

A PUBLIC REPORT
ABOUT A VIOLENT MASS ASSAULT AGAINST PRISONERS AND
CONTINUING ILLEGAL PUNISHMENT AND TORTURE OF THE
PRISON POPULATION AT THE U.S. PENITENTIARY
AT MARION, ILLINOIS

Attorneys associated with the Marion Prisoners' Rights Project (MPRP) first received reports of widespread beatings of prisoners in the Marion Penitentiary on Thursday, November 10, 1983. We called the prison the next day with a list of prisoners we wished to visit over the weekend, including several said to have been beaten, or to have witnessed beatings, and others who we knew would have information about what had happened. We were peremptorily told we would not be allowed to visit on the weekend, because that Friday, November 11, was a holiday, and the Warden's executive assistant, Leech, was not "available" to "authorize" the visits.*

*Under the law, attorney visits do not require authorization. Advance notice of attorney visits is provided as a courtesy to the prison and to avoid delays in the interviewing process.

When several lawyers went to the prison, despite the earlier denial, Saturday morning, November 12, a large contingent of uniformed officers, with several vehicles parked nearby, physically barred them at the outside gate to the reservation. No MPRP lawyers were permitted to enter the prison until late in the day on Tuesday, November 15, after U.S. District Court Judge James L. Beatty, following an order from a U.S. Court of Appeals judge the day before, indicated he would sign an order requiring our entry if the prison administration did not allow us in voluntarily.

When we did get in we soon learned, as letters we received in the interim also confirmed, that there had been an all-out, violent attack -- a special, calculated form of "police riot" -- on the prison population, carried out by the Marion guard force and several dozen officers from other federal prisons around the country, in retaliation for the killing of two officers by two inmates of the Marion Control Unit on October 22, 1983. In the next several days a team of 12 MPRP lawyers and legal workers conducted dozens of interviews, in many of which they were able to observe first hand, although it was many days after the assault, the scars and bruises resulting from the beatings, and those interviews are the basis for the capsule accounts included below.

The Assault By The Guards

The entire prison had been locked down on October 27, after a brief, basically harmless fist fight, apparently precipitated

3.

by the same Mr. Leech, between a group of prisoners and guards who were attempting to search them on the way to the dining hall. A prisoner, Jack Callison, had been stabbed to death that day, and it was decided to search the other prisoners on their way to the dining hall for the evening meal. Prisoners always hurry to get to the head of the line in the dining hall, and usually run when the cell block gate is opened. On this day, they were met with a number of officers outside the gate who demanded to pat search each one before he could go to dinner. Mr. Leech officiously insisted in joining in this activity, verbally berating the prisoners as he did so.

At one point, as a prisoner passed him after being searched by an officer, Leech blocked his way. The man said he had already been searched, and the officer who had searched him agreed, but Leech was not satisfied, and he grabbed the man by the shirt. The man knocked him down, whereupon several other prisoners joined the fray and a brief free-for-all ensued. It ended very quickly. The prisoners retired to the cell block when ordered to do so, and that was that. Later that night, however, everyone in the prison was locked up, and the terror which is the subject of this report began in earnest.

Several prisoners were beaten on the night of October 27,* and, on November 2-4, a number of prisoners from the Control Unit were taken to the hospital unit for forcible searches of

*See, e.g., the summary of the beating of Gerald McCullom, below, p. 18.

the rectum, and multiple x-rays, on the pretext of a supposed report that a hacksaw blade was hidden somewhere on the unit. The main assault was delayed until the officers from the other prisons could be brought in.

Then, roughly from November 4 to 7, every prisoner was taken from his cell by a group of officers, wearing jumpsuits without name tags, flak jackets, helmets, face masks, heavy gloves and heavy boots, and carrying three-foot-long clubs fitted with steel beads on the ends. Many of the outside guards were from Leavenworth, and some were also recognized from Terre Haute, Indiana; Oxford, Wisconsin; Talladega, Florida; El Reno, Oklahoma; and Milan, Michigan. These guards systematically beat and brutalized the entire population of the prison, one by one, in what was termed a "security shakedown" of all units.

The attack squads were vocal, purposefully brutal, and extraordinarily intimidating. Every one of some 300-400 prisoners was shoved or dragged from his cell, naked or in underwear, and handcuffed behind his back. They were hit, pushed, manhandled and constantly threatened and cursed. The guards would yank the handcuffs, beat arms, legs, backs, stomachs, ribs and backsides with the long clubs, push the handcuffed men into steel-framed doorways and grilles, and slam doors in their faces, step on their toes, etc. The steel beads on the ends of the clubs are designed for jabbing, so that bones and organs are struck within, and bruises on the outside are minimized.

Typically one or two clubs would be inserted under the arms of the handcuffed men as they left their cells and were walked along to the front of the ranges of cells. Some were taken to other ranges or cellblocks, others only into the stairwells at the front of the ranges, where those who were not actually beaten sat or stood with faces to the wall, ringed by the helmeted guards who cursed, threatened and taunted them as they waited, while all of the property, every moveable thing -- including shelves, clothes-hooks, bedding, tables, etc. -- was taken from their cells and removed to the prison gymnasium in bedsheets, boxes and plastic garbage bags.

Those who were more seriously beaten were attacked in cells, hallways and stairwells, where they were kicked, stomped and beaten with clubs and fists by anywhere from six to twenty officers, and almost always kicked and beaten again and again in the genitals. Many had their heads repeatedly banged against brick walls as they were walked along the corridors, or against steel bunks in the cells. The beatings were accompanied by incessant curses, threats, warnings, and racial opprobrium, and, along with the theme of revenge for the two slain officers, the sexual fixation was dominant in the verbal as in the physical assaults.*

Prisoners who dared to protest the beating of others were beaten with extra severity, as were several who have been outspoken about past abuses, and a number against whom various officers apparently took the opportunity to settle old scores.

*Many prisoners also reported that during the beatings the guards would repeatedly demand to be told, "Who runs this place?" "Do the prisoners run this prison?" and the like.

Many were told they would be killed at a later time, and several reported hearing loud conversations by officers on the ranges talking about how, when the "heat" would die down, prisoners would start to be found hung in their cells as apparent suicides; a thing which has happened at Marion many times in the past. Michael Sizemore was severely beaten, and then told by Officer P * that he would kill him if he went to court about the attack. William Maness, who was beaten when he protested the beating of another prisoner, was told by K that he would be found hanging in his cell. Beaumont Gereau, often a spokesperson for prisoner complaints, was beaten three separate times on one day, November 7. Donald Stevens was told by Officer S , "All prisoners are bitches and punks. We're going to kill you wherever and whenever we find you in the (prison) system." Alfred Garza, among others, was told days after he was beaten: "You're a kike, like Silverstein (one of the alleged killers of the guards on October 22), and that's not the end of it."

Prisoners' religious observances were apparently a special object of official fury. Medals were torn from men's necks, books and pictures were taken and rosaries were snapped, broken and thrown away. One man, a "boatlift" refugee from Cuba who belongs to a Christian sect, had a makeshift altar in his cell arranged before a picture of his patron saint. The guards came in and smashed the altar and tore up the picture; and the man told the interviewer, "This could never happen in Cuba."

* Names of the guards will be provided to the authorities upon appropriate request.

An early, special phase of the assault involved prisoners from the Control Unit, where, as noted above, there was supposedly word that a hacksaw blade was hidden. Several prisoners were subjected to multiple forced x-rays and finger probes of the rectum. At least two, Dale White and Jerry Geaney, whose abdominal x-rays were supposedly "cloudy," were left locked in hospital unit rooms for four days, dressed in underwear and handcuffed, supposedly until they would defecate (which both did the first day) and thereby expel whatever was concealed in their intestines (which was nothing, and particularly not a hacksaw blade). After four days they were returned to their cells, still dressed in the same underwear they had been wearing and peeing in for four days, and left with no clothing, blankets, soap, towel or running water for another two days. Geaney was also severely beaten on the first day when he protested the cavity search. White, serving five years for a marijuana offense, is one of a number of prisoners falsely designated for Marion, so that the bureaucratic fiefdom there can be maintained ad optimum, with a full complement of "the most dangerous prisoners in the country."

The Beatings

From November 15 to November 23, MPRP cooperating attorneys saw 84 different prisoners at Marion, of whom 37 had been actively beaten up,* not including the victims of the forcible rectum searches. By active beat-up we do not mean the punches,

*MPRP cooperating attorneys have continued the investigation since November 23 and have found that beatings and unfounded forcible rectal finger probes continue sporadically to date. An update is currently being prepared.

slaps, jabs, kicks, shoves, trips, etc. administered to everyone when they were taken from their cells and then put back, but a concerted beating by a group of officers surrounding one man and striking him many times with clubs, boots, fists, etc. -- being careful in most cases not to break bones or leave marks on faces. Of the 37 we know who were beaten, almost all were beaten while handcuffed, and almost none received medical attention of any kind. The victims of active beatings reported to MPRP are:

George Awkard

On November 7, while roughly escorted back to his I unit cell, Awkard saw Officer A slapping a prisoner, Ingram, and Officer B jabbing him with the end of his club. Awkard said to the guards, "Hey, that's not necessary," whereupon B turned around and jabbed Awkard's stomach with his club and

C who had been holding Ingram down, turned and slapped Awkard. A group of guards then bent over Awkard, who had been thrown face down on the steel bunk in his cell, and asked him, "Do you want to go home, or do you want to die?" They told him they recognized him to be the codefendant of a prisoner who had been killed at Marion one year before and asked, "Do you want to be like him?"

Darwin Battle

On November 7, two guards took Battle from his E unit cell, promising they would beat him up, and took him down the range into the corridor, where they punched and kicked him, clubbed him, hit his face, and kneed him in the eye. He fell unconscious and

awakened in a cell in I unit, where guards threatened to kill him if he didn't keep his mouth shut, and attempted to intimidate him with taunts such as "Do you know how to suck dick?" "Do you know who runs this place?"

Louis Bourgeois

On November 7, five or six guards cuffed Bourgeois and took him from his cell in E unit, escorting him with a club through each arm twisted to force his head down. At the end of the range, 4-5 additional guards joined the original 5-6 in the beating, which began with clubbing from both sides to the stomach, knees, hips, and back. As Bourgeois fell to the ground, they kicked and hit him in the neck. He heard a guard admonish another, "Don't hit him in the face." They picked him up and dragged him to I unit, where they tried to ram his head against the electronic door. They lifted him up against the wall, kned him in the groin, and kicked him in the genitals. They then threw him down on the steel bunk. The guards shoved their clubs into his prone body, trying to force him to say he'd be a "good boy." As they continued to beat him up in the cell, he could hear shouts of protest from other prisoners.

Joseph Bowen

Bowen was cuffed behind his back and taken from his I unit cell on November 7 by guards D and C and others. Once they had him out of the view of the other prisoners, they began to punch, kick and club him, beating him incessantly as they walked him up a flight of stairs outside the cellblock. He was smashed again on his way back to the cell.

Robert Burroughs

On about October 30, guards took him cuffed from his C unit cell down the range. Going down stairs, one guard, in front of him, took his club and cracked Burroughs in the ribs. The guard behind him stepped on his heels and pulled up on his cuffs, causing him to fall forward. The guard in front beat him again, and the one behind choked him. He was then left five days in a cell with a non-functioning toilet.

Roderick Choisser

On the afternoon of November 7 Officers A . and C accompanied by three unknown guards, came to Choisser's E unit cell and cuffed him behind the back, stating, "We'll get you." They ran a club through his cuffed arms and raised him up and carried him down the range, where, at the end,

A . kicked him in the groin and punched him with fists. They took him to the other side of a closed door, where ten of about 60-65 guards standing there beat him, jabbing his ear, spine and groin. They walked him about thirty feet to I unit, where

A . and C slammed him into the metal detector and rammed him into the grille. He was beaten with clubs all the way to D range, where they threw him on to a steel bunk. A lieutenant shoved him and snarled, "We run this institution, and this is how it's going to be from now on! And don't raise up until we're out of here, you son of a bitch, or we'll come back and hurt you real bad."

David Ford

On November 17 in D unit, seven guards from the "A team"* spent 15-20 minutes in Ford's cell, beating him alternately with fists and clubs. They then dragged him to I unit to a boxcar (closed front sensory deprivation cell), struck him in the face, commanding him to say, "Yes, sir, I've had enough."

Jeffrey Fritz

On November 1, in the Control Unit, having seen other prisoners helplessly cuffed behind the back and beaten, Fritz volunteered to be cuffed in front when told to cuff up. The response: guards at close range sprayed mace into his face and rushed him from the cell while they gathered all his property. Then, on November 3, he was taken from his cell by about thirty guards to the hospital unit where, after he refused to consent to a rectal cavity probe, and "volunteered" instead to be x-rayed, he was subjected to a non-consensual finger probe of his rectum. On November 5 at 10:20 p.m. guard C and 10-15 fellow guards came to his cell, cuffed him, shoved him down, stepped on him, pulled his beard, and rammed the steel ball on the end of a club into his rectum. Before leaving, they threw him down and against the bars.

Jeremiah Geaney

This Control Unit prisoner was removed from his cell on November 4 and taken to the hospital unit where, when he refused to consent to a rectal cavity search, six guards beat him repeatedly with clubs,

*See page 31 below.

as he lay with his legs and arms shackled. One person proceeded to forcefully shove a finger numerous times into Geaney's rectum. He was then forced to undergo several x-rays and placed in an unheated, stripped hospital cell with the water shut off. He was left there, handcuffed, supposedly until he moved his bowels, although, having done so the following day, he was still left handcuffed three more days.

Beaumont Gereau-Bey

On November 7 in I unit at 9 a.m., B accompanied by guards C and D accused Gereau-Bey of being an influential prisoner and stated he intended to beat him up to serve as an example to others. They then cuffed him behind his back, and D and C beat him 4-5 times each about the chest, shoulders and arms with their clubs, breaking the skin on his wrist and elbow and injuring his ankle. Later on November 7

B, C and D entered Gereau-Bey's cell and each struck him with their clubs as he lay on his bed. Later still on November 7, B and C removed him from his cell and

C beat Gereau-Bey's knee with his club four times.

Michael Geohagen

This Control Unit prisoner was beaten November 4 for having a milk carton in his cell. Guards E, F, G,

H, and 4-5 others threw him on the floor of the cell and stomped on his left hip and thigh. One guard hit him in the face, though another sharply reminded him, "Don't hit the face!" One hit him repeatedly in the throat, and others beat him in the torso, causing broken ribs. Then, as he was taken in cuffs and

leg shackles from his cell, guards stood on the chain between the leg irons, causing deep cuts in his ankles. Public Defender David Freeman finally was able to photograph Geohagen, but only after securing a court order, and by then it was weeks after the beating.

Randy Gometz

On November 2, 6-10 guards in riot gear took Gometz from his Control Unit boxcar to the hospital unit, where he was forced to undergo a finger probe in his rectum after guards punched him in the head and kidneys. F kned him in the stomach and another choked him until he blacked out. He was taken back to his cell. Then, on November 5, he was beaten for 10-15 minutes in the head and back, and guards rammed the ends of their clubs into the small of his back. Another left the tops of his hands numb after applying pressure to his cuffed hands by inserting his club between the cuffs and twisting. The clubs split his lip and left knots on his head and the left side of his face. All the while, the guards were hurling insults at him in what he felt to be transparent retaliation for the death of Clutts (Gometz has been disciplined for allegedly giving Silverstein, one of the accused, a knife.)*

Sidney Griffin

On November 7 guards took Griffin, cuffed, from his I unit cell and carried him down the range and around the corner. Officer I from Leavenworth, a red mustachioed lieutenant from Lewisberg, along with C, J, and A, blocked the path

*Gometz has since been indicted for aiding and abetting Silverstein. Control Unit guards have increasingly taunted, harassed and provoked him.

and attacked him. One of them clubbed him on the right side of his back. C raised his club and brought it down on the left side of his head. After two or three more strikes to the back, Griffin fell to the ground. C and A then repeatedly clubbed him around his torso and arms. The squad then lifted him off the ground and took him downstairs to a hallway where thirty guards were standing in full riot gear talking about a hacksaw blade. A lieutenant told Griffin he was going to search his cell - "If I find something, I'll kill you." A and C then grabbed and separated Griffin's legs, another put a club across his neck, and D kicked his back 5-6 times. After a lieutenant kicked him 4-5 times in the groin, Griffin passed out. When he came to in his cell, he was again threatened, choked with a club across his neck, and beaten in the stomach repeatedly. Later, on the way to the hospital unit, as he hol-lered to a fellow "beatee," three guards clubbed his back and legs and shoved him several times up against the lockers. At the hospital unit, though he agreed to submit to the x-rays in place of a rectal cavity search, a rectal search was done anyway, as guards with clubs forced Griffin to bend over. Then x-rays were taken anyway. Back at his cell he was again threatened, "If we find something in your cell, we'll kill you."

Eddie Hevle

As Hevle was being moved from C to I unit on November 2, guards clubbed him many times and ran him into the bars, breaking the skin around his eye and his knees. Hevle "took a few more lumps," as he put it, as he was removed from his I unit cell during the November 7 shakedown.

Andrew Ingram-El

On November 7, six guards took Ingram-El from his I unit cell, cuffed behind his back, and carried him with their clubs through his arms, off the range. D and J held him while C, B, and two others repeatedly clubbed his chest, stomach, and legs, and kicked him in the genitals. Ingram-El, wrongfully disciplined for a July, 1983 assault on a guard, was threatened by C, "The next time there's a contract out on an officer and you're involved, we'll break your arms and legs."

C asked him if he understood and then A slapped him across the face.

Geno Jackson

Jackson was beaten in the Control Unit the morning of November 6 after he dropped his breakfast bag on the floor. Though it was within the guard's reach, the guard insisted that Jackson pick it up. When he did not, 4-6 guards came to his cell, clubbed him numerous times, and demanded that he say, "Yes, sir." One of the guards beat him on the head. He was given a ticket for disobeying an order and assault.

Joe James

In I unit on October 27, several guards hit and kicked James and rammed his head into the wall.

Doyle Jones

November 5, at about 10 a.m., 4-5 guards came to Jones' G unit cell, cuffed his wrists in front and brought him out of the cell to the middle of the range where, with Jones' cuffed hands

raised high over his head, they "skin searched" him, frisking his body, clad only in briefs, shoving fingers inside his mouth (which was surgically wired to mend a previously broken and still healing jaw), and pulling hard on his long hair and beard. They then forcefully shoved him into the wall in an open empty cell. A heavysset, bespectacled guard raised his club and brought it crashing down on the left side of Jones' face. across his eye, cheekbone and jaw. The blow propelled him to the back of the cell where he fell to the floor. The 4-5 guards then attacked him, pulling his hair and beard, kicking and stomping his side, stomach and chest at least 6-8 times. They uncuffed him and left him on the cement floor, bleeding and huddled up among piles of pulled out hair.

Clyde Maistes

On a date Maistes was not sure of, a squad of guards appeared at his cell in I unit, claiming he had not returned a plastic tray cover. The 7 guards without name tags, came into his cell, cuffed him behind his back, stripped him, slammed his head against the wall, clubbed him on the head three times and punched and clubbed him for a while. They then took him out of the cell and off the range, slamming him against the grille. A guard shoved his gloved hand into Maistes' mouth and another shoved a gloved finger up his anus. They then threw him back into his cell, beating him 2-3 more times on the side of the head.

William Maness

On November 17 during a "recreation" period in I unit, K ordered Maness to move on down the range away from where another prisoner, David Ford, was being beaten. Realizing that Ford was in bad shape, Maness, to distract the guards' attention away from him, spit on a guard. He succeeded. After locking Ford in his cell, the "A Team" paid Maness a visit. K and about fourteen others came in and broke his nose, the pinky finger of his right hand, and a few odd ribs in a furious fit of clubbing. One of the guards also kicked him in the left eye. Officer L told him, "This won't be over for you until we have you hanging in your cell."

Barry Mills

On November 2, Mills was cuffed behind his back and taken from C unit to I unit by a Leavenworth squad headed by B. First they slammed him against the wall three or four times. As B held on to Mills' neck, others jabbed his neck, sides and knees 20-30 times with the ends of their clubs. All the way to I unit the jabbing continued, stopping only for shoving against walls and ramming into grilles. Referring to Mills' codefendants Silverstein and Fountain, B told him, "We took your little buddies out today. We'd like to take you out the same way." He was cited for inciting others to riot. Then, on November 10, 11, or 12, B came to his I unit cell with a gang of Leavenworth and Marion guards and strip searched him, examined his rectum,

took him out to the corridor and returned him to the cell, throwing him face down on the steel bunk, jabbing him in the neck with clubs.

Clinnie Mills

On November 7 on I unit, guards took Mills, cuffed, from his cell and down the range to the hallway where he was clubbed in the stomach and chest, thrown against the wall, and instructed to sit down and shut up.

Gerald McCollum

On October 27, 1983 in C unit in the evening, in the presence of Officers M and A, Officer N McCollum repeatedly in the stomach and then kneed him in the groin. McCollum was given a ticket for assault and moved to segregation.

On November 7, 1983 in I unit (segregation) guard N shoved his elbow into McCollum's neck and proceeded to hit him repeatedly across the face. As McCollum fell to the floor, guard M repeatedly hit him in the stomach.

William Omar McCoy

On November 7 guards C, D, J, B, and others came to his I unit cell, had him strip search and display his anus, cuffed him behind the back, and carried him, clubs under arms, down the corridor around a corner. There, C jammed his club into McCoy's stomach, told him they (the guards) were in

control of the prison, and demanded that he call them "sir." He jammed the club into each of McCoy's elbows, repeating the demand. The other guards clubbed his knees at least five times and then took him to a hallway, where a Leavenworth squad stood menacingly smacking their clubs against their hands, saying things like "This is what's coming to you." After fifteen minutes of this, he was taken back to his cell and pinned face down on the steel bunk by three guards with clubs in his back and neck while C stated, "This is just a sample of what you could get."

Carlos Parado

Accusing Parado of having written (in English) on his cell ceiling "Death to all guards," three guards took him from his I unit cell to the stairwell and, as two held him, one clubbed him over and over on his back and stomach. Throwing him back into his cell, they threatened to break his legs if he didn't clean the grafitti off. Parado speaks very little English, cannot write in English, and suffers from a stomach ulcer which was severely aggravated by the beating.

Pierre Plexico

As he was taken uncuffed from D unit to I unit (segregation) on what he believes was October 27, five guards, including

O clubbed Plexico 3-4 times in the stomach. When he fell to the floor, a guard put his boot on his neck and they cuffed him behind his back. They then held him in a full Nelson, cutting his ear in the process, and dragged him to I unit. He was thrown down the stairs; they gathered him up so they could throw him against the

wall 3-4 times. One guard twisted his right ear. He was then thrown into a boxcar cell.

Frank Segarra

On November 4 B and a team of guards under his supervision had Segarra strip search and cuffed him behind his back. He was taken outside F unit and made to stand with his face pressed against the wall, a guard manually applying pressure to his spine, for 15-20 minutes. A squad of guards then grabbed him from behind, lifting him up by the cuffs and genitals. They then proceeded to club, punch and kick him as he dropped and after he had fallen to the floor. During the continued stomping and clubbing, a guard snarled, "Get up, you bad motherfucker. You're a hero, huh? Now you better say 'Yes Sir.'" He managed to get up as instructed, only to be beaten some more and dragged to I unit. The beating stopped for a moment but picked up again when they arrived at a corner in the unit. Continuing the verbal abuse, they told Segarra to remove his underclothes and "spread your cheeks," and "If you make any funny moves, you'll be dead. We'll kill you right here." Instructing him also not to look at any of their faces, which were obscured anyway behind the dark visors, they then left him in a cold, completely empty cell.

Michael Sizemore

On November 6, during a visit between Sizemore and his parents, B told Sizemore, "We'll be up to see you tomorrow, punk." Then, on November 7, 6-7 guards, among them P came and took him, uncuffed, from his cell, and off the range. P slammed his club between Sizemore's shoulders,

knocking Sizemore into the wall and to the floor. P then grabbed his throat, choking and threatening him as others held his arms and pulled him up off the floor, twisting each arm behind him. P continued his threats as another pulled him up by his hair, walking him down the hall, smashing his face against the wall, kicking his legs, and stomping his bare feet, all at the same time. While one guard slammed his head against the wall, others were clubbing his legs from his knees to his feet. He was beaten all the way to I unit (segregation), where his head was rammed four times into the wall as a guard kned him in the kidney. Still pulling him by the hair, they threw him onto a steel bunk in a cell, where they continued to club his legs. When P ordered the others to turn him over on his back, they did so, using their boots and clubs to pin him to the bed. Punching him in the mouth, P spit out threats and sexual taunts. Another said, "Make him say 'sir.'" P punched Sizemore in the mouth and above the right eye and, as he was still pinned to the steel bunk, grabbed his hair and demanded information about the guard killings, though Sizemore stated he knew nothing. At some point earlier in the beatings, P told him, "I'll get you if you go to Court on this (the beating)."

Kenneth Smith

After unsuccessfully attempting to obtain medical treatment for an old and ailing prisoner near him, Smith was maced in the face by B when, out of fear of being beaten, Smith refused

to cuff up. The water in the cell had been turned off and he could not rinse off the mace. K, from Leavenworth, and a guard from Springfield promised, and others promised, not to beat Smith. However, on November 7, he, like many others on B range of I unit, was beaten, kicked, and stomped by guards J, B, A, D, Q and R.

Robert Staudmeir

On November 5, as they moved Staudmeir from F unit to E unit, guards clubbed his head, leaving knots behind the left ear. On November 17, guards took him to the hospital unit, for reasons then unknown to him. On arriving, they told him to undress, and took his shirt from him. They then told him he was to be photographed. Although he stated he did not wish to be photographed and that he did not consent, photographs were taken anyway. Staudmeir was given a ticket for refusing and taken to I unit (segregation).

Donald Stevens

On November 7, 1983 Stevens was taken from his cell on I unit, D range. In the hall outside of I unit, sitting on the floor in his underwear next to two other prisoners, all cuffed behind their backs while their cells were being searched, Stevens was watched by guards S, T, and a third, who jabbed him in the ribs with a club as another guard tried to kick him in the groin. As one of the three slammed Stevens' head against the wall, S. promised, "We're going to kill you wherever and whenever we find you in the system." They stepped on and smashed his fingers and punched him in the stomach, chin and kidneys. They then returned him to his cell, slammed him face first on the

steel bunk, and punched him several times in the back of the neck.

Richard Thompson-El

On the morning of November 7, 1983, Officers A, R, U, D, C, J, and a couple more came to Thompson-El's I unit, B range cell. U handcuffed him, and C and D each put their clubs through a cuffed arm and took him off the tier, slamming him into the grille. After arriving outside the unit door, they threw him to the ground, and all except R, who stood by silently watching, beat him with clubs, stomped and kicked him, and jabbed his ribs and back with the steel balls fitted on the ends of the clubs. He then sat in the corridor five or ten minutes and was taken back into I unit, slammed into a solid wall and punched. Once back on B range, U took his club and rammed it into Thompson-El's stomach in full view of other prisoners. They then threw him on the steel bunk in his cell. C and another guard placed one club at the pressure points on either side of the jaw, underneath, as C shouted (referring to a July, 1983 incident for which Thompson-El has been wrongfully disciplined), "You'll never stab another officer again." Thompson-El lost consciousness, and, for two days following the beatings, vomited and urinated blood. He was given tickets for possessing a razor, which guards claim was laying in full view on the corner of his bed, and for allegedly kicking a guard.

Douglas Thornton

In I unit on November 7, Thornton was taken cuffed from his cell by V, D, W, X and Y, down the tier.

They rammed him into the grille, tripped him with a club, and hit his head on the railing. The squad kicked and shoved him, clubbing his head, side, back, and mouth. The steel ball at the end of the club was jammed up into his testicles, which he felt were ruptured as a result.

Carlos Torres

On November 7 C and D took Torres cuffed from his I unit cell, down the range to the end of the hall. C accused Torres of having called him an "SOB" and said they were going to beat him. They kept their promise - when they returned him to the empty cell, they threw him face down on the steel bunk and for five minutes clubbed his back. Though he was instructed to turn his face, specifically so he would not be able to see his attackers, he noticed there were eight of them as they left his cell.

Jesse Trujillo

Trujillo was beaten on November 4 for having a milk carton in his Control Unit cell.

Anthony Warren

Because Warren failed to give back a plastic spoon given to him with his lunch, five unidentified guards came into his G unit cell on the afternoon of November 4 or 5 and hit him several times on the chest, back of head, legs and hands. They then threw him on the steel bunk and beat him on and off for 5-6 minutes. Warren sustained injuries on the front of his right leg.

John Williams

On November 7 guards removed Williams from his I unit cell and walked him down the range past the grille. Guard S threatened him and kneed him three times in the chest, slapped his head and said, "Ain't you my bitch." Another guard kicked him in the groin. K ordered the guards to take him and two other prisoners back to the cells, so S grabbed Williams' chest and pulled him up. When the other two prisoners were out of sight, S put his forearm against Williams' neck as N jabbed his club into his side. Z punched him three times in the chest, and S smacked his face. Others admonished S, "Not in the face!" They then rammed his head against the wall, hit him 2-3 times in the stomach, and S then harder and harder slammed his head another seven times against the wall. Z, S, C and N all then beat him again and threw him into the cell.

* * * *

The Aftermath

For the first several days after the "shakedown" the prisoners were allowed no showers, no yard, no recreation, no commissary, one or no warm meals, no religious services, no law library, no sick call or medical attention, no movement of any kind out of the cells, except for the delayed legal visits. Only a handful of the most serious beating victims were given medical treatment in the prison "hospital." Since removal from the cells for any reason was seen as highly likely to involve more beating -- to

say nothing of other tortures that were administered in the hospital unit, such as the rectal searches, forced x-rays, etc. -- prisoners were very reluctant to ask for medical help after the beatings. Many were pointedly warned not to. Although there is a prison regulation requiring that photographs be taken whenever there is an incident involving the use of force, few if any photographs were taken,* and at least one prisoner was beat up a second time when he demanded that pictures be taken of the bruises he received in the first beating. Lawyers were not permitted to bring cameras in.

Since November 19 or 20, or thereabouts, some brief "recreation" has been allowed, in which a prisoner, either alone or with one or two others, is allowed to walk up and down the range in front of the cells for 30-60 minutes. Some showers have been permitted and a small amount of property has been returned, but prisoners have been told they can keep only a strictly limited number of things in their cells. The rest has been sent to prisoners' families in large, unexplained boxes. One man's mother called us recently in hysterics, after receiving a box full of his clothes and books with his letters from home and pictures of his family lying on top; she said, "I thought they finally killed him."

*Nude photographs were, however, taken against the will and without the consent of Robert Staudmeir, Beaumont Gereau-Bey, and at least two other MPRP clients, and shown to members of the press on November 17 by Mr. Leech during a press conference, supposedly as evidence that they had not been beaten. Disciplinary action was taken against Staudmeir for his refusal to consent to be photographed.

The prisoners have been told there will be no more "contact" visits with their families. Family visits formerly took place in an open visiting room -- unless a man happened to be in segregation or the Control Unit -- where several family members, including children, could sit together all day, and a prisoner could have as many as seven visits a month. From now on they will be limited to no more than four one-hour visits per month, conducted in small booths on opposite sides of a soundproof window, with a telephone connection from one side to the other which the prisoners are convinced is monitored. Many prisoners have been without postage stamps since the lockdown, and no telephone calls are permitted - except in the case of a "documented emergency," which has to be "verified" on the outside by a U.S. Probation Officer -- so many prisoners have no way to communicate with the outside world.*

The prisoners have been fed in their cells since October 27, with meals consisting generally of a cold cheese or bologna sandwich, and perhaps an apple.** The guards keep the heat turned off and the windows open, even in freezing weather, and few blankets and little clothing are provided. The bogus "emergency" is also being given as the reason for the closing of the law library, and prisoners have been told it will not be opened "in

*As of December 12, apparently one ten minute phone call per person, supposedly for Christmas, will be permitted during a "recreation" period.

** Soon after October 22, a rumor swept through the prison that a guard, had been caught in the prison with a quantity of cyanide or arsenic. That evening, for the first time in memory, no coffee was served, and since then only commercially sealed beverages, milk or fruit juice, have been provided.

the foreseeable future," regardless of the resulting abrogation of their constitutional right of access to the courts. The prison yard is now being made over into small, fenced areas; the weights and other athletic equipment have been confiscated; and the fish pond and gardens made by prisoners have been bulldozed.

The developing routine of the vendetta continues to be marked by constant invective and intimidation from staff members, whose favorite refrain - in addition to telling the prisoners they are getting what they deserve for the killing of Hoffman and Clutts - is to tell them they will never leave Marion alive. Protest has been effectively silenced by the threat of further violence, and occasional beatings are still taking place. In addition to the abolition of the law library, legal visits are frightening occasions. Despite the drastic limits on property, and the fact that cells are searched repeatedly and prisoners' locations frequently changed, the guards demand a strip search, replete with bending over and spreading the cheeks so the anus can be peered at, both before and after each legal visit. In the present atmosphere, this always-onerous routine becomes an extra-perilous occasion for gratuitous abuse.

One prisoner who is over sixty and suffers from degenerative disc disease, and therefore cannot bend from the waist, wrote to tell us he had been beaten several times since the attacks of November 4-7 when he could not bend over on command during the frequent strip searches, and advised us he could not accept any legal visit because it would only mean another beating, or, possibly, two beatings. Attempts to arrange some amnesty for him with the

administration over the phone were stonewalled behind the denial that any beatings have taken place.*

Legal visits are also an occasion for further threats and harassment. Several prisoners have reported being told on the way to legal visits that they better not tell the lawyers anything, that if they start any legal action they will regret it, etc. After the legal visits began in earnest on November 16, the administration stationed eight or ten of the visiting goon squad officers in the hallway just outside the visiting rooms, who stood around baiting, taunting and threatening prisoners who sat on the floor waiting for their turn to visit. The majority of prisoners have not had their legal papers returned to them, and most of those who have are refused permission to bring them along to the legal visits, or have had them taken away on their way to the visit. Since no calls are allowed and pencils are scarce (pens are not permitted), one expedient way to contact lawyers has been to holler to others who are leaving the range for visits to ask the lawyers to call them for a visit, a procedure also fraught with the risk of physical punishment. Almost every prisoner we saw expressed continuing fear of renewed assaults, whether on the occasion of a legal visit or otherwise, and many reported that they don't ask each other, "Did you get beat up?" but, "Did you get beat up yet?"

* * * *

*It is reported in the press that, according to an official announcement by the Administration, seven prisoners received disciplinary charges for "assaults" upon staff members during the "shakedown" in circumstances where it was conceded that official force had in fact been used.

The Continuing Crisis

As for the killings which are the subject of this unprecedented vengeance, the two accused, Thomas Silverstein and Clay Fountain, are said by prison authorities to belong to a white supremacist gang network in the prisons known as the "Aryan Brotherhood," and to have previously been involved in racially motivated killings of at least two black prisoners, also in the Marion Control Unit. Whatever the validity of those charges, the conflicts provoked by the racist line and violent tendencies of the Aryan Brotherhood are frequently manipulated by guards, at Marion and elsewhere, as a means of keeping prisoners preoccupied with hostility to each other -- which is apparently thought to make them easier to supervise. According to prisoners confined there, previous killings of prisoners in the Control Unit occurred in circumstances where it would have been impossible for the killers to reach their victims without the cooperation of guards, who let them out of their cells, or into a recreation area, with knives, when their victims were alone and unarmed.

So, the "control" unit is all the way out of control. Fountain in particular, after six years of being caged and tormented like a wild animal, is cogent evidence of what such confinement does to, makes out of, a person who is kept locked up and treated that way. Indeed, as the fullest expression of the dominant "hard line" in U.S. Bureau of Prisons philosophies of maximum security, the Control Unit has been a deathly failure in controlling either its denizens or those who are threatened with

being confined there; and it surely has become a nightmare for any decent person employed by the prison to work there.

And now that the unit has claimed the lives of two guards, in addition to the many inmates who have killed themselves or been killed or otherwise broken there, the same wrong-headed philosophy has led the administration to lock down the entire prison, making it into one big Control Unit - and thereby systematically multiplying by six or eight times the number of prisoners being systematically tortured and dehumanized, and left with little to live for besides the opportunity to try to kill a guard.

Whatever the future holds, it is clear that at present the entire population is being brutally punished for the killing of two guards by two prisoners many weeks ago, and that the administration intends to make them continue to pay for its own bungling and viciousness. It is equally clear that the program of intimidation and reprisal, and particularly the mass assault in early November, was coordinated at a higher level in the Bureau of Prisons, where it was possible to decide and arrange to take all those officers from other prisons to help with the "shakedown" and the beatings.

Those familiar with officers from other institutions say the outside crews -- and particularly those from Leavenworth, who had big stencils on their helmets naming them the "A Team," after some revolting TV show featuring endless gratuitous violence -- are also members of the goon squads in the prisons where they are normally assigned. The prisoners suggest they were brought in so that word of retaliation for the killings would spread throughout

the prison system, and help restore employee "morale." Warden Miller told a press conference on November 17 that morale at Marion, at an all-time low after the killings, had risen on the wings of the "shakedown" and was now "excellent."

The violence of the attack and the ominous savagery of the repeated threats have left the prisoners shaken and frightened. Many shuddered and trembled as they told the lawyers what took place, and some cried. All were deeply offended, and felt there would be a legacy of endless trouble at the prison now, whether or not the prisoners are let out of their cells, unless drastic humane adjustments are made. Certain officers' names -- C, K, A, D, B and J -- were mentioned again and again, with vows never to forgive or forget.

Moreover, this attack has followed upon a series of similarly misguided, anti-human decisions and perverse acts of repression by the Marion administration under Warden Miller, including but not limited to the torture-beating of eight prisoners in H and I units in April, 1980; the false ban against the Prisoners' Rights Project lawyers in 1980-81, and the perjury used to justify it; incessant use of bogus "confidential information" and false and trumped-up charges of assault in consigning prisoners to long-term lockdown in and out of the Control Unit;* arbitrary deprivation of

*Administrative sentences to the Control Unit are for a fixed term of years -- which is then extended if one's department fails to satisfy the staff. However, since there is frequently no room in the Control Unit, many prisoners "designated" to the unit must wait in lockdown elsewhere, sometimes for many months, for a space to open up. In most cases, they are arbitrarily refused credit against their Control Unit terms for this waiting time.

due process in disciplinary hearings; constant harassment and obstruction of prisoner spokesmen, political prisoners, jailhouse lawyers and religious groups; and, above all, the abolition of prisoner job assignments three years ago, as the vengeful means of "ending" an embarrassing, near-unanimous, peaceful work strike, which left prisoners with almost nothing to do and no way to get any money.*

Now, in addition to the grim mass assault in November, the continuing threats and abuse, the abolition of human visits, and constant freezing temperatures, the Miller team has effectively ended any meaningful educational, cultural and recreational programs, closed the law library, prohibited any mealtime and outdoor contact and relaxation, and apparently, stopped religious observances -- although many Muslim prisoners were indeed given Bibles to replace their Korans and other holy books taken in the

*The federal courts for the Southern District of Illinois and the Seventh Circuit are by now well aware of the history of unyielding, adamant resistance by the Marion Administration to any and all criticism and action to end constitutional abuse at Marion. See, e.g., Adams v. Carlson, 488 F.2d 619; Bono v. Saxbe, 620 F.2d 609; 450 F. Supp. 934; 462 F. Supp. 146; Farries v. Fenton, No. 77-1234 (7th Cir. Order of June 22, 1978); Farries v. U.S. Board of Parole, No. 75-CV-3309 (S.D. Ill., Order of September 20, 1978); and the repeated decisions which the Court of Appeals had had to make, without appreciable response from the defendants or the Court below, in the Chapman case. See: Chapman v. Kleindienst, 507 F. 2d 1246.

In particular, the Courts must understand, from the history reflected in Abel v. Miller, No. 80-2848 (7th Cir., Orders of January 16, 1981 and May 18, 1982), and going back to Adams, supra -- in addition to what has happened in connection with the more recent events described in this report -- of the incredible professional, financial and social impediments to the attempts of volunteer lawyers to help alleviate the long-standing constitutional crisis at Marion.

"shakedown," and an officer did say to at least one prisoner, after helping beat him to a pulp in his cell, "May God have mercy on your soul."

* * * *

There is now complete inactivity, unanimous outrage, and manifold, grievous, physical, emotional and constitutional injury and deprivation among the prisoners at Marion, and a humanly destructive, potentially disastrous hate-filled tension pervades the prison, all provoked and brought about by a brutish regime which brooks no restraint on its vindictive power. The excesses of this arrogant administration, and the Nazi-like punishments it is inflicting on hundreds of men in retribution for the acts of only two, can be ended only by forceful, concerted action from outside the Bureau of Prisons. If the Rule of Law and humane values is not to be substantially and permanently diminished by this hellish exercise, the Courts, and also Congress, the Press, the Churches, and all people of conscience, must intervene.

Respectfully submitted,



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For The Marion Prisoners' Rights Project

Interviewers at the prison November 15-23: Donna Kolb, Dennis Waks, Jan Susler, Shelley Bannister, Margaret Byrne, James Roberts, Jacqueline Abel, Martha Easter-Wells, Janet Mitchell, Dennis Cunningham, Jill Whitley, and William McNeil.