

SKATZES/LUCASVILLE 5 SUPPORT BULLETIN NO. 22. July 1999

ACT II, SCENE 2: MAR.-APR. 1994

(A year has gone by. Skatzes and "riot leaders" Hasan and Lavelle are confined in adjacent cells at Chillicothe Correctional Institution. In prisons all over Ohio, the Ohio State Highway Patrol under the direction of Special Prosecutor Piepmeier is interviewing and re-interviewing prisoners who took part in the April 1993 rebellion, probing for a break that will permit the authorities to begin issuing indictments based wholly on the testimony of "snitches" in exchange for plea bargains.

The stage during this and the next several scenes should be a post-rebellion variant of the three-part division of the stage during most of Act I. In Act I, center stage was "rebellion headquarters," the office in L-2 where leaders of the disturbance met to plan strategy and to talk with the authorities on the telephone. In Act II, the middle of the stage should be, in this scene, an office used by the authorities to interview prisoners, and in later scenes, the raised area of the court room where the judge sits. Stage Left in this and later scenes should be a mini-range of three cells next to one another. One of these represents the succession of cells occupied by George Skatzes during his pre-trial confinement, and his trial in the fall of 1995. Stage Right is also an area of cells, occupied in later scenes by eye witnesses to the events for which Skatzes was convicted who were never called to testify.

When Scene 2 begins, Skatzes, Hasan and Lavelle are in very small adjacent cells at stage Left. Skatzes is in the middle cell, Hasan and Lavelle on either side, with Lavelle's cell closest to the audience. Each is sitting or lying on his bunk, reading or writing or gazing into space. A guard approaches.)

CAPTAIN ADAMS: Skatzes. You have an attorney visit.²

²What follows combines in one episode events on Oct. 19, 1993 and Mar. 31, 1994, and presents as a second episode what was in fact a third meeting with the authorities on Apr. 6, 1994. Atty. Jeffrey Kelleher was not appointed to represent Skatzes until after the Oct. interview. The dialogue is based on notes by Atty. Kelleher during a visit to Skatzes on Apr. 10, 1994, and on a letter from Skatzes to Kelleher, Apr. 14, 1994. This scene was

(Skatzes gets up from his bed and approaches the bars of his cell. He wears slip-on shower slippers and a white jump suit.)

SKATZES: That doesn't make sense, Captain Adams. I don't have an attorney!

CAPTAIN ADAMS: All I know is I was told you have an attorney visit.

SKATZES: Well, I guess you wouldn't lie to me. OK, I'm ready.

(Skatzes backs up to the food slot in his cell, thrusts his hands through the food slot, and is handcuffed behind his back. Adams unlocks the door, and the two men proceed to center stage.

In the room represented by center stage are a table, chairs, and two men in civilian clothes. Sergeant Howard Hudson of the Ohio State Highway Patrol does most of the talking. The second man is also a trooper, Sergeant McGough. Hudson motions for Skatzes to sit.)

SKATZES: I thought I was supposed to have an attorney visit.

HUDSON: Obviously we are not lawyers. We want to talk to you about the riot. We want to give you a chance to roll.

SKATZES: I understand you have a job to do. But I already told the State in writing that I am invoking my constitutionally guaranteed right to remain silent, and that I don't wish to be interviewed by law enforcement.

HUDSON: We didn't tell anybody about coming to see you.

SKATZES: Why the deception? Why are you keeping so quiet the fact that you came to see me? You make it appear that I have something to hide.

HUDSON: We are in the process of getting on our side as

reviewed in detail with George Skatzes on July 14, 1999.

many of the rioters as we can. Those that don't help us will be on the other side. They will be left to fight for themselves.

SKATZES: I don't have anything to tell you. I don't wish to continue this interview.

HUDSON: George, if you don't help us we will see to it that you spend the rest of your life in prison, whether or not you are tried on charges related to the riot. You are doing a life sentence for aggravated murder to begin with. We can keep you in prison with no problem. But if you help us, we can help you.

SKATZES: There is no way I can do anything to help you.

HUDSON: We are here to give you one last chance. The next time we come we will have three capital murder cases: Vallandingham, Elder, and David Sommers. We're trying to keep you off Death Row.

(Skatzes stands. The visit ends. George is led back to his cell and uncuffed through the food slot. He immediately turns to the nearby cells where Hasan and Lavelle have risen, waiting for Skatzes' report.)

SKATZES: There wasn't any lawyer. I had a visit from the Highway Patrol.

(The three prisoners continue an animated but inaudible conversation. The lights gradually dim and the stage becomes dark and silent, to indicate the passage of time.)

(A woman in professional dress enters the center stage area from stage Right. She is Dr. Virginia Ruchter, who provides psychological services for prisoners at Chillicothe. She sits at the table, sighs, fiddles with a ballpoint pen, and begins to write, reading aloud as she does so.)

Today I planned to go down to the North Hole to see George Skatzes, as he relates deepening depression. However, earlier today, Skatzes was brought to the Placement Coordinator's office, apparently for some sort of interview with multiple outsiders here at that time. I suggested to our secretary that it might be easier for staff if I would

just evaluate Skatzes in the same office when the others were finished, or I could see Skatzes in my office. The secretary brought this to the Deputy Warden's attention and he came to see me. . . .

(Deputy Warden Ralph Coyle enters the room from the right.)

COYLE: I understand you want to see Skatzes. Now would not be a good time.

RUCHTER: Why is that?

COYLE: The interviewers have Skatzes almost at the point of saying something important. (Gestures as he speaks.) This is all very involved and complicated. This would be a bad time to see Skatzes.

RUCHTER: We need to provide the service when it is needed, when the time is requested. Skatzes needs to be evaluated.

COYLE: The interrogation process and contacts are all being "orchestrated." We can't interfere with the process. He's just about ready to tell us things.

RUCHTER: Whatever gains you may make are likely to be compromised by consequences that might occur from refusing to provide treatment.

COYLE: Why do we always end up talking like this? It is being handled the way the Warden wants it handled.

RUCHTER: You are assuming that contact by Skatzes with a psychiatrist would delay or end the movement toward your goal. In fact, it is more likely that such contact would facilitate Skatzes' talking with them.

COYLE: Actually, Sandy May and Bruce Wright have been seeing Skatzes a lot. They're monitoring him. They see him frequently. Maybe you would like to talk with the Warden?

RUCHTER: That's fine with me. I can remind him of our duty and obligation to provide treatment.

(She starts to leave.)

COYLE: Oh no, don't go down there. I'll have the Warden come up here to talk with you. We don't want anything disturbing Skatzes. I'll tell the Warden to see you here. OK?

RUCHTER: That's fine.

(Coyle leaves the room, heading toward stage Right. Ruchter picks up the telephone on the table and dials.)

RUCHTER: Hello, is this Bruce Wright? I'm calling about Skatzes. . . . You say you are NOT following Mr. Skatzes? . . . The one time you saw Skatzes was back in mid-October? . . . [Writing as she speaks] You are uncertain whether Skatzes was ever referred for psychiatric evaluation or whether a psychiatrist saw him. . . . You do not see Skatzes as exhibiting signs of depression. . . . You know that in prior years Skatzes has experienced depression.³

(Ruchter hangs up the phone. As she does so, the Warden and Deputy Warden walk past her office at the back of the stage from right to left. They do not stop to check whether the meeting between Dr. Ruchter and the Warden is going to materialize. Dr. Ruchter sees them and slams her fist on the table.)

RUCHTER: There go the Warden and Deputy Warden! They didn't even stop!

(The severely objective language of the dialogue, drawn from Dr. Ruchter's Contact Sheet, should be in tension with her obvious distress as shown by her body language. After slamming the table, she should abruptly get up and leave.

The scene now shifts to stage Left.)

SERGEANT FOUTY: You have a visit, Skatzes.

(Skatzes and the guard go through the cuffing procedure again. Again Skatzes is led to the room at center stage. This time the officer cuffs him to an eye bolt on the table in the

³The foregoing dialogue appears almost verbatim in a Contact Sheet (DRC 5028) by Dr. Virginia Ruchter, dated April 8, 1994.

center of the room, and leaves him standing there.⁴

Hudson and McGough enter. They do not sit or invite Skatzes to sit. Hudson approaches Skatzes and stands at his left side. The other trooper makes his way around the table and stands at his right side. In Skatzes' words: "As I am standing there with a trooper on either side of me, they start talking to me.")

HUDSON: Now is the time for decision, George. We can drop Vallandingham and Elder, but you have to stand for Sommers. You will be indicted for three capital murder cases if you do not cooperate with us.

SKATZES: I cannot help you.

(The troopers leave. Sergeant Wilson, Sergeant Fouty and Corrections Officer Ackley enter from stage Left. Skatzes gets ready to go, turning in the direction of his cell at stage Left. Mr. Coyle, the Deputy Warden, enters the room from stage Right.)

COYLE: George, I am Deputy Warden Coyle. Do you think it would be wise for you to go back to the North Hole?

SKATZES: Yes! I have done nothing wrong. I have nothing to hide. And if I don't go back to the North Hole, it will make me look like a snitch.

COYLE: Maybe the other inmates in the North Hole will think of you as a snitch, anyway.

SKATZES: Why should they even have such a thought in their minds? I'm not going to any lock except the North Hole. Period!

(Coyle leaves. Skatzes sits down and waits. The three guards remain in the room. Nobody says much. Coyle reenters.)

COYLE: Central Office has decided that you cannot go back to the North Hole. The decision is non-negotiable.

⁴These stage instructions are drawn from Skatzes' letter written four days later.

SKATZES: You people have created a very serious situation for me. I have nothing to run and hide from. You're setting me up to look like a snitch. I went out on a visit and did not return. Anybody who knows anything about prison life will understand how inmates will take that information and run with it. When I don't come back, Lavelle and Sanders will figure I turned State's evidence. Serious damage is being done to my character. You are putting the life of my loved ones in danger. You're going to get me killed.

(The three guards form up around George, unbolt him from the table, and escort him out of the room toward stage Right. The scene -- the spotlight, if there is one -- goes back to stage Left. Lavelle is sitting on his bunk, writing a letter. He reads it aloud.⁵)

Jason:

I am forced to write you and relate a few things that have happened down here lately. With much sadness I will give you the raw deal. Your brother George has done a vanishing act on us. Last Friday, the OSP came down to see him. Now the truth is that he was only in the room for 7-10 minutes. With only a short meeting I truly believed his word that he told them he was solid. The strange thing I should have seen was what he said happened that day. He related to Hasan and me that "they said they were giving him one last chance before indictments come out to help them. He said that they claimed he would be charged with three capital murder cases." I won't put any names in the letter but I will say he acted scared. On Wednesday, April 6, 1994, George said about 8:00 a.m. that he had a lawyer visit coming and before they were here the COs wanted to move him to the room. Now to be short and simple, he failed to return that day. Today they came and packed up his property which leads me to the conclusion that he has chosen to be a cop. Now if I am wrong, I will do all I can to correct the problem. But JR, I am not wrong. I called Niki [Schwartz]

⁵The following words are contained in a letter from Anthony Lavelle to Jason Robb, April 7, 1994.

today and advised him of the situation. If you don't believe my words check it for yourself, and then get back with me as soon as you can.

Time to close. Hope to hear from you soon.

Lavelle.

(Again the stage goes dark. As the lights come on, a figure walks to center stage and steps toward the audience. He is an African-American in a business suit.)

WILKINSON: My name is Reginald A. Wilkinson. I am the Director of the Ohio Department of Rehabilitation and Correction.

When Anthony Lavelle turned State's evidence, his testimony led to all the other Lucasville convictions.⁶ According to Special Prosecutor Mark Piepmeier, the key to winning convictions was eroding the loyalty and fear inmates felt toward their gangs. To do that, his staff targeted a few gang leaders and convinced them to accept plea bargains. Thirteen months into the investigation, [in May 1994, Lavelle,] a primary riot provocateur agreed to talk about Officer Vallandingham's death. He later received a sentence of 7 to 25 years after pleading guilty to conspiracy to commit murder. His testimony led to death sentences for riot leaders Carlos Sanders, Jason Robb, James Were, and George Skatzes. . . .

END OF ACT II, SCENE 2

⁶The following words are drawn from Reginald A. Wilkinson and Thomas J. Stickrath, "After the Storm: Anatomy of a Riot's Aftermath," Corrections Management Quarterly, 1997.

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