



**JOHN HOWARD ASSOCIATION** / THE PRISON REFORM GROUP

# NEWS RELEASE

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Contact : Ellen S. Alberding - 263-1901

PRISON GROUP REPORTS ON MARION  
CALLS FOR CONTINUED MONITORING  
Report cites "uneasy calm."

CHICAGO--A 20-page document released today by the John Howard Association reports on the the prison watchdog's recent inspection of the super-maximum security United States Penitentiary in Marion Illinois. USP-Marion, which replaced Alcatraz as the country's most high security prison, has a history of violence and has been on lock-down status since October 1983.

"USP-Marion is a clean, uncrowded prison. For this we commend the current administration," said John Howard Association president William H. Rentschler. "However, we have serious reservations about the viability of running an institution that is essentially on permanent lock-down status. It is a repressive destructive environment that offers no hope for the inmates and is a burn-out for staff."

-more-

ADD ONE

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Describing the highly restrictive controls at Marion, the report cites the fact that all movement takes place with inmates handcuffed, sometimes shackled, and escorted by guards with batons; metal bars are used to shackle inmates to their cement block beds, forced idleness and complete lack of programs for most inmates prevail; forced digital rectal searches and strip searches are frequent. Access to legal research materials is described as "inadequate." Though violent incidents at the prison have been greatly reduced, the overall effect of these restrictions is termed "dehumanizing."

"By separating inmates into very small groups, sometimes in total isolation, the [prison] has created, at least for the moment, a relatively safe, controlled, incident free environment. Gangs are unable to function, disturbed prisoners are contained, and an uneasy calm prevails," says the report. "But for how long and at what cost?"

"We think the Bureau of Prisons' policy of concentrating all of their difficult inmates in one prison is questionable," said Michael J. Mahoney, John Howard Association executive director. "And continuing the extreme restrictions on inmate movement and programs is worse. However, if they insist on following the concentration model, it is crucial that they ease restrictions in a planned manner over one year. We saw an

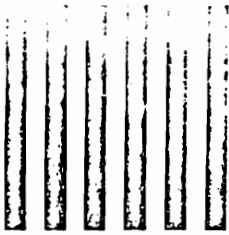
ADD TWO

John Howard Association

enormous amount of aggression bottled up in that prison; without a safety valve, it could explode into violence."

"We have asked Marion warden Jerry Williford for permission to make regular visits to the prison," said JHA vice president Nancy Mikelsons. "Continued monitoring has consistently been recommended by other groups who have reviewed conditions at Marion. There is an on-going sense that no one really knows what is going on inside. As an objective outside organization, we are uniquely positioned to provide information and guidance."

The October 1985 inspection of Marion was the John Howard Association's first visit to the federal prison. The Association currently makes regular monitoring visits to all Illinois state prisons and the Cook County Jail, and has been the court-appointed monitor of many federal law suits on prison conditions.



# JOHN HOWARD ASSOCIATION / FOR PRISON REFORM

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"AN UNEASY CALM..."

THE U.S. PENITENTIARY AT MARION

JOHN HOWARD ASSOCIATION REPORT

JANUARY, 1986

January 9, 1986

This initial October 24, 1985 visitation by the John Howard Association (JHA) to the U.S. Federal Bureau of Prisons' (FBOP) Marion Penitentiary represents a natural expansion of JHA's commitment to maintaining a citizen presence in Illinois' correctional institutions. JHA's Illinois Prisons and Jails Project has monitored state and local correctional facilities and reported its findings to the public since 1974.

Marion is one of two federal facilities in Illinois, the other being the Metropolitan Correctional Center (MCC) in downtown Chicago. Marion is the FBOP's only Level 6 or Super Maximum prison. The MCC houses all security levels serving as a detention center for men and women awaiting trial in the Northern District Federal Court, and houses sentenced inmates, including those on work release.

Marion Warden Jerry Williford and members of his administrative staff extended every courtesy to JHA, permitting access to all parts of the institution, and answering questions in a frank and forthright manner. The visitation committee included JHA staff and members of the JHA Board of Directors, all of whom have many years experience observing and evaluating correctional facilities. Despite the Committee's training and background and the Marion staff's openness, the Committee felt they could not fully understand Marion after just one day's visit. Instead, a regular schedule of monitoring visits could

make the greatest contribution in providing objective feedback to the Bureau, Congress, and the public.

This report includes overall impressions and some specific observations. It raises serious questions of philosophy and the ultimate effects of the implementation of that philosophy on the men who live and work in the penitentiary. Marion has had a troubled history. Reportedly, there are at present some 360 lawsuits challenging the policies and procedures of the institution. JHA appreciates the candor of the administration in discussing their approach to very difficult problems.

Some historical information may be useful in setting a context for later remarks. Most prisons have disciplinary segregation units for temporary containment of prisoners who create management problems. However, as one moves up the security scale from minimum to medium to maximum, the proportion of the inmate population who are escape prone or assaultive increases. Consequently, severely restrictive security measures designed to prevent imminent violence or a breakout may be imposed on an entire institution, not merely on isolated individuals.

Correctional administrators have approached this problem with two different strategies -- concentration vs. dispersal.

The concentration model places troublesome inmates in one

location. The advantage of concentration in small numbers is easier management and reduced disruption to the general prison population. A drawback is that concentration of a few troublemakers in one location can sometimes multiply problems beyond their mere numbers.

The dispersal model distributes troublemakers throughout a prison system so that problems are shared by a number of different administrators and physical locations. The advantage is isolations of a small number in a larger general prison population. The drawback to this model tends to be the disruption and drain of general resources from the general population at these institutions.

The Bureau opted in the 1930's for the concentration model, sending their most troublesome inmates to one institution. The former military prison on Alcatraz was taken over by the Bureau in 1934, creating the nation's first super-max prison. Embroiled in controversy and widely criticized as America's Devils Island, Alcatraz was closed in 1963 and its inmate population dispersed to other federal prisons primarily to Leavenworth and Atlanta.

Construction of Marion was completed at the time Alcatraz was closed, but the Bureau decided that housing Alcatraz inmates, all of whom were considered high security risks, was too severe a test for the new facility. As a result, Marion was used

initially to house a younger general population during the B960's. Gradually, Marion's population changed to include older inmates with more violent prison records, and in 1973, the Bureau returned to a policy of concentrating "troublemakers" in a special unit, the Control Unit at Marion.

In 1978, the Bureau created a new classification system which provided for a higher security level than the five levels already in place, and Marion was designated as the Bureau's first Level 6 penitentiary. Marion's new purpose, as set forth by the Bureau, was to provide long-term segregation within a tightly controlled setting for inmates who:

- 1) threatened or injured other inmates or staff
- 2) possessed deadly weapons or dangerous drugs
- 3) disrupted the orderly operation of a prison
- 4) escaped or attempted to escape...involving injury or threat of life, or use of deadly weapons.

Subsequently, a Bureau Task Force recommended establishing Marion as a specialized facility whose entire operation was to be patterned after the Control Unit. This decision was reportedly influenced by gang-related killings at Atlanta, growing power of gangs in other prisons, increased number of assaults on inmates and staff at Level 4 and 5 prisons, the deaths of three inmates at Marion, a series of escape attempts at Marion, and the dining-room stabbing of Marion's Associate Warden and Food Service Steward.



Implementation of this recommendation was delayed and problems continued to mount. Marion's industrial operation, once considered a model, was plagued with work stoppages. Finally in 1981, the industry was closed down and equipment was moved out to other penitentiaries. The three large industry buildings now stand empty and unused.

When the Bureau concluded that placing the most recalcitrant prisoners in one facility would allow other prisons to operate more openly and that the strictly controlled movement procedures adopted at Marion should produce a safer environment for inmates in that prison, the return to the Alcatraz model was complete. However, the frequency and seriousness of assaults on inmates and staff continued, accelerating during the summer of 1983, with the fatal stabbings of two inmates and two officers. The Bureau declared a state of emergency and the institution was placed on lockdown status in October of 1983. Additional staff were brought in from other prisons and new security procedures implemented. For example, digital rectal searches performed by medical staff were ordered for all inmates entering or leaving the Control Unit. Despite the tight control and severely restricted inmate movement, incidents continued at a rate of four or five a day for the next several months. Three inmates have been killed by other inmates since the lockdown began. ✓

Warden Williford stressed to the Committee that Marion must be viewed from a system perspective as the facility that

*Williford's letter*

has become the segregation unit for the entire federal correctional system. While acknowledging the problems inherent in the concentration model, Williford thinks they are on the right track, and sees as evidence of their success the fact that the assault rate in all other federal prisons has decreased by 44% since Marion assumed its new role. Additionally, he pointed out that none of the approximately 200 inmates who have been transferred from Marion to other federal prisons has been returned to Marion.

The mission of the institution is control, an overt power play designed to force inmates into submission and compliance with the rules. Until that happens and for however long may be required to achieve that change in behavior, men will remain on lockdown. Only 50 inmates in the Marion population of 340 enjoy any measure of privilege and freedom of movement.

A number of prisoners whom the Committee interviewed spoke of the psychological environment, adding that the administration is playing "mind games". They spoke openly of the power plays, some professing boredom with the no-win process, others comparing the procedures to a kind of one-upmanship, indicating they intend to give back as much as they get, or more if they have the chance. While the Marion inmates did not express the overt anger that the Committee frequently encounters in other institutions, especially in segregation units, there was more deepseated hostility, and resentment over what many

prisoners perceive as unnecessary and excessive restrictions "just because they (the administration) know they can get away with it."

The administration at Marion is clearly sensitive about the charges of atrocities committed by the guard force against the inmates in the early days of the 1983 lockdown. The issue remains unresolved in the minds of prisoners. In the Bruscino v. Carlson case, a federal Magistrate has ruled that there was no credible evidence that beatings or use of excessive force occurred despite repeated inmate testimony of abuse.\* Williford explained that, because the inmate witnesses had denied the presence and influence of inmate gangs, none of their testimony was given credence by the court.

Williford declares only that brutality is not tolerated under his administration. Marion has had a high turnover of command staff (officers of Lieutenant rank and higher) since 1983, and the Bureau has brought in a new administrative team.

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\*Bruscino v. Carlson, No. 84-4320 (S. D. ILL August 15, 1985)  
Magistrate's decision

However, about 160 of the line staff employed in 1983 are still present in the correctional force of 215 men. Much of that personnel change is attributed by Williford to promotions in the system and a recognition that Marion is a burn-out institution, requiring staff rotation. He maintains it is an "honor" for a correctional officer to be assigned to Marion.

The highly restrictive, tight control at Marion is evidenced in:

- o the handcuffs most prisoners wear every time they leave their cells,
- o the metal bars on the cement block beds for shackling men to their beds when they become disruptive or assaultive,
- o the long clubs (euphemistically referred to as batons) carried by correctional staff in the Control Unit,
- o the forced idleness and complete lack of programs for all but 80 men in B and C Units,
- o the tape recorded monitoring of all phone calls (except to attorneys), and
- o the feeding of inmates in their cells where they have neither table nor chair.

Any prisoner with one year of clear conduct (no disciplinary reports, not even very minor infractions of the rules), may move from the locked down population to

Unit C in preparation for advancement to Unit B. The 30 men in C may participate in some programs, but are still shackled for all movement and continue to eat their meals in their cells. Only the men in B may attend religious services in the chapel, a small but beautifully designed circular building. They take their meals in the dining room and may work in the one industrial shop making cable for military field communications, and/or enroll in GED instruction given via closed circuit TV or college correspondence courses.

This behavior modification program was initiated by Williford after he became Warden 18 months ago. He believes Marion offers prisoners a break from their own negative lifestyle, adding that because they cannot get involved in criminality some men who have never gone a week without a disciplinary violation at other institutions, manage to achieve a year of good conduct, so they can participate in programming. Warden Williford cited statistics to show that educational achievement has skyrocketed since 1983 when only 17 men took college courses and 21 were receiving GED preparation. In 1984, 99 men enrolled in correspondence courses for college credit, and 77 signed up for GED instruction.

OBSERVATIONS, COMPLAINTS, AND CONCERNS:

o Committee members agreed that Marion is probably the cleanest institution they have ever visited.

o Although the criterion for placement at Marion has remained fairly consistent since the Bureau's designation of the institution as a specialized facility, the inclusion of "someone who has disrupted the orderly operation of a federal prison" has become somewhat of a catch-all. Committee members talked with many prisoners whose reported histories did not include violent or assaultive behavior but who had encouraged other inmates collectively to protest a policy or condition. Administrators acknowledge that leading a work stoppage would be sufficient rationale for placement at Marion. A few inmates claimed their only disruptive conduct was filing successful lawsuits.


o It is now Marion's policy to release only inmates in B Unit directly to the free world at the expiration of their sentences. Others who are still in the locked-down population are transferred to other facilities for 4-6 months before their release date. Administrators describe the progression through C and B Units as fairly automatic when a prisoner demonstrates compliant behavior. However, some inmates charged that the slightest infraction, will send them back to square one where they must again accrue the required months of clean conduct. The administration reports that only 139 inmates remain at Marion of the 372 of October, 1983 with 42 of the 139 in B and C Units.

o Statistically, the inmate population is 45% Black, 37% White, 15% Hispanic, and 3% Native American. No figures were available as to the racial composition of the staff, but it was

clear there are very few minority staff. The reasons given were that several Black staff members have recently been promoted, and recruitment of Blacks in rural southern Illinois is very difficult. There are no Spanish-speaking counselors, even though some inmates have no ability to understand or communicate in English. One case manager indicated he did not think that was a problem as they are able to communicate with the Hispanic prisoners through an inmate translator. JHA felt this expressed lack of concern is itself a problem. JHA hopes the designation of a full time staff member's primary duty as recruitment will improve this situation.

o The inmate population includes 121 prisoners from state institutions, over 1/3 of the total population of 340. Fifty-five of these "state" prisoners are from Washington, D.C., where a court-ordered restriction on intake mandates transfer to other facilities. Although federal prisoners may anticipate that they will be incarcerated anywhere in the federal system, state prisoners universally expect to be housed in their own state, so their sense of isolation seems greater. Further, D. C. prisoners relate they are unable to appear in person at their parole hearings, because the District parole board does not travel to Marion.

o The per diem cost to other states to house a prisoner at Marion is \$62.00 a day, over \$22,500 a year.



o There is one central law library and, in addition, small collections of legal materials located in converted cells in each of the living units. The legal materials in the central library have been determined to meet minimum constitutional standards by the federal court. However, inmate access to the central library is severely restricted, and the small collections in the living units are inadequate for serious legal research. This problem of access to legal materials is particularly acute for the state prisoners at Marion because each sending state - not Marion - is responsible for providing legal resources to them either through law library materials or through direct legal assistance. Staff reported many problems trying to acquire essential legal resources from the various state corrections systems.

o There is almost no interaction between the locked-down inmates. For some units only one inmate at a time, and for other units, up to six at a time, are permitted in the separately enclosed yard areas. Only twelve at a time may attend religious services in a stark, barren room furnished with a library-type table and folding chairs. Since all educational programming is offered by way of TV or correspondence courses, each student studies alone without benefit of classroom discussion or instructions.

o The conditions in the Protective Custody Unit seem unnecessarily harsh, and men confined there feel they are treated



as though they are in a Control Unit, without TV's, active recreation, or time out of cell.

o Video cameras are now used to tape-record all forced cell moves where there is a high possibility of combative confrontation. JHA viewed several such tapes, and while it appeared that moves were carried out in a professional manner, only the backs of the officers and the escorted prisoner could be seen. If a prisoner were to allege that he was struck in the face while being subdued, the video tape could neither refute nor support the charge. Members of the Committee have viewed the tapes taken at other institutions which provide more complete and accurate documentation. The Committee had the sense of watching a test of gladiators, played for the video cameras, as prisoners challenged the Marion Tactical Squad to a show of strength.

o The medical unit appeared well-equipped, well maintained, and able to provide extensive emergency medical care should that be required. No inmates were in the medical unit at the time of the Committee visit, and the Committee was unable to determine the adequacy of health care or availability of health services.

o One member of the Committee who is a psychologist reported that two of the men she interviewed in a random sample of Marion inmates were psychotic. The Marion psychologist confirmed her diagnosis, saying that there are within the

Were they  
before?

population six men who are psychotic. The question necessarily arises whether there are other inmates with serious mental and emotional disorders who are withdrawn and therefore unnoticed. Psychiatric and psychological resources are available in the area in Carbondale and the Chester Mental Health Center.

o Since inmates in all the living units except B eat their meals in their cells, microwave ovens have been installed in the units to warm the food. The pre-served trays delivered to cellhouses have removable inserts for food items that must be heated. There were few complaints about the food itself, but some men remarked that they had almost forgotten what a sociable meal, enjoyed with friends or family, would be like. An inmate has to kneel on the floor with the tray on the bed, or sit on the bed with the food tray balanced on his lap. Some men charged that the inmates in the Control Unit are served a poorer quality menu than other inmates.

o Throughout the day the Committee heard repeated by every level of staff that these prisoners are "the worst of the worst", "super thugs", "most violent", etc. The Committee wonders if this recitation is a reminder to be watchful, or merely a justification for the severe restrictions on inmate movement. Some line staff express almost in the same breath how proud they are to be chosen for duty at Marion, because only the best and toughest are selected.

o The Committee was keenly aware of the high level of tension and frustration on both sides of the bars. It seemed staff as well as inmates needed supportive counseling to help them cope with the tedium and stress the institutional lockdown has imposed on them. Noting that some stress-management training is available, administrators dismissed summarily any discussion of the need for improved or further counseling, preferring instead to rely on rotation of staff who feel the job is getting to them. The institution reports that staff receive training and stress management on a quarterly basis and that programs are held by staff training academy. In addition, the Employee Assistance Program coordinated by the Chief Psychologist is available to all staff as needed. Warden Williford suggested that inmates could relieve the tensions of their situation by compliance with rules, enabling them to participate in programming.

o Some inmates charged that unsupported information from a "snitch" may be used to bring disciplinary charges, resulting in more restrictive confinement, a change of classification, or postponement of a parole date. Administrators acknowledged that every attempt is made to corroborate charges with hard evidence, but sometimes it is not possible and, if the allegation is serious enough, they feel they must act on it even without proof or confirmation.

o Several men said they are discouraged from going to the yard for recreation or receiving visits from family or

friends because of the dehumanizing security procedures they are subjected to. Men in the Control Unit are required to submit to body cavity searches everytime they leave the unit, and wear handcuffs and chains during their visits; men in other units are strip-searched before and after visits. There is also no longer any contact permitted during a visit; instead a prisoner and his visitor must communicate over the phone with a plexi-glass partition separating them.

SUMMARY:

The Bureau has firmly established the policy that Marion is to maintain a severely restrictive system. That policy decision has been sustained by the Magistrate in its first full test in Bruscino v. Carlson.

By separating bands of inmates into very small groups, sometimes in total isolation, the Bureau has rendered impotent even the most violent and thus created, at least for the moment, a relatively safe, controlled, incident-free environment. Gangs and their leaders are unable to function, disturbed prisoners are contained, predators are unable to prey on others, and an uneasy calm prevails.

But for how long and at what cost? Many inmates came to Marion dehumanized and excessively concerned with power games and macho images. Marion reinforces the conviction that power

defines all relationships, that life is a zero sum game. At the present time, submission seems to be the only acceptable response. Prisoners do not see the possibilities, incentives, or opportunities for re-aligning their behavior in a way that does not also cause humiliation. Marion has a responsibility to the public to offer inmates another way of relating to other people before they are released to the free world, as most will be at some time in the future.

RECOMMENDATIONS:

1. The time line for progression out of lockdown should be greatly shortened, and Units like B and C expanded so the majority of prisoners feel there is a real opportunity to improve their lot. Any system or organization, penal or otherwise, must offer incentives. With an average sentence of 41 years, it would not be surprising if Marion inmates felt they had nothing to lose. Marion is not a crowded facility, and there is plenty of room for small, separated groups to be involved in work or school programs, cultural activities, or physical exercise. The very fact that such large numbers of men signed up for correspondence courses is testimony that they want to do something constructive with their time. By expanding privileges of the most incident free inmates on a one-by-one basis, the opening up process could be achieved over a period of a year.

2. The use of video taping to monitor forced cell moves is a commendable practice; it protects both the prisoner and the institution. However, camera techniques should be improved to include full front views, thereby giving more adequate visual documentation of the inmate's move.

3. A serious recruitment effort must be launched to bring in more Black and Hispanic staff at all levels. In addition, all non-English speaking prisoners must have ready access to staff who speak their language.

4. For many prisoners, family visits are a lifeline to sanity and survival, a humanizing moment that greatly relieves anxiety and tension. This positive influence is being diminished because security restrictions, which might prove justifiable for specific inmates, have been applied to the entire population, with less than adequate supporting rationale that the restrictions are necessary for all.

5. There is an urgent need for a mental health unit to provide services to prisoners as well as consultation and recommendations to staff as to how to manage difficult and marginal prisoners. The mental health unit should operate as an institutional clinic, conducting workshops for staff in stress management. Rotation of upper level staff to other facilities may resolve some burn-out problems, but is not a solution for the line officer whose family lives in the local community.

6. The Bureau should rethink the policy of accepting state and D.C. prisoners. Family relationships are strained, and inmates have very limited access to legal resources to pursue appeals in the jurisdiction that convicted them. Further, the case can certainly be made that some D.C. prisoners are subjected to the severely restrictive environment only because the system in the District is too crowded to accept them.

7. Forced digital rectal exams for non-medical reasons should be discontinued. Other methods, such as placement in a dry cell or ultrasound will detect contraband in the alimentary canal as well as the rectal area without unnecessarily subjecting inmates to degrading cavity searches. JHA agrees with the American Medical Association's position that medical personnel employed at the institution as health-care providers should not be compromised by being required to perform security functions.

8. Even in the limited space of a converted cell, it is possible to provide a more adequate law library than now exists. The Bureau has chosen to install mini-libraries in each living unit to limit inmate movement; this same rationale must not be used to provide a less than adequate collection of legal resources.

9. Finally, the John Howard Association believes that because Marion is a unique and complex institution, continued monitoring by an independent agency is essential. There are

serious public policy issues which require more observation, data collection and analysis than is possible at this point in Marion's brief experience as the only Level 6 penitentiary in the federal system, and in JHA's limited exposure to the institution.



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