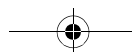


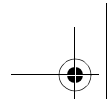
# 3

## ENTERING THE GATES

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*“The Constitution does not mandate comfortable prisons . . .  
but neither does it permit inhumane ones.”*  
**Supreme Court Justice David Souter<sup>1</sup> ■**

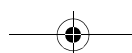




**I**n the summer of 1971, four young professors conducted one of the most famous psychological studies ever devised—the Stanford Prison Experiment. The researchers, Philip Zimbardo, Craig Haney, W. Curtis Banks and David Jaffe, transformed a section in the basement of Stanford University’s psychology department into a mock prison. They removed the doors of laboratories and replaced them with bars, turning them into cells, while a corridor served as the exercise area. A small closet on one side of the corridor became “The Hole” for solitary confinement.

The scientists selected 24 healthy, intelligent, middle-class males from among 70 who had responded to a local newspaper ad that offered \$15 a day for volunteers willing to take part in a psychological study. The volunteers were divided into two groups by the flip of a coin. Half were randomly assigned to be guards and half to be inmates. The experiment began with the surprise “arrest” of those designated as inmates. The bewildered volunteers were brought in squad cars with sirens blaring to the Palo Alto police department, where they were booked, read their rights and fingerprinted. Then they were taken to the mock jail where they were searched, stripped naked, deloused, issued prison uniforms and taken to their cells.

What transpired over the following days shocked the researchers. On the second day, the prisoners protested their treatment. The guards quickly crushed the rebellion, stripped the prisoners naked, removed the beds from their cells and forced the ringleaders into solitary confinement. They then began to harass and intimidate the prisoners. One of the experimenters, Phil Zimbardo, described what transpired.<sup>2</sup> “Every aspect of the prisoners’ behavior fell under the total and arbitrary control of the guards. Even going to the toilet became a privilege which a guard could grant or deny at his whim. Indeed, after the nightly 10:00 p.m. lights ‘lockup,’ prisoners were often forced to urinate or defecate in a bucket that was left in their cells. On occasion, the guards



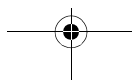


would not allow prisoners to empty these buckets, and soon the prison began to smell of urine and feces—further adding to the degrading quality of the environment.”

Many of these “guards” had seemed to be gentle, caring young men who described themselves as pacifists or Vietnam War doves. They were given no specific training or instructions on how to behave. They made up the rules as they went along. But as the days passed, their cruelty increased. They forced prisoners to clean toilet bowls with their bare hands, had them do push-ups and jumping jacks until they were past the point of exhaustion and made them chant demeaning slogans. Not all the guards were equally cruel. Some were tough but fair. There were also some the scientists called “good guys” who did little favors for prisoners and never punished them. However, around a third of the guards became extremely spiteful and hostile and appeared to enjoy thinking up new ways to humiliate the prisoners. They seemed to relish the power they had suddenly been granted and set the tone for the rest of the guards, who were unable to challenge or resist them. One, whom the others nicknamed John Wayne, was particularly sadistic.

Christina Maslach, who was Zimbardo’s girlfriend and later his wife, met “John Wayne” when she visited the experiment. First she saw him in ordinary clothes on his way to report for an eight-hour guard shift. She said that out of uniform, he was a “charming, funny, smart young man.” In uniform, he was transformed. He began talking in a Southern accent. “He moved differently and the way he talked was different, not just in the accent, but in the way he interacted with the prisoners. It was like Jekyll and Hyde,” she recalled.<sup>3</sup> By the end of the experiment, the guards were intensifying their abuse of the prisoners in the middle of the night when they thought the researchers were not watching. They did not know their every action was being captured on film.

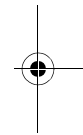
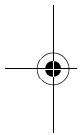
It was Maslach who persuaded Zimbardo to call a halt to the experiment after six days instead of the planned two weeks. She strongly objected when she saw prisoners being marched to the toilet with bags over their heads, their legs chained together, hands on each other’s shoulders. “It’s terrible what you’re doing to these boys,” she said. Her





words were a reality check to the researchers, who had themselves become deeply involved in their roles as prison wardens.

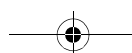
Why is the Stanford experiment still relevant? Obviously, not because most or even a sizeable minority of guards in real American prisons behave anything like the young men in the study. Most just want to get through their shifts without harm and go home to their families. But prisons are tough, harshly coercive environments. Violence constantly bubbles beneath the surface, creating tension and fear. The experiment showed, in the words of the researchers, the “extraordinary power of institutional environments to influence those who passed through them.”<sup>4</sup> Lance Corcoran, a former California correctional officer who is executive director of the California Correctional and Peace Officers Association, put it this way: “We are surrounded by everything in society that is not acceptable—profanity, obscenity, discrimination, hatred, prejudice. It affects you.” In such stressful circumstances, the potential for abuse is always there. If there are insufficient institutional and societal checks on mistreatment, it will occur.



Society clearly has an overwhelming interest in protecting itself from dangerous criminals, and nothing should be done to compromise that task. But it also has an interest in ensuring that human rights and standards of decency are observed behind bars to the maximum possible extent. The abuses an inmate suffers in prison are easily recycled to the outside world after he is released.

How, then, does society ensure that prisons remain safe and humane places for inmates, corrections officers and civilian employees alike? The only way is through the constant vigilance of federal, state and local authorities, backed by the power of the judiciary, monitored by the media and supported by public opinion. Unfortunately, in the United States today, none of these protective mechanisms seems fully up to the task.

Over the past generation, the vast majority of elected officials have been far more concerned with waging a “war on crime” than with what happens to criminals once convicted. Long-time Philadelphia Judge Lois Forer termed this mentality “the rage to punish.” Craig Haney, one of the Stanford experiment researchers, said this uncontrolled fury had been indulged so completely that it threatened to override any compet-



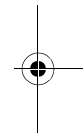
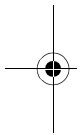


ing concern for humane justice. “For the first time in the 200-year history of imprisonment in the United States, there appear to be no limits on the amount of prison pain the public is willing to inflict in the name of crime control,” he wrote.<sup>5</sup> “We have entered the ‘mean season’ of corrections in which penal philosophy amounts to little more than devising ‘creative’ strategies to make offenders suffer.”<sup>6</sup>

Neither should we put too much store in the ability of the courts to act as public watchdogs in limiting and punishing prison abuses. To be sure, courts have convicted and punished many individuals for acts of prison brutality, neglect or incompetence. Individual lawyers have devoted their careers to representing victims of mistreatment and have sometimes achieved notable victories. A handful of judges and Department of Justice investigators have forced counties and states to raise standards and fix egregious faults. But legal oversight unsupported by public opinion and government action is an inefficient as well as costly way of checking abuse. It deals with symptoms and not causes. It sometimes punishes particularly gruesome injustices already committed but does little to change the culture that spawned them. It usually focuses on the actions of individuals, and it is not always possible to narrow down abuses to single individuals when the whole system is implicated.

Courts also operate within the prevailing mood of public opinion. Juries all over the country have awarded literally billions of dollars in civil judgments to compensate victims of prison abuse and their families. But it remains extraordinarily difficult to secure criminal convictions in such cases, especially when trials often take place in small, rural communities where so many prisons nowadays are sited. In recent years, juries in Florida, California, Colorado, Virginia and elsewhere have declined to convict corrections officers in high-profile cases in which prisoners suffered grievous injury and in some cases death. Usually, prosecutors in such cases must rely on the testimony of convicted criminals, some of whom may be deeply unsavory characters. By contrast, the defendants present themselves as upstanding members of the community. In such cases, a juror’s sympathies are clear.

As for the media, investigative reporters have done commendable work in uncovering prison scandals all around the country. This book builds on some of their efforts as well as on the tireless labors of groups like



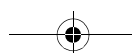


Human Rights Watch, Amnesty International and the American Civil Liberties Union. But their work is swamped by the constant, sensation-  
alist coverage of crimes that floods the airwaves, day in, day out. Crime  
rates fell dramatically in the 1990s. Crime reporting continued to rise.  
Crime affects everyone—or can be made to seem as though it does.  
What goes on in prisons seems distant and removed, as if it is happen-  
ing in another country, almost on another planet.

Clearly, prisons differ widely. Most states operate a security classifica-  
tion system of up to six categories. Category I or II institutions house  
inmates convicted of nonviolent crimes as well as those who have  
shown over time that they are willing and able to follow prison rules  
and not make trouble. Inmates typically work or take vocational  
courses during the day and often develop constructive and even  
friendly relations with correctional officers. These institutions often  
work fairly well. Corrections officers like working in prisons where  
inmates have lots to keep them busy. “I want as many programs avail-  
able as possible. The fewer programs, the more violence and the more  
recidivism. Prisons are volatile places. If you treat men like men, they  
generally behave like men. If they are treated like animals, they respond  
like animals,” said Lance Corcoran of the California corrections offic-  
ers’ union. Warden Burl Cain, of Angola State Prison in Louisiana, has  
four rules for a good prison: “Good food, good medicine, good playing,  
good praying.”

However, in times of massive budget deficits, prison administrators  
have found it increasingly difficult to justify education or vocational  
programs for inmates when school spending is being cut in the com-  
munity. People ask, why spend money on “them” when my children are  
being deprived? Many states have cut prison programs or eliminated  
them completely. That reduces prison to the core function of keeping  
inmates locked up and isolated. Any idea of rehabilitation is lost.

The higher a prison’s security classification, the more dangerous and  
disruptive its inmates and the more violent and repressive the atmo-  
sphere will be. The worst prisons are our nation’s “superghettos”—  
places where all the ills and dysfunctions of society are distilled, refined,  
purified and magnified under one roof. The worst evils that afflict our  
culture thrive in these prisons—drugs trafficking, prostitution, assault,





murder, intimidation, substance abuse, rape, extortion, gambling, bribery, corruption, mental illness and disease.

American prisons have always been tough. In 1842, Charles Dickens visited the Eastern State Penitentiary in Philadelphia, where inmates were held in solitary confinement to contemplate their misdeeds. The Quakers who built the prison believed that extended solitude would make criminals penitent and regretful, hence the word *penitentiary*. Inmates had to wear special masks that prevented them from communicating with one another during rare trips outside their cells. The penitentiary was world famous. A decade before Dickens' visit, the French government sent Alexis de Tocqueville to study it. Sixteen years later, in 1858, 10,000 tourists bought tickets from the warden's office and took a tour.<sup>7</sup> Dickens was shocked and appalled by what he saw. He wrote, "The system here is rigid, strict and hopeless solitary confinement. I believe it, in its effects, to be cruel and wrong...I believe that very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers."<sup>8</sup>

What would Dickens have thought about today's so-called "supermax" prisons, where inmates are held in solitary for years with little or no human contact? Has anything really changed? Perhaps the biggest difference is that nobody nowadays harbors the illusion that prolonged isolation will make the inmates penitent. It is much more likely to drive them mad.

Prisons have always held a powerful fascination for Americans. One Internet film guide lists 170 productions with prison themes, starting with *The Big House* (1930) and *I Am a Fugitive from a Chain Gang* (1932).<sup>9</sup> Some notable recent entries include *The Shawshank Redemption* (1994) and *The Green Mile* (1999). Chain gangs are a recurrent theme in many prison films, notably *Cool Hand Luke* (1967), in which Paul Newman plays a rebellious prisoner who keeps escaping from a chain gang. Each time he is recaptured, he suffers severe punishment at the hand of the sadistic warden who tells him, "What we've got here is a failure to communicate."

Chain gangs seemed to be part of the distant past until Sheriff Arpaio and some of his colleagues revived them, albeit in a modified form. However, the idea of prisoners doing hard labor in the fields and break-





ing their backs on the roads persisted in some Southern states well into the 1970s. Lon Bennett Glenn, a corrections officer who served for more than 30 years in the Texas prison system, recalled how things were run when he was a rookie in 1966: “The inmate workforce was awakened at 3 a.m. for breakfast. The last inmate was served at 5:45 a.m. No inmates were allowed to eat after that time. The field force turned out for work at 7 a.m., winter and summer. In 1966–69, when a taxpaying citizen of Brazoria County, Texas, drove by the Clemens Unit on Highway 36, he didn’t have to look hard to see his tax dollars at work. All he had to do was look for the cloud of dust the inmate line force created as it worked.”<sup>10</sup>

In those days, Texas prisons were still largely segregated. The field force was divided into a white line, a black line and a Mexican line, and interaction between them was restricted. Desegregation was only fully enforced in the 1980s, just as the Texas prison population was exploding and the federal courts were intervening to force reforms. In this time of flux, with prisoners and wardens uncertain of the new rules, a power vacuum developed that was quickly filled by the growth of violent, race-based prison gangs. Against this background of racial gang warfare, a new kind of ethnic separation arose. Today, anyone entering a Texas prison, or indeed almost any American prison in the higher security classifications, is confronted with a cruel reality. Official segregation has ended. De facto, unofficial segregation is stronger than ever.

Without question, prisons are the most racially segregated as well as the most racist places in America. Prisoners cluster for protection with their own ethnic group and immerse themselves in what they imagine to be their own culture. Whites listen to country music or rock and roll; blacks play rhythm and blues, rap or Motown. Latinos listen to salsa. There is little or no mixing. In this world, the predominant emotions are fear and anger. There is only one virtue—strength. All slights, all insults, real or imagined, must be avenged. Anyone who complains to the authorities is a snitch, and the penalty for snitching is death. To survive, a prisoner unable to physically protect himself must have some skill or asset he can sell for protection or he must become part of a group. Sometimes, what he is forced to sell is his own body.







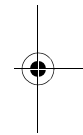
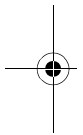
Racial separation starts the moment a new inmate, or *fish*, enters the prison gates. Former inmate Jimmy Lerner recalled his arrival in a Nevada prison with a group of other new inmates. “The moment we entered the bullpen all the black convicts took seats on one side and Kansas (a prisoner) and his all-white choir claimed the other bench at the bottom of the steel staircase.”<sup>11</sup> Sergeant Grafter, a correctional officer, then addressed the group: “You are convicts. Your job here is to lie, cheat, steal, extort, get tattoos, take drugs, sell drugs, shank, sock, fuck and suck each other. Just don’t let us catch you. That’s our job.”

The sergeant also had some blunt health advice for the newcomers. “This prison has a combined HIV and hepatitis C infection rate of 60 percent. If you choose to say yes, and use drugs, and you will—that’s your job—then snort them, smoke them, or swallow them, but don’t shoot them.”

Race permeates every aspect of prison life, and prison authorities take great care to keep ethnic groups apart to avoid bloodshed. In some prisons, they place different groups in separate cell blocks and have them exercise, eat and shower at separate times. Whenever members of rival groups cross paths, there is a danger of violence. However, in 2002, a California judge ruled that the longtime practice of locking down groups of inmates in their cells for extended periods based on their race or ethnicity alone was unconstitutional. A prisoner at the Pelican Bay State Prison had sued the state for locking him in his cell for five weeks, after a riot in which one inmate was killed and 32 were wounded. Aaron Escarala said he had taken no part in the violence and had been punished simply because he was a Latino from southern California.

“Prisoners have a right to live in a prison environment in which they are not discriminated against on the basis of ethnicity,” wrote Del Norte County Superior Court Judge Robert Weir. “Racism among inmates flourishes in the prison setting and is far more pronounced in prisons than in society generally. The Court is mindful of the complexity of the matter, the drastic and possible lethal consequences of mistakes.”<sup>12</sup>

A prison subculture divided by race has also become a world dominated by prison gangs. A new offender entering prison is quickly greeted by race-based groups like the Aryan Brotherhood, the Bloods, the Crips, the Mexican Mafia, Nuestra Familia and the Black Guerilla Family.



Some are tightly organized crime syndicates, some are more ideological. All are brutal and ruthless. For many inmates, it is a matter of survival either to join one of these groups or to pay them for protection.

The origins of these gangs are murky. Some began in the inner cities and spread to prisons; some began in prisons and spread to the inner cities. The Mexican Mafia, also known as *La Eme*, is said to have been born in 1956 or 1957 at the Deuel Vocational Institute, a California youth facility. A group of 13 Mexican inmates from the barrios of East Los Angeles formed the gang to protect one another from other inmates.<sup>13</sup> Authorities tried to split gang members up by sending them to different institutions but only succeeded in spreading membership through the entire prison system and from there back to the streets. Over time, enmity developed between these young urban Hispanics and others from northern California, many of whom came from a more rural background. They too began organizing, calling their gang *La Nuestra Familia* (NF). NF members called themselves *Nortenos*, or northerners, and wore red. Eme members were *Surenos*, or southerners, and wore blue. In 1968, open war broke out between the two groups in San Quentin Prison, after some Eme members assaulted two NF members in a disagreement over a pair of shoes. The war has claimed scores of lives and still rages with undiminished ferocity.

Over the years, other Hispanic gangs have emerged. *Neta* mainly consists of Puerto Ricans. The Latin Kings started as a street gang in Chicago in the 1940s and has established a presence in East Coast prisons. The Texas Syndicate began in California's Folsom Prison and has the reputation of being especially violent. It recruits from Latin American countries, including Colombia, Cuba and Mexico. And there are others as well, too numerous to list. In 2002, a federal court sentenced seven members of a gang called the *Barrio Azteca* to 15 years, on top of their existing prison terms, for racketeering. The Department of Justice described the group as an "extremely violent gang operating in the El Paso/Cuidad Juarez area as well as in federal correctional facilities, the state prison system and local jails. Their enterprise included extortion, assault, murder, attempted murder, money laundering and narcotics trafficking."<sup>14</sup>

Among African American gangs, the Black Guerrilla Family (BGF) stands out. It was founded in 1966 at San Quentin Prison by George L.



Jackson, a former Black Panther member. The gang proclaimed an overtly political program of eradicating racism, maintaining dignity in prison and fomenting opposition to the U.S. government.<sup>15</sup> It soon degenerated into a violent drugs cartel. Naturally, long-established black street gangs like the Crips and their traditional enemies, the Bloods, also have a major prison presence. Crips usually align with the BGF when they enter prison and continue to wage endless war against Bloods.

The predominant white prison gang, the Aryan Brotherhood (AB), got its start in San Quentin in the mid-1960s. Despite its white supremacist name and the fact that some members sport swastika tattoos and other Nazi symbols, its leaders do not concern themselves overmuch with extremist ideology. They are primarily an organized crime group interested in drugs trafficking, protection rackets, prostitution and extortion both inside and outside prisons. In 2002, the federal government unsealed a 110-page indictment against 40 alleged AB members and associates, including four women and one former prison guard, for 16 murders, 16 attempted murders and numerous other acts of violence. It was the culmination of a six-year investigation by the Bureau of Alcohol, Tobacco and Firearms (ATF). The 110-page Grand Jury indictment provided a valuable insight into the workings not only of the Brotherhood but of other prison gangs as well.<sup>16</sup>

“The Aryan Brotherhood is a powerful gang that controls drug distribution and other illegal activity within portions of the California and federal prison systems and has worked to expand its influence over illegal activity conducted outside of prison,” the indictment said. “The Aryan Brotherhood enforces its rules and promotes discipline among its members and associates by murdering, attempting to murder, conspiring to murder, assaulting, and threatening those who violate the enterprise’s rules or pose a threat to the enterprise.... Inmates and others who do not follow the orders of the Aryan Brotherhood are subject to being murdered, as is anyone who uses violence against an Aryan Brotherhood member. Inmates who cooperate with law enforcement authorities are also subject to being murdered.”

Prospective AB recruits must be sponsored by another member and serve a probation period during which their obedience is tested. Usually they must “blood in” to confirm membership—that is, carry out a hit



or significant act of violence. As in other gangs, they must swear an oath of lifelong loyalty. Other white prisoners are forced to pay “taxes” to the Aryan Brotherhood, while gang members released from prison try to muscle white drugs dealers and other criminals to pay protection.

According to the indictment, the AB was run by Barry Byron Mills and Tyler Davis Birmingham, both inmates of the Administrative Maximum Security (ADX) prison in Florence, Colorado, also known as the “Alcatraz of the Rockies,” where the Federal Bureau of Prisons sends its most dangerous and notorious criminals. Other ADX inmates include Theodore Kaczynski, the “Unabomber”; Richard Reid, the “Shoe Bomber”; and Terry Nichols, convicted in December 1997 of conspiracy in the Oklahoma City bombing.

Prison gangs are as tightly organized as major corporations. In 1980, members of the Aryan Brotherhood’s federal prison faction formed a three-man “Federal Commission.” Thirteen years later, the commission created a “council” with authority over day-to-day operations in federal prisons. The gang’s California prison branch devised a similar structure. The gang communicates across the prison system using codes and hidden messages as well as a network of AB members and associates. Corrupt prison guards also help operations. The indictment alleged that Joseph Principe, at that time a correctional officer at the Florence ADX, several times arranged for AB leaders to recreate in the prison yard together so they could plan gang activities and make decisions.

The indictment also illustrated exactly how a gang murder goes down. In its stilted legal language, this is how it described the process that led to the 1995 murder of Charles Leger, a gang associate who had incurred the wrath of the leadership.<sup>17</sup> It begins with clause 221 of the indictment.

221) In or about August 1995, defendant DAVID MICHAEL SAHAKIAN sent a note to defendant MICHAEL PATRICK McELHINEY saying that he wanted to have Aryan Brotherhood associate Charles Leger murdered.

222) In or about August 1995, defendant MICHAEL PATRICK McELHINEY selected Gregory Storey to murder Charles Leger.

- 223) In or about August 1995, defendant MICHAEL PATRICK McELHINEY sent a note to defendant DAVID MICHAEL SAHAKIAN agreeing that Charles Leger should be murdered.
- 224) In or about August 1995, defendant DAVID MICHAEL SAHAKIAN ordered Gregory Storey to murder Charles Leger.
- 225) In or about August 1995, defendant DAVID MICHAEL SAHAKIAN provided Gregory Storey with a knife to be used to murder Charles Leger.
- 226) On or about August 25, 1995, Gregory Storey murdered Charles Leger by stabbing him to death.
- 227) In or about 1996 and 1997, defendants MICHAEL PATRICK McELHINEY and DAVID MICHAEL SAHAKIAN ordered a number of other inmates to testify falsely that Gregory Storey killed Charles Leger in self-defense.

In one bizarre episode, jailed New York Mafia kingpin, John Gotti, the “Dapper Don,” offered to pay AB members to kill a fellow prisoner, Walter Johnson. Gotti had insulted Johnson when the two crossed paths at the federal prison in Marion, Illinois, on July 17, 1996. The next day, Johnson managed to get Gotti on his own and beat him bloody. Gotti asked the Aryan Brotherhood to have Johnson murdered, and the order went out to all AB members to kill him whenever the opportunity arose. However, AB gang members could never get close enough to kill him. Johnson was transferred a couple of times and released in May 2001. The story has a grisly postscript. Less than a month after he was freed, Johnson shot and killed Marlon Morales, a 32-year-old transit officer who asked to check Johnson’s ticket while he was riding the Washington Metro. Johnson was arrested in Philadelphia the next day and sent to a Washington, D.C., jail pending trial. In 2003, a fellow inmate armed with a broken broom handle fashioned into a shank stabbed him at least 40 times.<sup>18</sup> Did AB members finally make the hit?<sup>19</sup> Johnson survived, and his murder trial was rescheduled for 2004. As for Gotti, he died of throat cancer in a prison hospital in June 2002.<sup>20</sup>

Prison gangs have an incredibly complex network of alliances as they conduct their wars, making life even more complicated for correctional officials. The Aryan Brotherhood has a working relationship with the

Mexican Mafia and the Dirty White Boys, an Anglo offshoot of the Texas Syndicate. It also uses Nazi Low Riders, a mixed White-Hispanic gang, to do some of its dirty work. The Black Guerrilla Family has an active working relationship with La Nuestra Familia but wages war against the Aryan Brotherhood and the Mexican Mafia. Don Novey, the former head of the California correctional officers' union, said, "An officer going on to their duty site has to deal with the interactions between the Black Guerrilla Family, the Crips, the Mexican Mafia, the Nuestra Familia, the Aryan Brotherhood, the Hell's Angels and the wheeling and dealing among the gang leaders as it applies to drugs and sex."<sup>21</sup>

Law enforcement agencies have expended great efforts to combat gang influence in prisons. In many states, any inmate identified as a hardcore gang member is dispatched to a top security prison and held in administrative segregation. In California, gang activists are sent to Pelican Bay, a prison in a remote corner of the state, 363 miles north of San Francisco. There, they are put in the Special Security Housing Unit (SHU), known as "the Shoe," where they remain isolated in windowless cells and are denied access to prison work programs and group exercise. California officials and corrections officers are convinced that this strategy has reduced violence throughout the system. Lance Corcoran of the correctional officers' association said, "We've been very successful in cutting down inmate-on-inmate violence. If you're identified as a gang member, it's 'bye bye' for you because you are going to do indefinite time in the Shoe."

Statistics only partially back him up. In the mid-1980s, attacks on inmates and staff were claiming over 20 lives a year in California. The year after Pelican Bay was opened in 1989, the number of fatal attacks dropped to 11, and in subsequent years it has never topped 16, even as the prison population has continued to rise. In 2001, there were 13 fatalities: four inmates were stabbed to death, four beaten to death and five strangled. No correctional staff were killed. However, looking at nonfatal attacks, a different pattern emerges. The number of inmate-on-inmate assaults has continued to climb, from 4,982 in 1992 to 11,514 in 2001. Almost two thousand of these nonfatal assaults involved use of a weapon. In 2001, there were also 2,768 inmate assaults on staff, of which 1,092 involved a weapon.<sup>22</sup> One problem is that for

every gang leader removed to Pelican Bay, another quickly emerges to take his place. The supply from the streets is unending.

And gang leaders remain dangerous, even in the dark recesses of the Pelican Bay SHU. In 1999, Gerald Rubalcaba, an indicted Nuestra Familia gang leader who was already serving a life sentence at Pelican Bay, ordered the killing of an ex-gang member, Robert “Brown” Viramontes, who had “betrayed” the gang by trying to build a new life free of crime. How did such a closely guarded criminal manage to communicate with his associates? He used the U.S. Postal Service. Viramontes was killed while working in his garden in a San Jose suburb on April 19, 1999. The plot only came to light after the four murderers turned against each other.<sup>23</sup>

Gang leaders can also communicate with their underlings simply by picking up the telephone. A 1999 report by the Justice Department concluded that “a significant number of federal inmates use prison telephones to commit serious crimes while incarcerated—including murder, drug trafficking and fraud.”<sup>24</sup> The report found that only 3.5 percent of the tens of thousands of calls made each day from federal prisons were monitored. Many calls were conducted in foreign languages, yet none of the prisons in the study had any staff members fluent in French, Russian, or Chinese. Some did not even have staff that could speak Spanish, even though a large number of inmates were Spanish speakers. In one case, a Baltimore drugs dealer called Anthony Jones was incarcerated at a prison in Allenwood, Pennsylvania, for illegal possession of a firearm. While at Allenwood, Jones found out that a grand jury was investigating his drug activities. He used the prison telephones to order his associates on the outside to murder two witnesses he suspected had testified against him. One was killed and the other shot several times. Jones was convicted of murder and attempted murder in May 1998 and sentenced to life without parole.

The issue of telephones presents a dilemma. There is a strong interest in allowing inmates to maintain as much contact with their families as possible. Studies have shown that a prisoner who stays in touch with his family and remains connected to his community has a much better chance of staying straight after release. However, many prison authorities have chosen instead to use telephones as a way of milking profits



from a particularly defenseless section of society—the families of people behind bars. Most states have concluded sweetheart deals with one or two telephone companies, allowing them to charge prisoners outrageous rates in exchange for a share of the take. The prisons win, the big telephone companies win, the inmates and especially their families lose. In many state prison systems, what on the outside would be a 10-cent call costs \$9. Inmates are only allowed to make collect calls. In many states the recipient is liable for a surcharge of \$2.50 or \$3.50 as soon as the connection is made and the conversation costs 36 cents a minute or more. The call automatically terminates after 15 or 20 minutes. For the conversation to continue, the inmate must call collect again, incurring another surcharge.

For the prisons, this has become quite a bonanza. The state of Nevada in 1999 made \$20.5 million from inmate calls, Florida made \$13.8 million and Georgia made \$10 to \$12 million.<sup>25</sup> Of course, cost is no barrier for gang leaders who have plenty of money. The burden falls squarely on poor families that can least afford it. For some families, telephone calls to a loved one behind bars can run into thousands of dollars a year.

While some prison chiefs and law enforcement agencies try to combat gang activities, the dirty little secret is that many correctional officials find it more convenient to turn a blind eye. In some prisons, it becomes an unspoken deal. The guards control the perimeter, but gangs run virtually every other aspect of prison life. Wardens and officers allow the gangs to terrorize vulnerable inmates and to go about their illegal businesses so long as peace is maintained. When inmates complain of being beaten or raped by gang members, they are often ignored. Prison chiefs have a particular dislike for so-called “jailhouse lawyers”—inmates who have gained enough knowledge of the legal system to be able to file numerous lawsuits on their own behalf and for others. Prison activists allege that authorities commonly retaliate against such inmates and others whom they view as a nuisance by leaving them at the mercy of gang members or by placing them in situations where they are certain to face physical or sexual abuse.<sup>26</sup>

In some cases, fraternization between gang members and prison staff goes far beyond silent cooperation. Christine Achenbach was executive



assistant to the warden of the Florence ADX, essentially fourth in command at the nation's most secure federal prison. In 2002, she and Kellee Kissinger, a manager at the prison, were convicted of having sex with inmates. Achenbach performed oral sex on Ollie Perriman, a convicted cocaine dealer. She allegedly gave him money and illegally brought him out of his cell so that they could spend time together in her office. She also had a steamy relationship with Marvin Linnear, a leader of the Crips gang in the prison. According to court documents, she allegedly tipped gang members off when the authorities were planning drugs shakedowns and told them the location of hidden cameras. Achenbach wrote passionate love letters to Linnear. In one, she wrote, "I cannot sleep. Thoughts of you seem to have consumed my mind, heart and soul."<sup>27</sup> Her activities only came to light when her lovers started fighting over her sexual favors. Achenbach's friend, Kissinger, who herself admitted having affairs with two other prisoners, testified against her colleague in exchange for a sentence of four years' probation and a \$2,400 fine. Achenbach was sentenced to five years of probation and four months of home detention.<sup>28</sup>

Former Texas warden Lon Bennett Glenn said sexual liaisons between prisoners and guards were fairly common in his experience but were generally hushed up. Those caught were quietly allowed to leave the state's employ with no further steps taken against them. "On more occasions than I care to count, male employees have been caught giving oral sex to convicts, sometimes several convicts," he said.<sup>29</sup>

Sexual fraternization was just one of several problems at the Florence ADX, where eight inmates were murdered in the first six years after the prison opened in 1995. One, Joey Jesus Estrella, was flung into a cell with two cousins, William and Rudy Sablan. Estrella owed other inmates money and had asked to be placed in segregation for protection, but his request was ignored. Within hours, the word spread through the prison population that Estrella was trying to weasel out of his debts. From that moment, under the prisoners' code, his life became forfeit. He begged a guard to transfer him to another cell away from the cousins. The guard allegedly giggled. Then the two cousins strangled Estrella with a head-phone cord, cut his throat with a plastic razor and sliced him open, removing some of his organs and placing them on the table.<sup>30</sup>



In another case in Florence, an inmate called Frank Melendez, who was suspected of snitching, lay strangled in his cell for four days before guards discovered his body. All that time, prison records showed him reporting for meals, taking showers and exercising in the yard. Officers counted him as present at least 20 times. Finally, his cellmate, Mirssa Araiza-Reyes, told an officer he had killed Melendez and pointed out the body. "I took care of that snitch for you," he boasted.<sup>31</sup> Araiza-Reyes got eight years for voluntary manslaughter.<sup>32</sup>

In 2003, former prison guards at Florence took the stand to testify how they had essentially formed their own gang called "The Cowboys" to dish out punishment to inmates. The jury eventually convicted three of the seven guards and acquitted four others. Three other guards had previously pleaded guilty.<sup>33</sup>

While a few officers cross the line by brutalizing inmates, others are willing to do them favors in exchange for money. Glenn, the former Texas warden, said his state had never kept official statistics on the number of employees fired or allowed to resign for smuggling money or narcotics to convicts. "But if I had a dime for every one I saw during my career, I could have retired five years earlier...It doesn't take long for weak, criminally-minded employees to figure out they can make much more money smuggling drugs to convicts than by being loyal, by-the-books correctional officers," he said.<sup>34</sup>

If prison staff provide one way for drugs to enter prisons, there are many others. The main ones are through prison visitors and packages mailed to inmates. In California, prisoners have the right to receive one 30-pound package every three months. Staff members search every package but admit that it is easy to miss things. Packages often contain boxes of snack foods stuffed with drugs. One California official told me he had seen heroin rolled into little balls and then hidden at the bottom of a box of Coco Pops cereal. The box was then resealed so that there was no sign it was ever opened. "It's like looking for a needle in a haystack," he said. In the federal prison system, some institutions have to go through 3,000 pieces of mail every day and double that amount on Mondays. The sheer volume swamps them.<sup>35</sup>

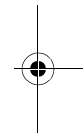
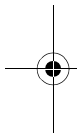
Former Virginia Corrections Chief Ron Angelone said civilian staff and volunteers working inside prisons also presented a problem. "We've





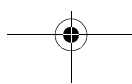
had chaplains, social workers, nurses, librarians who for whatever reason felt they were willing to take the chance and break the law to assist an inmate,” he said.

When it comes to visits, the classic method of smuggling drugs is for an inmate’s wife or girlfriend to stash them in a small balloon or condom, which she hides in her mouth. At the end of a visit, the stash is transferred mouth-to-mouth during a passionate goodbye kiss. The prisoner swallows the balloon and fishes it out of his stool later. But there are many other methods. Visitors may simply hide drugs in intimate places on their bodies. Family members can usually buy canned drinks from vending machines in the visiting room, and it’s easy to hide small packages of drugs inside them. The inmate takes a swig from a can of Coke and swallows the package. Visitors have hidden drugs in babies’ diapers. In one case mentioned in the Aryan Brotherhood indictment, a lawyer for one of the gang leaders hid drugs in his shoes. A hollowed out heel can contain a large quantity of heroin. Visitors can arrange to wear the same style and size shoes as an inmate and switch during the visit. Heroin can be ironed into the middle of a file of legal papers. The corners of other pages may be soaked in LSD.



A report by the Inspector General of the Justice Department released in January 2003 found that illegal drugs were present in practically every one of the nation’s 102 federal prisons, regardless of security designation. In fact, the higher the security level, the more inmates tested positive in random drugs tests. The report concluded that inmate visitors, staff, and the mail were the three primary ways drugs got in, but staff smuggling was particularly worrisome. “While the number of staff who smuggle drugs into Bureau of Prisons institutions is small, they can do more damage to the safety and security of the institutions than visitors who smuggle drugs. When staff smuggle drugs, the amounts are often larger, they reach more inmates, and more money is involved,” the report said. It criticized the Bureau of Prisons for failing to take commonsense steps implemented by most state systems, such as searching staff when they enter, conducting random drugs tests and limiting the amount of personal property workers are allowed to bring onto the premises.<sup>36</sup>

Even with these extra precautions, drugs are still common in state prisons. When a group of female prisoners from Hawaii was sent to Okla-



homa in 2001 because of overcrowding at home, they quickly discovered that inmates had access to large quantities of heroin, crack, crystal methamphetamine and marijuana. “There were drug dealers in this prison, a whole bunch of them. They’d have it regularly; they’d get shipments in,” one prisoner told the *Honolulu Advertiser*. One former prison staff member, Sid Stell, told the newspaper that inmates openly smoked dope in the prison dormitories. “We did urinalysis on inmates on a regular basis and they were clicking positive, like, most of the time,” he said.<sup>37</sup>

Many prisoners enter prison as alcoholics, creating a hot market for home-brewed hooch. “Cell block wine” or “pruno” can be made out of a wide variety of products—fruit, vegetables, cafeteria punch, sugar, flavored gelatin, honey, hard candies, even tomato ketchup—anything with sugar that can ferment into alcohol. In winter, the institutional home brewer stores his product near a water heater to speed up fermentation. California corrections officer Donald Bauman told me he had found 20-gallon trash cans full of pruno during random searches of a prison facility that was devoted to treating inmates for addiction. To put a crimp on illegal alcohol production, some institutions have started giving prisoners artificial sweeteners instead of sugar and stopped putting fresh fruit into boxed lunches served to inmates.

Gambling is common in prisons, especially sports betting. According to criminologists Jeffery Ian Ross and Stephen C. Richards, it may actually be responsible for more institutional violence than drugs or gangs. There is an increased risk of beatings and killings after the World Series, the NBA playoffs and the Super Bowl.<sup>38</sup>

Of course, there are some prisoners who manage to kick their habits in prison. Many do so with the help of religious organizations such as the Prison Fellowship Ministry founded by former Watergate figure Chuck Colson. President George W. Bush has enthusiastically endorsed Colson’s belief that offenders do not simply need rehabilitation; they need “regeneration of a sinful heart.” For Colson, “Jesus Christ alone has the authority and power to make broken lives new.”<sup>39</sup> In 2001, Colson’s group mobilized 50,000 volunteers and held an average of 165 in-prison seminars, 5,534 Bible studies and 546 special in-prison programs every month, reaching 150,000 prisoners. Seminars last up to three days and include worship, instructional teaching, small group



interaction and lectures on various aspects of prison life. In 1997, as Governor of Texas, Bush allowed Colson to launch an intensive two-year prison program known as the Inner Change Freedom Initiative. The organization took over an entire wing of a state prison to run an around-the-clock curriculum for 200 carefully selected inmates. Participants spent the final 18 months of their sentences attending evangelical prayer meetings, studying the Bible and preparing for release. The program, which has since spread to Kansas and Iowa, continues for six months after release, when volunteers mentor the former inmates and help them with employment and other needs. A University of Pennsylvania study found that two years after their release, over 17 percent of graduates from the Texas program had been rearrested; however, this rate was half of that of regular released prisoners.<sup>40</sup>

Even without that kind of intensity, religion can be a positive force in the lives of prisoners. In Maryland, I took part in a prayer service organized by the Lutheran Community of St. Dymas. In the Jessup medium security prison, I met Stephen Johnson, serving 50 years for killing his own 18-month-old child while under the influence of drugs. “I am more free now in here than I ever was before. I had the American dream—wife, family, job—but I was blinkered,” he said. “I can’t go home but I can maintain my focus, stay on an even keel and try to be a better person.”

James Trut, halfway through a seven-year stretch for drugs trafficking, told me, “I wasn’t doing any good in here. There’s a lot of drugs and fighting. I was doing heroin. Then I started coming to services about two months ago. I’ve been clean a month and a half.” Bobby McDonald, in the middle of a 30-year sentence for second degree murder, sounded almost ecstatic about his religious conversion. “I came to know the Lord through this experience. I wake up in the morning and refresh myself with the Lord. I start the day with prayer, pray through the day and end the day with prayer. There’s lots to be thankful for. I have food and a warm bed, which is more than a lot of people have a few miles away from here in Baltimore,” he said.

It was easy to feel the power of the message the Rev. Charles Frederick delivered to the prisoners. “No matter where we have been, there is forgiveness of our sins. Just because you live in this place doesn’t mean you do not get forgiveness. Some of you understand that



though you are incarcerated, you have also been set free to worship and to feel God's grace," he said.

Former Texas warden Glenn had a more cynical view of religion in prison. "The prison environment is corrupting, especially to those professing to be of strong religious persuasion. Over the past 30 years, I've seen two priests and several lay ministers terminated for smuggling various items to convicts. I've lost count of the number of 'religious volunteers' who have been banned from the prisons for smuggling or being romantically involved with convicts," he said.<sup>41</sup>

Along with mainstream religions, prison systems have been forced by courts to accommodate a variety of other beliefs, including Native American religions, Wicca and other Pagan sects. In 2001, the state of Wisconsin hired the appropriately named Rev. Jami Witch to become the nation's first full-time, salaried, Wiccan state prison chaplain. The appointment of a witch named Witch to minister to prisoners caused some political consternation. Other states routinely allow Wiccan volunteers to conduct services and rites behind bars. Paul Huban, chaplain at the Idaho Correctional Center, said there were 30 Wiccans at that prison, making Wicca the third most popular religion there. In the Nebraska prison system in 1999, there were 1,738 Protestants, 757 Catholics, 96 Muslims, 11 Buddhists, 85 followers of Native American religions, 47 who practiced a form of Norse paganism known as Asatru, eight who worshipped an ancient Egyptian goddess, Maat, and two Wiccans.<sup>42</sup>

Fred Britten, warden of the Tecumseh State Correctional Institution, Nebraska's newest prison, said authorities had set aside an area for outside worship. Showing off the new facility to reporters, he said, "This outdoor worship area is for Native American Sweat Lodge cleansing ceremonies. It's also for prisoners of the Asatru faith who worship Norse gods. Prisoners may have more religious diversity than anyplace else in Nebraska. If it's a recognized religion and there are a small number of inmates that want to practice that, then we're obliged to work with that religious request."<sup>43</sup>

Prison authorities regard some of these religions with well-founded suspicion. Some prisoners join to enjoy the privileges of outdoor meetings and access to sweat lodges. Some join so they can meet in private and plan criminal activity. Some members of Asatru, for example, may be



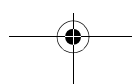
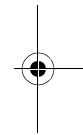
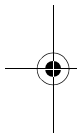
devoted to worshipping the sun and other fairly harmless Teutonic or Norse mythological beliefs. Others have a sinister racist agenda, according to Mark Pitcavage, fact-finding director for the Anti-Defamation League. “This is a very difficult area for prison officials because there are also genuine converts. It’s hard to prove that a particular prisoner doesn’t really believe in a particular religion. It’s clear that a great many prisoners are ‘converting’ to racist Asatru, which is the chief prison rival to Christian Identity, as a way of getting special privileges,” he said.<sup>44</sup>

Christian Identity is a neo-Nazi, anti-black, anti-Semitic group that has been actively sending materials to inmates. With plenty of time on their hands, some prisoners are desperate for reading matter and welcome anything they can get their hands on, including extremist publications that tell them they are not criminals but victims of a nefarious Zionist conspiracy.

Islam is possibly growing even faster than Christianity in prisons. After the September 11 attacks, some politicians started to pay attention to what Muslim prison chaplains were telling their flocks. They did not like what they heard. Many clerics followed a particularly strict form of Islam known as Wahhabism and were openly preaching an extreme anti-American message. New York Senator Charles Schumer said one Wahhabi cleric, Warith Deen Umar, had risen to become Administrative Chaplain of the entire New York Department of Correctional Services.<sup>45</sup>

“A strict believer in Wahhabi Islam, Umar was responsible for the hiring and firing of all chaplains in the New York prison system, exercising complete control over personnel matters. But last year, Mr. Umar was banned from ever again entering a New York State prison after he incited prisoners against America, specifically preaching to inmates that the 9/11 hijackers should be remembered as martyrs,” he said.

Schumer said Wahhabi clerics were also active in the U.S. Federal Bureau of Prisons through two organizations linked to terrorism. “These organizations have succeeded in ensuring that militant Wahhabism is the only form of Islam that is preached to the 12,000 Muslims in federal prisons. The imams flood the prisons with anti-American, pro-bin Laden videos, literature and sermon tapes. They destroy literature sent to prisons by more moderate Shia and Sunni organizations and prevent imams that follow these traditions from speaking to prisoners. In addition, non-



Wahhabi Muslim prisoners who seek to practice their religion often receive death threats from Wahhabi prisoners who have been instructed by Wahhabi imams,” Schumer told a Senate subcommittee in June 2003.

If one prisoner wants to kill another, there are many ways to do it. Perhaps the most publicized recent prison murder happened on August 23, 2003, when John Geoghan, a former priest and convicted child molester, was strangled and stomped to death by fellow inmate Joseph Druce in a Massachusetts prison. Druce, a convicted murderer serving a life sentence and a member of the neo-Nazi Aryan Nation, followed Geoghan into his cell, jammed the electronic door with a book, bound his hands with a T shirt and strangled him with a sock he had been stretching for some time. He then repeatedly jumped on the body and beat the defrocked priest with his fists. There was only one guard on duty at the time, and he could not open the cell door until several other officers arrived to force it open.<sup>46</sup> Child molesters are particularly vulnerable in prison, and it later emerged that guards had been taunting Geoghan, that his food was contaminated and excrement was placed on his bed.<sup>47</sup>

Corrections officers say inmates are infinitely inventive when it comes to making weapons. They construct homemade knives, or shanks, out of plastic cups, milk cartons, earphone jacks and hair brushes. Prisoners can roll up a magazine so tight that it becomes a dangerous weapon. Something as innocuous on the outside as dental floss is lethal behind bars. Anything made of metal or wood—a piece of prison fence, a light fixture, a fragment purloined from the prison kitchen or infirmary—is ideal. Prisoners spend many hours patiently rubbing or scraping such objects against a cement wall or floor until they are sharp. They can rub their weapon in feces and snap it off inside the body of their victim. They can also throw feces or urine or blood at a correctional officer or spit in his coffee when he is not paying attention, and the officer never knows what germs he has been exposed to.

No wonder so many corrections officers succumb to stress. Ted Conover, an investigative reporter who spent a year working as a corrections officer at Sing Sing, memorably said, “What’s the first three things you get when you become a CO? A car, a gun, a divorce.” Prison guards have the highest rates of divorce, heart disease and drugs and alcohol addiction and the shortest life spans of any New York state civil servants.<sup>48</sup>





According to Lance Corcoran, many officers are ashamed to seek help until it is too late. “Officers don’t meet with counselors. There’s a lot of macho, even among our female members. We average six suicides a year. Some take comfort in a bottle. Some do drugs. We’re in denial. It’s not something people want to talk about or face up to. There’s burnout, but people are afraid to leave the job and give up the benefits,” he said. “The toughest thing is this: when a fireman goes to a fire, he can put out the fire. He sees results. When a police officer makes a bust, he sees a result. Even you, when you write an article you see a result. But in our case, there is no end product. The faces may change but they keep coming and coming and it’s the same, day after day after day.”

In such a stressful and corrosively racist atmosphere, it is not surprising that some officers also practice racism. In 2000, the state of Washington paid \$250,000 to settle a lawsuit by African American prison guards who accused the Department of Corrections of condoning racist behavior at the Callam Bay Corrections Center. According to the Southern Poverty Law Center, the guards said they were denied promotions, threatened and subjected to racial epithets by white colleagues. Some white guards took to calling Martin Luther King Jr. Day “Happy Nigger Day” and bragged about their association with groups like the Ku Klux Klan.<sup>49</sup>

In Florida, 46 black officers complained of being subjected to racial slurs and harassment by colleagues. One officer, Roy Hughes, said that when he entered his commanding officer’s office he noticed a “hunting license” on the wall, reading, “OPEN SEASON ON PORCH MONKEYS.” Others reported encounters with white officers sporting Klan tattoos. One black officer found his office ransacked and “KKK” daubed on his bulletin board.<sup>50</sup> The state investigated but found no evidence of widespread discrimination.<sup>51</sup>

A far bigger problem is racism directed against prisoners. Many of the new prisons constructed in the 1980s and 1990s are located in remote, overwhelmingly white rural districts. White officers find themselves guarding hundreds of black and Hispanic prisoners from inner cities hundreds of miles away. At least when officers and inmates are members of the same community, they can have a common language. Each knows where the other is coming from. In these new rural prisons there is a total disconnect, aggravated by mutual fear and distrust.



In 1999, around 500 prisoners from Connecticut were sent to Virginia to ease overcrowding in their home state. They were housed at Wallens Ridge State Prison, a Category VI supermax sited in a remote southwestern part of the state near the Kentucky border. According to a report by the Connecticut Commission of Human Rights and Opportunities, they were immediately faced with racial slurs and harassment. Guards routinely used words like “spic,” “nigger,” “porch monkey” and “boy” when addressing them. Black and Hispanic prisoners were allegedly subject to more cell searches and pat-downs than were whites, and guards fired rubber bullets at them for walking too fast or not walking in a straight line. In one instance, black and Hispanic inmates were ordered to crawl on all fours toward a corrections officer in the recreation yard. One officer asked an inmate, “You ever been shot by a White man, you ever been stunned by a White man?” Another said, “Yo, black boy, you in the wrong place. This is White man’s country.” The Virginia Department of Corrections denied that racism took place, but the Connecticut report noted that several white inmates had corroborated the allegations.<sup>52</sup>

In August 1999, New Mexico sent 108 prisoners to Wallens Ridge after a prison riot in which an officer was killed. Most were nonviolent offenders who took no part in the riot, but officers at Wallens Ridge were primed for their arrival. Verbal abuse and intimidation started the moment they arrived. Moses Rodriguez recalled guards shouting as he got off the bus, “You fucking Mexicans, you’re in the United States now. You’re in no place you’ve ever seen before.” The inmates were taken into the cell block one at a time and every one of them was allegedly beaten. “They twisted our arms, they were punching us and kicking us. A lot of people got shot with stun guns,” Rodriguez said.

Calvin Jackson was also there that night. “I had to spread my legs as far as the shackles would go. Then one of the guards stood on the chains. They were taunting us, ‘How does that feel, waterboy? Guess what, waterboy, you’re not going to leave here. We’re going to hang you.’ At the foot of the stairs, two guards lifted me and I suffered a ruptured rotator cuff. I asked for medical treatment and got nothing,” he said. Conditions did not improve over time. The prisoners were held in solitary confinement. “They (guards) would come by the cells and beat on the doors to keep us awake. They would say how they liked to shoot at beer cans, coke cans, Mexicans and Africans,” Jackson said.

Guards at Wallens Ridge punished any sign of resistance or disobedience by firing electroshock weapons. Their arsenal included the Ultron II, a handheld device that delivers 50,000 volts of electricity; the Taser, which fires electric darts connected to wires; and the ICE shield that is activated to deliver a powerful electric shock whenever a prisoner touches it. Connecticut prisoners were shocked for offenses such as verbally abusing a guard, kicking a cell door, not coughing loudly enough during a body cavity search or walking too slowly.<sup>53</sup>

Prison activists have complained for years that these weapons, which have never been rigorously tested for safety, represent a lethal threat to prisoners with heart problems and other chronic health conditions. They say guards use them to punish prisoners rather than solely for self-defense.

The other favorite punishment at Wallens Ridge was the use of so-called “five-point restraints,” which the Virginia Department of Corrections refers to as “humane restraints.” The prisoner is bound to a steel bed by straps at his ankles and wrists and another across his chest so that he is totally immobilized. In Wallens Ridge, sometimes the inmates were strapped face down. The standard punishment time in restraints was 48 hours and sometimes even longer. Prison records showed five-point restraints were used against Connecticut prisoners at least 79 times from November 28, 1999, to April 24, 2001. Prisoners were normally only allowed to use the bathroom every eight hours, and many of them soiled themselves and were left lying in their own waste for hours.<sup>54</sup>

According to Judith Stanley, director of accreditation at the National Commission on Correctional Health Care, when a prisoner is restrained for clinical reasons, he must never be held for more than 12 hours, and inmates must be released for at least 10 minutes every two hours to exercise their limbs and prevent the risk of blood clots. A nurse should check on the inmate’s condition every 15 minutes. In no circumstances should a prisoner be restrained face down. Wallens Ridge was in violation of all these standards. The NCCHC accredits several state prison systems as meeting its standards for health care, but Virginia is not among them. William Rold, an attorney who has advised several state prison systems on health issues, told me that medical staff

who approved the extended use of restraints for periods of more than a few hours were violating their professional ethical standards.

The effects of such prolonged restraint include numbness, stiffness, loss of circulation to the limbs and bruising and cuts to the ankles, wrists and torso. Prisoners tied down for such an extended time may run the risk of nerve damage, blood clots and circulatory damage.

On June 29, 2000, these procedures all went horribly wrong. A 50-year-old prisoner called Lawrence Frazier, who suffered from diabetes, called an officer from his cell and reported that his blood sugar was getting low and he was starting to feel sick. At breakfast, officers noticed he was staggering as he picked up his meal tray. According to the Serious Incident Report filed by the officer on duty, a nurse went to check on Frazier and observed he was having seizures. The report continues: "Officer D. responded with Officers K., M. and Y.<sup>55</sup> Officer D. entered the cell with the officers and maintained control of Frazier who was on his bunk. Restraints were placed on inmate Frazier. Nurse J. attempted to check him. At this point, inmate Frazier was thrashing about in his cell violently. Nurse J. was unable to properly check Frazier and informed Officer D. that inmate Frazier needed to go to the infirmary. Inmate Frazier was then placed on a gurney. He was then escorted directly to the Medical Unit, Treatment Room #1."

In the treatment room, a doctor determined that Frazier's blood sugar was low, and a nurse gave him some glucose. At this point, according to the report, Frazier became "physically and verbally disruptive" and began thrashing about wildly. The doctor ordered him transferred to a cell in the infirmary but told the officer in charge he felt Frazier's behavior, specifically the way he was thrashing around, was "behavioral" rather than caused by his sickness.

The report goes on: "Inmate Frazier became increasingly combative; he thrashed about and repeatedly attempted to get up from the gurney against security staff's direction. Officer H. and Officer F. repeatedly instructed inmate Frazier to calm down and informed him he was being moved into a cell for medical treatment. Inmate Frazier would not respond. He was singing and shouting. He increased his combativeness and thrashing about. At least three times, inmate Frazier attempted to sit up and get off the gurney. Each time, Officer F. warned



inmate Frazier to stop. Each time, Frazier disregarded the orders and continued his attempts. Officer F. applied the Ultron II (electric stun gun) each time for 2–3 seconds to Frazier’s left side. At this time, inmate Frazier ceased attempting to get off the gurney.” After consulting with the officer in charge and the doctor, the decision was made to place Frazier in five-point restraints. Shortly after this, he died.<sup>56</sup>

The Virginia medical examiner’s officer concluded that Frazier died of “cardiac arrhythmia due to stress while being restrained following stunning with an Ultron II device.” The Virginia Department of Corrections suspended use of the gun “until issues regarding use of the device” were clarified.<sup>57</sup> The Connecticut Department of Corrections settled a lawsuit with Frazier’s family for \$1.1 million.<sup>58</sup>

