
**METHOD(S) OF PLACEMENT - MANAGEMENT CONTROL UNIT (MCU) - TRENTON
STATE PRISON - TRENTON - NEW JERSEY**

PRESENTLY, CERTAIN PRISONERS (THOSE PRISONERS THAT HAVE BEEN IDENTIFIED AS LEADERS, NATURAL OR POTENTIAL (SEE THE ATTACHED (QUOTE) FROM THE HANDBOOK ON CORRECTIONS), POLITICALLY SUBVERSIVE AND INCORRIGIBLE) ARE BEING ASSIGNED TO THE PRISON'S REPRESSIVE MANAGEMENT CONTROL UNIT (MCU) BY THE PRISON'S MANAGEMENT CONTROL UNIT SPECIAL CLASSIFICATION COMMITTEE (MCU-SCC) BASED "SOLELY" ON UNCOLLABORATED CONFIDENTIAL INFORMANT INFORMATION THAT IS NEVER GIVEN TO THE PRISONER(S) (BEFORE OR AFTER THEIR KANGAROO MCU-SCC HEARINGS) WHO'S BEING CONSIDERED FOR PLACEMENT IN THE CONTROL UNIT SO THEY CAN ATTEMPT TO PREPARE SOME KIND OF A DEFENSE AGAINST THE CONFIDENTIAL INFORMANT'S UNCOLLABORATED ALLEGATIONS (PRISONERS BEING CONSIDERED FOR PLACEMENT IN THE MANAGEMENT CONTROL UNIT (MCU) NEVER RECEIVE ADMINISTRATIVE DISCIPLINARY INFRACTIONS) BEFORE AND DURING THE MCU-SCC PLACEMENT HEARINGS, OR DURING THE APPEAL (PROCESS) IF A PRISONER IS ASSIGNED TO THE MANAGEMENT CONTROL UNIT (MCU)...

CONFIDENTIAL INFORMANTS HAVE MORBID HISTORIES OF FABRICATING CONSPIRACIES (SOMETIME IN CONJUNCTION WITH CERTAIN PRISON (OFFICIALS) LIKE THE PRISON'S INTERNAL AFFAIR INVESTIGATOR, BARNEY M. DYRNES WHO'S MENTION IN THE ENCLOSED NEWSPAPER ARTICLE ENTITLED "COP VS. COPS: INVESTIGATOR CHARGES DRUG RING RUN INSIDE TRENTON (PRISON), COP'S REPORT GETS NO SUPPORT FROM PEERS) TO GET CERTAIN PRISONERS REMOVED FROM THE PRISON'S GENERAL POPULATION THAT THEY DO NOT LIKE FOR SUNDRY REASONS, OR HAVE BEEN IDENTIFIED AS BEING POTENTIAL LEADERS, POLITICALLY SUBVERSIVE OR INCORRIGIBLE PRISONERS BY CERTAIN PRISON OFFICIALS (OR THE INFORMANT(S) THEMSELVES) SEEKING TO ISOLATION THEM IN THE MANAGEMENT CONTROL UNIT (MCU)!

CONFIDENTIAL INFORMANT(S) ARE ALSO KNOWN TO FABRICATE (CONSPIRACIES) AGAINST CERTAIN PRISONERS THEY KNOW THE ADMINISTRATION'S INTERNAL AFFAIRS AGENTS WANT TO ISOLATE IN THE CONTROL UNIT IN ORDER TO GET CERTAIN INSTITUTIONAL TRANSFERS THAT THEY WANT AND (OTHER) SPECIAL FAVORS FROM THE PRISON ADMINISTRATORS FOR THEIR UNCOLLABORATED INFORMATION!*

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***SEE THE ATTACHED STATEMENT ENTITLED ARGUMENT OF RECORD.**

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PREFACE

"FOR THE PURPOSES OF SECURITY IT IS ESSENTIAL THAT THE POPULATION REMAIN DIVIDED. TO THAT END IT IS NECESSARY THAT A SENSE OF COMMUNITY BE DISCOURAGED, THAT COMMUNICATION AMONG PRISONERS BE MADE DIFFICULT; THAT LEADERS, NATURAL OR POTENTIAL, BE ISOLATED; THAT PASSIVITY BE ENCOURAGE AND ASSERTIVENESS, WHICH IS TOO CLOSE TO AGGRESSIVENESS, BE RESTRICTED EVEN IF IT MIGHT BE APPLIED TO POSITIVE ENDS; THAT SELF-CONFIDENCE BE ERODED AND SELF-DOUBTS BE ENGENDERED; THAT PREJUDICE AND BIASES WHICH DIVIDE THE COMMUNITY BE ENCOURAGE OR AT LEAST TOLERATED; THAT SOURCES THAT FEED PRIDE BE RESTRICTED, BECAUSE PRIDE IS POTENTIAL POWER; THAT LETHARGY BE REWARDED; THAT INDIVIDUALITY BE OBLITERATED; THAT THE SPIRIT OF MAN BE BROKEN IN THE SERVICE OF OBEDIENCE."

The aforementioned quote is from the handbook on corrections. It was put forth by Dr. Willard Gaylin, a supposedly expert in the field of corrections.

DOCTOR WILLARD GAYLIN IS A PSYCHIATRIST AND THE DIRECTOR OF SOMETHING CALLED THE HASTING CENTER BASED IN NEW YORK.* THE HASTINGS CENTER "EXPLORES ETHICS AND POLICIES CREATED BY BIOLOGICAL REVOLUTION SUCH AS EUTHANASIS." DOCTOR GAYLIN SPENDS MOST OF HIS TIME IN NEW YORK..

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Cop vs. Cops: Investigator charges drug ring run inside Trenton prison

By DAVE NEESE
The Trentonian

A senior state investigator has sworn to federal court that an inmate ran a drug-and-extortion ring from inside the Trenton state prison — but law enforcement agencies say they know nothing about it.

The story is told in a federal court affidavit by Barney M. Dyrnes, a senior Internal Affairs investigator for the Department of Corrections.

According to the affidavit, an inmate identified as L. Royal Fisher ran the drug-extortion scheme even though held in the Management Control Unit, one of the most tightly controlled areas of the prison.

Investigator Dyrnes' affidavit describes a "conspiracy" involving "a network of individuals," including "outside civilians, a number of inmates and at least one staff member."

Douglas Hildebrand, 50, of Mount Holly, a

senior corrections officer at the Trenton prison until his arrest on Nov. 17, 1988, was nabbed on charges of smuggling cocaine into the prison.

Hildebrand's arrest was highly publicized at the time. But the Dyrnes' affidavit also mentions another arrest — never publicized — of "an outside civilian."

Dyrnes says in the affidavit that "on or about Nov. 17, 1988," he interviewed the "civilian who had been apprehended due to involvement in the drug-trafficking conspiracy."

The investigator's affidavit goes on to say: "This civilian informed me that inmate Lee Royal Fisher . . . had threatened to inflict substantial bodily harm on the civilian's family, in order to secure the civilian's cooperation in the drug-trafficking conspiracy."

"The civilian believed Fisher had the contacts and capabilities to carry out such a threat, despite Fisher's confinement within New Jersey

State Prison.

"The civilian further informed me that in the spring of 1988, under threat from Fisher and at his direction, the civilian delivered controlled dangerous substances to a staff member."

According to prison records, Fisher, 46, has been "confined in close-custody units . . . from at least Nov. 1982."

In prison since 1976 for a Bergen County house robbery, he is serving a 40-45-year sentence for breaking and entering, robbery, threatening to kill and kidnapping.

Prison records list pages of infractions ranging from "verbally abusing" officers to possessing a razor blade.

The records describe Fisher as "a very manipulative individual" who has "a propensity for leadership among inmates."

(Continued on Page 10)

10 • THE TRENTONIAN, SUNDAY MORNING, AUGUST 6, 1989

Cop's report gets no support from peers

(Continued from Page Three)

Fisher filed a federal civil suit challenging disciplinary measures taken against him in the alleged dope-extortion caper. Investigator Dyrnes filed the affidavit in response to the suit.

The affidavit says details of the case are contained in an Internal Affairs report. But because of "the sensitive nature of the investigation, as well as the seriousness of the activities involved, the Internal Affairs report is considered highly confidential."

But state and county law enforce-

ment agencies, when pressed for details by The Trentonian, said they were unaware of an arrest of any "outside civilian" in the case.

Deputy Attorney General Anthony J. Paulazzo, representing the state Corrections Department, submitted the Dyrnes affidavit to U.S. District Court in Trenton.

"I don't really know a whole lot about it," he said.

Chuck Davis, a spokesman for the Attorney General's Office, also said he could not provide any information about an arrested civilian.

James Stabile, a spokesman for the Corrections Department, likewise said he did not know of such an arrest being made in the Hildebrand case.

He suggested the newspaper check with the N.J. State Police. "It was their arrest," he noted, referring to the Hildebrand case.

A State Police spokesman said he checked with the arresting officer in the Hildebrand case and also had no information on an "outside civilian" being arrested.

The spokesman suggested the Mercer County Prosecutor's Office

might know something about the story outlined in the affidavit.

Assistant County Prosecutor Maryann Bielamowicz, however, also said she was unaware of an outside arrest.

Dyrnes himself said, "I'm not permitted to discuss confidential investigations."

Inmate Fisher, who was transferred to the Readjustment Unit in Ewing Township as a result of his alleged scheme, fired off a series of questions in a telephone interview.

"If I did what they say I did, why haven't I been indicted?"

"And who is this 'outside civilian,' anyway? Nobody seems to know. How would I have been able to make contact with him? How would I have known this outside person was dealing drugs? I've been locked

up, you know."

"There are too many questions about this thing," he said.

In addition to Fisher, three other inmates contend they were retaliated against with improper disciplinary measures after officer Hildebrand's arrest.

In addition to dope-smuggling, Hildebrand has been indicted on charges of sexually assaulting Trenton inmate, Salvatore Gerard.

In spite of the indictment, however, prison authorities discipline the inmate for having sex with the officer and for allegedly using the relationship to help blackmail the officer into drug-smuggling.

A state grand jury indictment though, charges that Hildebrand turned to drug-smuggling "for his own sexual gratification."

Inmate's 'Kafka-esque' case to be reheard

By DAVE NEESE
The Trentonian

State prison officials have been rapped for disciplining an inmate in "Kafka-esque" proceedings.

Officials accused the inmate of masterminding a drug-extortion scheme but refused to reveal any details — including the victim's identity.

The inmate, Lee Royal Fisher, contends officials were secretive about the details because they concocted the whole story.

And a man officials cited as their confidential source for the drug-extortion story agrees.

The purported source says he knows nothing about any such scheme.

Questions about the case were first raised by a Trentonian story.

Inmate Fisher was hauled before a prison disciplinary hearing on drug-and-extortion charges and ruled guilty in December, 1988.

But his official accusers refused to reveal any of the evidence or even the victim's name, saying the

information was "extremely sensitive and confidential."

To Fisher's written questions asking basic details such as when, where and how the alleged crimes were committed, officials replied: "No comment."

Fisher "was put in the Kafka-esque posture of having to defend (himself) against evidence that was totally undisclosed," a N.J. Superior Court Appellate Division panel ruled.

The three-judge panel ordered a new hearing for the inmate, who at the time was in the New Jersey State Prison at Trenton and is now at Rahway.

The term "Kafka-esque" means absurdly arbitrary. It derives from Czech author Franz Kafka. His novel, *The Trial*, told the story of a man who was tried and convicted without ever managing to find out the charges against him.

Department of Corrections spokeswoman Patricia Mulcahy commented that the court "ruled procedurally, not on the merits of the case (against Fisher)."

The inmate's official accusers refused to reveal any of the evidence or even the victim's name, saying the information was "extremely sensitive and confidential."

In its decision, the appeals court panel said a story in The Trentonian revealed that "much of what the state claims to be highly confidential" in fact may have already "become a matter of public record" in a federal court case.

Fisher, 47, is serving 40-45 years in a 1976 Bergen County kidnapping case. In the prison disciplinary incident, he lost 180 days sentence-commutation time. He also drew 365 days in "administrative segregation."

He contends officials concocted the charges against him because of an earlier complaint he'd filed against them in another dispute.

Fisher represented himself in the appeal after the Department of Public Advocate's inmate advocacy office declined to assist him.

The Trentonian story revealed an affidavit filed in federal court by Barney Dyrnes, an internal affairs investigator for the N.J. Department of Corrections.

The affidavit described Fisher as being at the center of a dramatic drug-smuggling conspiracy commanding a "network of individuals" inside — and outside — the prison.

The affidavit cited an "outside civilian" informant. The informant, according to the affidavit, told of being forced to deliver drugs to the Trenton prison under threat that inmate Fisher's outside contacts would do him "substantial bodily harm."

The affidavit also said the informant had been arrested in the drug-smuggling scheme — making his identity public information.

The Trentonian learned that the purported informant's name was Daryl K. Jackson of Newark. But Jackson, in a telephone interview denied telling investigators of any drug-extortion scheme as described in the affidavit.

"That's some dirty —," he said when the newspaper read the investigator's affidavit to him. "They're just using my name."

He said he had never heard of inmate Fisher and had never been questioned by investigator Dyrnes.

Jackson was arrested by State Police narcotics investigators in Hamilton Township in November, 1988, on cocaine-possession charges. But the charges were later dismissed for "lack of evidence," according to the state Attorney General's Office.

Prison officials said the details of the case against Fisher were "extremely sensitive" and had to be kept secret because they would be used in a future criminal case.

No criminal charges in the drug smuggling-extortion case ever were filed against the inmate, however.

ARGUMENT OF RECORD

THE FOLLOWING SCENARIO IS NOW ROUTINE IN PRISON DISCIPLINARY HEARINGS, MANAGEMENT CONTROL UNIT (MCU) HEARINGS AND OUT-OF-STATE TRANSFER HEARINGS!: A PRISONER IS ADVISED THAT HE IS SCHEDULED (FOR) ONE OF THESE HEARINGS (UNTIL THE HEARING(S) IS HELD, THE PRISONER IS ISOLATED WITHIN THE PRISON'S REPRESSIVE PRE-HEARING MANAGEMENT CONTROL UNIT (MCU) DETENTION UNIT, OR THE PRE-HEARING! DISCIPLINARY DETENTION) ON THE BASIS OF CERTAIN INFORMATION THAT HAS (BEEN) RECEIVED BY PRISON OFFICIALS FROM A CONFIDENTIAL RELIABLE INFORMANT(S). NO DETAILS ATTESTING TO THE RELIABILITY OF THE CONFIDENTIAL INFORMANT, THE SOURCE OF THE INFORMANT'S INFORMATION (E.G; PERSONAL OBSERVATION, HEARSAY, RUMORS WITHIN THE PRISON) OR THE SPECIFIC NATURE OF THE INFORMATION, BEYOND CONCLUSIONARY (STATEMENTS) ARE OFFERED...

THE HEARING IS THEN CONDUCTED WITH OR WITHOUT REPRESENTATION FOR THE PRISONER, THE RIGHT OF CROSS-EXAMINATION, OR OTHER PROCEDURAL RIGHTS! REGARDLESS OF THE PROCEDURAL PROTECTIONS AT THESE KANGAROO HEARINGS, THE PRISONER'S OPPORTUNITY TO CHALLENGE THE CASE AGAINST HIM IS OFTEN MEANINGLESS, FOR THE WITNESS WHO ACTUALLY TESTIFY RARELY HAVE FIRST HAND (OR EVEN SECOND-HAND) KNOWLEDGE! OF THE ALLEGED MISDEEDS HE'S SUPPOSE TO HAVE COMMITTED OR HAVE KNOWLEDGE OF! THE HEARING BOARD THEN REACHES A FORGONE CONCLUSION AND FINDS THE PRISONER GUILTY OF THE INFRACTION, OR RESPONSIBLE FOR WHATEVER CONDUCT THAT WOULD JUSTIFY RECLASSIFICATION (ASSIGNED TO (THE) MANAGEMENT CONTROL UNIT (MCU) VIA GENERAL POPULATION) OR A TRANSFER TO ANOTHER PRISON WITHIN THE STATE OR AN OUT-OF-STATE TRANSFER!

WE REQUEST A STATEMENT CONTAINING SPECIFIC INFORMATION FROM WHICH THE COMMITTEE CAN REASONABLY CONCLUDE THAT THE INFORMANT WAS CREDIBLE AND HIS INFORMATION RELIABLE! THE STATEMENT SHOULD ALSO CONTAIN THE INFORMANT'S STATEMENT IN LANGUAGE THAT IS FACTUAL RATHER THAN CONCLUSIONARY, AND SHOULD ESTABLISH THAT THE INFORMANT SPOKE WITH PERSONAL KNOWLEDGE!

WE ARE NOTING OUR OBJECTIONS TO THE USE OF CONFIDENTIAL RELIABLE! INFORMANT INFORMATION, BASED UPON THE CONTENTION THAT NO SUCH INFORMATION HAS BEEN MADE AVAILABLE TO THE RESPONDENT IN WRITING...*

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*THE PRISON ADMINISTRATORS NEVER RESPOND TO THESE REQUESTS AND OBJECTIONS IN WRITING.....
