michael intentionally cut open the water bags and systematically poured their contents all over McDuff's legal work and work area after throwing one of the bags against the wall and onto the table.

11. I realized that I was looking at a crime scene and went to get my cube-mate, Joshua Haney, to come and witness the scene and to keep anybody from "messing up" the area any worse than it was. I told him not to touch anything and to not allow any others to touch it.

12. At this time Officer Michael re-entered the work

area and confronted myself, Haney, and Howard and asked if any of this was our property or legal work. I said that this is McDuff's legal work in preparation for a hearing to be held here at FCI Beaumont Low and that some of the work were documents I was helping to organize, research, and type reports in preparation for the hearing.

13. Officer Michael then stated that McDuff was not allowed to be in this area with his legal work. I stated that McDuff was actually assigned this area as his workspace by the Unit Manager and the Institution's Legal Counsel to prepare for the hearing. Michael cut me off and said that he was aware of this and that he did not care about the Unit Manger, Federal Judge, Attorneys or anybody else. He continued to swear and disprarrage the Court, Institution Attorney, and Unit Manager.

14. At this time I left the room with Haney and Howard and I told Haney to keep an eye on things while I went to the law library on the 7:30pm "move" to inform McDuff and to bring him back to the unit so that we could attempt to salvage whatever we could.

15. At the time I left for the law library the table and boxes and cardboard desk were all upright and in their normal positions, other than all of the water.

16. Upon re-entering the unit at approximately 7:45pm after informing McDuff, I observed Officer Michael exiting the assigned work area with a green "army" duffel bag stuffed full of McDuff's legal work and water dripping from the bag.

17. I entered the work area and the table had been overturned and the area had been "tossed".


18. At this time Haney and many other inmates informed me that Michael had observed me walking quickly to the law library and then went to his office and grab the duffel bag and enter the work area and then stuff as much paperwork as possible into the duffel bag and then pour the remaining water from the water bags into the duffel bag, thus destroying thousands of pages of documents.

19. The following day, May 25, 2016, I informed Unit Manager D. Sorrels of all that I observed. I was asked to provide a written statement witnessing to all that I observed. I provided Sorrels with a signed 3-page legal paper statement on the evening of May 25, 2015.

20. On May 26, 2016 I was called into Sorrels' office and asked if I would provide SIA Childress from the Office of Inspector General a sworn affidavit, which I agreed to and then I was placed on the phone with SIA Childress from the OIG and discussed my written statement provided to him by Sorrels along with my concerns of retribution by staff and/or the BOP.

I declare under penalty of perjury the foregoing is true and correct.

Dated: August 14, 2016

  
\_\_\_\_\_  
David E. McMaster  
Declarant