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HEARING THREE
COMMISSION ON SAFETY AND ABUSE
IN AMERICA'S PRISONS

DATE: November 1, 2005
TIME: 8:30 a.m. to 3:37 p.m.
PLACE: Washington University School of Law
Anheuser-Busch Hall, Room 310
St. Louis, Missouri 63130

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DR. DUDLEY: Good morning. We've begun each of our hearings with a kind of a personal account where we've taken an opportunity to hear from individuals who have a very deeply personal experience related to the theme of each hearing. We were going to continue that this time. The four panelists for our personal accounts panel include Mr. Lou West, Reverend Jackie Means, Ms. Asha Bandele, and Ronald Kaschak.

13

Mr. West is a corrections officer, I think as you heard already, in St. Louis Justice Center, who's worked in the field for 25 years. He will describe for us how St. Louis is working in a direct supervision environment and will talk about the positive impact of that as it relates to inmates as well as officer safety.

20

Our second speaker will be the Reverend Jackie Means, who is the director of prison ministry for the Episcopal church. She'll address various issues associated with working in the prisons and her observations in that regard as well as her experiences as a mother of a female corrections officer and

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1 balancing those experiences.

2 Our third speaker and witness will be
3 Ms. Asha Bandele. She is the author of The Prisoner's
4 Wife and a staff member of the Drug Policy Alliance.
5 She'll describe some of the difficulties that she's
6 encountered in maintaining a relationship with her
7 husband, who's a New York State prisoner, and the
8 importance of prison superintendents in trying to
9 mitigate or making more difficult the challenges of
10 maintaining a family when one of its members is
11 incarcerated.

12 Then our fourth witness, Mr. Ron Kaschak,
13 is a former deputy sheriff at the Mahoning County Jail
14 in Youngstown, Ohio, who obeyed a supervisor's orders
15 to beat an inmate and then cover up the beating. He
16 later assisted authorities in the prosecution of the
17 supervisors, and will talk to us about his experience
18 in that regard. Mr. West.

19 MR. WEST: Good morning. I'm here today to
20 shed some perspective and insight on some of the
21 experiences of working in the jails past and present.
22 The first experience of working in a linear style
23 institutions, I was there in the 1980s, and probably
24 the best description that I can give how the inmates
25 felt came from a quote from the author George Louis

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1 Jackson, who was a member of the California State
2 Penitentiary in the seventies who said that, "Try to
3 think about the worst day of your life. That is how I
4 feel all the time."

5 The physical structure of the jail set the
6 tempo and the stage for the aggression and violence
7 that was always present in this environment. Even
8 though I grew up in the streets of St. Louis, there
9 was nothing to prepare me for the graphic violence
10 that was experienced on an everyday experience.

11 Some days just in taking the count in
12 coming in to work, you would immediately view inmates
13 trying to destroy each other with all the might and
14 aggression that they could muster. The despair and
15 desperation was increased whenever there was any hint
16 of injustice or opportunities taken away that always
17 seemed to increase.

18 In this environment the officer was like a
19 human buffer for all of the aggression and stress that
20 the inmates had manufactured by the fact that they
21 were facing a lot of time. It seemed like everything
22 was done in intense anger, and it caused a personal
23 reaction for me also in my home life, outbursts of
24 anger for no seemingly reason at all.

25 I knew it was a reflection of where I

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1 worked, and many times I found myself being disturbed
2 in my sleep because I always felt the presence of
3 something evil coming towards me. So it was always
4 the escapism of trying to be prepared and fight, and
5 I've torn up many a stereo equipment and personally
6 have grabbed my wife on occasion in the early part of
7 my career.

8 So this environment dealing with the safety
9 of the inmates basically was understood that we had to
10 make periodic tours of the jail. They were -- all the
11 cells were all lined up side by side. But we were
12 never required to just stay in front of the cell. So
13 those inmates who experienced charges dealing with
14 women and children, which were very hostile in the
15 jail environment, were the ones that faced probably
16 the most harm for their safety, and anytime the five
17 o'clock news came on and their pictures were able to
18 be flashed across the screen, we had extreme violence.

19 So the number one instrument of safety that
20 I employed that I used was a concept called the
21 interpersonal communications skills. And this meant
22 your ability to personally relate and communicate to
23 all those that were involved on your walk. I always
24 felt that if you know the person there, know what
25 they're feeling, know some of the problems that they

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1 were going through, you could personally address this
2 on a human issue, and it will cause you to have a lot
3 of feedback and cooperation.

4 Now, this concept in turn was frowned upon
5 back in the early days for fear of becoming too
6 familiar or being manipulated by persuasive inmates
7 who had that power and ability. But I always felt
8 that if you knew what a man was going through, if you
9 understood that the jail system was probably the worst
10 place that a human being could ever be in his life, if
11 you came in there on a positive note and the inmates
12 knew that you were not there to add to the tension,
13 add to the chaos, it created an atmosphere of peace.

14 Now, this did not always work because
15 problems and situations came up all the time that
16 always seemed to strip a man of his human dignity.
17 There was always a fight for what was right and what
18 was belonging to them, and the only line of defense
19 between the inmates and the staff was the line
20 officer, the correction officer that worked back there
21 on the tier.

22 You could stop many a problem or conflict
23 by just listening to what the problem was, and being
24 able to articulate it to your supervisors in a
25 peaceful manner. Because back in those days we did

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1 not have the mace and all the high-powered equipment
2 that we had, and any time you opened those gates and
3 went in there and had to deal with them, it was like
4 hand-to-hand combat.

5 This concept probably resulted in the early
6 1990s with one of the worst riots we had in county
7 jail history, where the SWAT team had to actually come
8 in when we were in stage one of our more fierce
9 battles at night because of the institution of not
10 having smoking in the institution. It caused a great
11 deal of chaos and stress. That night came to a
12 conclusion with the SWAT team surrounding the
13 building, and finally the prisoners gave up. And we
14 believe because of that riot, there was several more
15 before that, that this is what led to direct
16 supervision.

17 Now, direct supervision style is a more
18 humane setting for the prisoners. We do not have any
19 bars. The inmates are allowed to come and sit in a
20 day room area, watch television, interact with each
21 other without that confinement placed upon them. The
22 safety of the inmates was dramatically increased
23 because the officer now was inside the pod with them,
24 whereas in the other style we were allowed to sit on
25 the outside.

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1 The problem is the officer was now on
2 complete display, and we probably like to describe it
3 as customer service in hell because it seemed like as
4 soon as you open the gates, 67 men would approach you
5 at different times, not with the courtesy that you
6 might have working in a retail store, but with all of
7 their frustrations and aggravations on front street
8 irregardless of the man next to them.

9 So an officer required on a number of
10 professional roles to be a psychiatrist, trying to
11 figure out some of the personality disorders that
12 inmates had. A constant social worker. Have to
13 constantly provide the needs, the paperwork, the
14 hygiene items. A role model, a father figure, a
15 humanitarian, a disciplinarian, an academy award
16 winning actor, and a fireman because you had to
17 constantly put out conflicts.

18 While all this was going on, at the same
19 time you had to maintain a computer and make sure that
20 you know where each and every one of these men were at
21 any given time of the day, and it always seemed like
22 everything happened at the same time. On any given
23 day they would call for the courts at the same time,
24 the clinic people, the GED, and this constant moving,
25 constant motion always calls the officers to have a

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1 great deal of ability to be an actor.

2 Now, I use that word actor because if you
3 can just place yourself in a situation that every
4 single day that you came to work you were faced with
5 extreme problems of 67 grown children who wanted you
6 to be their caretaker and solve everything that they
7 had. And even though we are not required to be legal
8 consultants, the inmates never trusted themselves.
9 They were always asking you or running over their
10 scenario of their case and how they were innocent just
11 to see how it sounded even to themselves.

12 So the opportunity to say that I would
13 never compare a correction officer's job with the
14 police officer's, but I do believe that we are the
15 first cousins of the law enforcement police officers.
16 This is why a correction officer is really offended by
17 the media when they refer to us as jail guards because
18 if all we had to do was sit and watch something, we
19 would be in very good shape indeed.

20 A correction officer is required to have a
21 multi-facet of skills that he must call upon every
22 single day that he works. And the very same people
23 that the police officers arrest, have to subdue or
24 shoot at, we live with them on a daily basis unarmed.
25 And there's nothing but air and opportunity that will

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1 prevent them or yourself from being taken hostages.

2 Now, as I mentioned before, the technique
3 that worked in the linear style jail is the exact
4 technique that still works to this day, and I know it
5 to be effective, and that is your ability to relate to
6 your fellow man and emphasize and put yourself in his
7 situation. By you being able to do this, you are not
8 adding to the stress and tension that's always there.

9 We always said don't never go looking for a
10 fight in correction. The environment exists. All you
11 have to do is just be prepared. But it seemed like
12 when things happened, even though we have a timely
13 system where officers arrive, it takes only a matter
14 of seconds before things can become a complete chaos.

15 Now, I wanted to close in saying that maybe
16 the general public is not aware, but most of the
17 members of our society who have committed crimes are
18 usually in the same category as me and you. Usually
19 five or ten minutes of anger can change the course of
20 a person's whole life. And if you're able to
21 understand that only by the grace of God have you been
22 blessed to not be in this situation, if you can relate
23 that to them, this is the number one thing that keeps
24 your safety intact. Because you are not viewed as a
25 hostile opponent of the system. You are viewed

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1 exactly what your title says, correctional officer,
2 which means "to make right."

3 MR. SESSIONS: What's linear style jail?

4 MR. WEST: The linear style jail is the
5 symbolic that you see on television with the bars and
6 the locking of the doors and the racking. That is
7 considered linear. Where direct supervision is in an
8 open setting, or open seating.

9 DR. DUDLEY: You described the benefits of
10 this direct supervision model. I was wondering if you
11 had any thoughts that you wanted to add about how
12 corrections officers could be trained so they would be
13 better prepared to handle this sort of model, and/or
14 any other sorts of things that can be done to make the
15 direct supervisor model any less stressful for the
16 officers working there.

17 MR. WEST: We have an excellent training
18 staff that prepares us on a number of topics and
19 issues dealing with human behavior and different
20 dynamics of situations, but there's some -- some
21 things that cannot be trained. If you know your
22 personality is not going to deal with a lot of other
23 people's problems, that you are -- maybe you are
24 impatient in regards to having a vulnerability to
25 listening and just hearing complaints all the time, it

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1 makes it somewhat difficult. But you can acquire that
2 immune system by being able to just kind of relate and
3 put emphasis on how you would feel in that situation.

4 I said myself if somebody was in my family
5 that was incarcerated, I would certainly hope that
6 somebody would take the time out to turn them around
7 and show them a positive influence in jail. There are
8 techniques and training measures and classes that you
9 can take in dealing with the human behavior, but it's
10 something that has to be inside you as you have to
11 willingly want to explore because if you don't have
12 it, the job can be extremely difficult.

13 DR. DUDLEY: Are you saying recruitment and
14 selection of corrections officers is equally as
15 important?

16 MR. WEST: Yes, it is. It's hard when
17 you're interviewing people for the job to really
18 determine what type of personality they have that can
19 really endure this because even the most patient of
20 people have problems in this setting. No matter what
21 style of management you have, just being in an
22 environment where you're constantly in demand has its
23 drawbacks.

24 So it's really to difficult to determine --
25 and it really has nothing to do with size. Some of

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1 the biggest guys that we ever had, they run clean down
2 the street dealing with all the personality that we
3 have. Some of the smallest officers in the building
4 have a presence and a command that they can convey to
5 the inmates that lets them know that they're in charge
6 and they are professional. So it's really difficult
7 to determine exactly who is fit for the job.

8 DR. DUDLEY: Thank you very much. Reverend
9 Means?

10 MS. MEANS: I think I want to thank you for
11 giving me the time this morning to speak to you. I'll
12 let you know later. As you know, my name is the
13 Reverend Jackie Means. I'm currently director of
14 prison ministries for the Episcopal Church in the USA.
15 I spent the last 35 years ministering prisoners,
16 staff, correctional officers, and families of both, a
17 calling that became even more personal when my
18 daughter made the decision to become a corrections
19 officer more than twenty years ago.

20 In the early 1970s I was doing a semester
21 of field work at the Marion County Jail in
22 Indianapolis, Indiana in the women's section, and
23 after hearing the stories about the atrocities at the
24 women's prison, knowing it is indeed the oldest
25 women's prison in the United States, I decided I'd

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1 take a peek inside and see what it really looked like.
2 In those days the women were still using slop jars and
3 were not allowed to use telephones. They had no
4 privileges.

5 Knowing that they didn't have a chapel and
6 they were the only prison in the state of Indiana that
7 didn't have a chaplain, the first time I went into the
8 institution I snuck in behind the Catholic chaplain
9 that was doing mass and his singers. They thought I
10 was a singer. They didn't check very much in those
11 days. Of course, they didn't let many people in the
12 prison system in those days.

13 I slipped in right through his coattail,
14 and I felt pretty good about it until I got inside and
15 realized that all those women looked just like me.
16 They didn't have uniforms on. And all I could think
17 was what am I going to do if I don't get out of here
18 and they do count tonight and they have one extra
19 person. How do I explain that?

20 Soon after going in with him I made an
21 appointment with the warden of the prison, and asked
22 if I could begin coming in and doing some chaplain
23 work for the women. And I also went to the Episcopal
24 church and to my bishop, and soon afterwards I was put
25 in the budget and I was paid as a full-time chaplain

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1 at the Indiana Women's Prison.

2 I was there for twelve years, and in the
3 meantime my daughter, as I said before, became
4 interested in being an officer, and just as I was
5 leaving my position as the chaplain she began her job
6 at the prison. For the very first few months she had
7 a real hard time because our jobs were different.
8 They knew that she was my daughter.

9 We look almost exactly alike, and the
10 officers, the staff, would also compare her to me.
11 But anyway, especially the inmates. And they'd say,
12 "You're not like your mother." And of course, she --
13 her job was different than her mother's. My job was
14 not to make sure they were locked up. My job was
15 there as a spiritual advisor. And I think that that
16 bothers her still to this day. She still has that
17 position.

18 I can't blame her position as an officer
19 for the drinking problem that she developed. The
20 stress of the job and the lack of support for the
21 officers didn't help the situation. There are
22 statistics that say divorce and alcoholism are the
23 major problems facing officers. Then when you have
24 reached the top, whatever that means in corrections,
25 maybe it's being a warden, this changes to heart

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1 problems.

2 There's also a study that shows one year --
3 or one year after retirement, one year before and one
4 year after retirement, the incidents of death from
5 heart attacks are very high. As I was talking to a
6 warden just last week, he told me that he was one year
7 from retirement, and was also -- always and was that
8 day becoming anxious about his health and was he going
9 to survive the retirement. Not the job. The
10 retirement.

11 The prison system is like no other in the
12 world. It is militaristic, and those in charge for
13 many years kept the secular world out as much as they
14 could. This frame of mind continued until the
15 population explosion in the '80s and continues even as
16 the crime rate has gone down.

17 As the mother of someone working in the
18 prison culture, I watched my daughter as time went by
19 becoming more like an inmate every day. Staff
20 snitches on staff. Inmates snitch -- snitch on each
21 other and staff, and it becomes a vicious circle. The
22 sense of collegiality does not often exist. Then you
23 add in the families and friends of the inmates and
24 they too are a source of contention.

25 They, like the inmates, have their own

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1 issues to deal with: A sense of guilt, anger at the
2 situation, and the feeling of helplessness. Not
3 knowing who to believe, they are frustrated at the
4 system that is not likely to change. Generally
5 speaking, the officers are not offered any continuing
6 education, nor do they have any choice in overtime.
7 It is mandatory. My daughter works twelve-hour
8 shifts, and for a single parent this is very
9 difficult.

10 I had a conversation with a female officer
11 at a male facility who was around fifty years old.
12 She has a hard time on her third day on rotation. She
13 says she's completely fatigued and wore completely
14 out.

15 There are more safety issues. In a
16 conversation with a superintendent of two prisons in
17 the Midwest, I learned that his main concern was the
18 lack of adequate staff. He has dorms of 400 men with
19 three officers per shift. This is bad enough, but
20 when these men are a mixture of long-timers, lifers,
21 child molesters and those with short time, in the
22 prison culture it is usually the young, short-timers
23 who cause ninety percent of the problems. The
24 superintendent is very concerned for the safety of his
25 officers and the inmates.

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1 There have been instances where an inmate
2 has been accused and filed a complaint against an
3 officer accusing him or her of inappropriate behavior.
4 There is a hearing and also an investigation done by
5 staff members that is either done in a hurry and
6 sometimes not at all.

7 And the officer's job is on the line. If
8 an officer does a good job and follows procedures to a
9 T, inmates are frustrated and often set the officer
10 up. That is not to say that officers are good or bad
11 people, but sometimes there is a fine line between the
12 inmate and the staff.

13 In most states if the officer is the head
14 of the house, has a family and is the only one
15 working, they can and have qualified for welfare.
16 When I was at the Indiana Women's Prison, because they
17 were not paying my salary, I was able to do some very
18 interesting things. I had a friend who was a
19 prominent wealthy lawyer in Indianapolis who made the
20 mistake of how he might help me.

21 So I played on his guilt because he was
22 very rich and very prominent. He took two cases where
23 both women were doing life, both black, and both could
24 not read or write at the time of their crimes. One
25 women was convicted of shooting her boyfriend, no

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1 weapon was ever found on the scene, and there were no
2 witnesses. My friend took the case back to court and
3 she was released immediately. And the judge
4 apologized to her for the thirteen years she had spent
5 in prison.

6 The other woman was sent to prison for
7 strangling her infant two days after she was released
8 from a mental hospital for severe postpartum
9 depression. When my friend took her case, he was very
10 doubtful that anything could be done because an infant
11 was involved. He said to me on the way to Evansville,
12 Indiana, "Baby, I don't think we're going to win this
13 one."

14 When doing research on the transcript of
15 the trial, he discovered that it was the medicine that
16 was prescribed during her hospitalization that put her
17 in a psychotic state, and that's when she strangled
18 her baby. She did fourteen years and was released
19 immediately by the judge.

20 Both of these women are still out and doing
21 well after seventeen years. They could today still be
22 behind bars if someone had not spoken out on their
23 behalf. And by the way, they both got the basic
24 education GED while they were in prison.

25 Had I been an employee of the Department of

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1 Corrections, I could not have intervened. I spent a
2 lot of my time talking to the staff being aware that
3 the women inmates resented the time I spent with them.
4 It's a lonely profession. Generally speaking they
5 have very few people to talk to that understand the
6 stress and pressure of the job. They also have a lack
7 of trust as to the inmates.

8 A woman at the Indiana Women's Prison was
9 doing life. The woman had been on death row. At a
10 time of high stress in her life many, many years ago
11 she had shot eight people. The governor commuted her
12 sentence from execution to life, and she had been in
13 the Indiana Women's Prison 23 years when I first went
14 there as chaplain.

15 Every day as I walked to my office, she was
16 out in the yard working. This is what she did. She
17 put flowers and she took care of the yard. I always
18 greeted her with a big hello and got no response, not
19 even a nod, for four years. I took her on as a
20 challenge.

21 Then one day as I walked in the prison she
22 looked up at me and said, "Good morning, chaplain." I
23 almost fainted. I went over to speak with her and
24 asked why today of all days she finally acknowledged
25 my presence. She looked me straight in the eye and

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1 told me she finally figured out that I wasn't like all
2 the do-gooders, that I was what I said and nothing
3 kept me away. And in other words, I could be trusted.
4 I want to add a note to that that she had come up for
5 parole for several times during the time of her
6 incarceration, and every time she came up was denied.

7 The women in the prison supported her and
8 they were -- they were like her children. She was
9 like a mother to everybody. One evening I was privy
10 to have dinner with a member of the parole board, told
11 her about this lady, said, "I wish you would give her
12 more consideration. I think that she -- I don't think
13 she would hurt a thing. She's been there forever."
14 Like how much -- how much time do you spend, how --
15 how long do we have to pay?

16 When she finally went up for parole
17 hearing, all the women in the prison were waiting

18 because they waited for her for so many years and she
19 came out and she'd been crying. Well, when she came
20 out this time she was screaming and she was laughing
21 and she had tears, and all the women in the prison
22 came out in the yard. I remember at this time we only
23 had about 120 women, and they were all so joyful. She
24 was released. And she still is doing well.

25 The frustration that I felt was a sense of

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1 dealing with a system that was not fair and was most
2 certainly racist and sexist. Because of its small
3 size, the Women's Prison then only had three
4 vocational classes, an ABE and GED. The vocational
5 classes were such that even if they were completed,
6 there was not a job that was much better than working
7 at Wendy's.

8 No. Okay. Now what do I do? What do I
9 do?

10 DR. DUDLEY: You're almost out of time.

11 MS. MEANS: I know it. I want to say two
12 things shortly. There are two things of my main
13 concern. One is the maximum security and super
14 maximum. One of the projects that I've taken on
15 recently is having a camp for children who have
16 parents in prison. And this camp allows each child,
17 maybe sometimes for the first time in their life, to
18 be in a place where they're loved and they're special
19 and they're respected.

20 We're doing these now in ten states, and
21 it's been very successful. We know that if a child
22 has someone in prison, their chances of going are
23 about seven out of ten. If they have both parents,
24 which is sometimes the case, it's 9.5. So hopefully
25 we look at maybe breaking the cycle of incarceration

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1 and give these children a better life than their
2 parents. Thank you and God bless you for what you've
3 done.

4 DR. DUDLEY: Thank you. Before we let you
5 go, though, any other thoughts of what might make the
6 environment or the experience with the corrections
7 officers --

8 MS. MEANS: I think they're underpaid.
9 They're not very well respected. I believe that
10 people, especially when they work in the shoe and
11 super-max prisons should have more time off and they
12 should be rotated through. That was my recommendation
13 when I visited super-max and shoe.

14 And I also really believe that correctional
15 officers should be encouraged continually to take
16 credit courses or to take classes that will make their
17 jobs better and easier. And I think that one of the
18 problems I'm seeing now is that there are changes
19 being made to the system. You have some new people
20 coming in on the scene. It is hard for those that
21 have worked there for a long time to change. That's
22 the big challenge today I think for superintendents
23 and wardens.

24 DR. DUDLEY: Thank you.

25 MR. SESSIONS: Reverend Means, do you have

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1 a -- you're one employee of the church?

2 MS. MEANS: Yes, I am.

3 MR. SESSIONS: Are there others like you?

4 MS. MEANS: In the other denominations?

5 MR. SESSIONS: No, just in the church

6 alone?

7 MS. MEANS: No, I'm it for the Episcopal

8 church.

9 MR. SESSIONS: Are there in every state --

10 DR. DUDLEY: We've got to --

11 MS. MEANS: We can talk later.

12 MR. SESSIONS: Thank you.

13 MS. MEANS: I hope.

14 DR. DUDLEY: Ms. Bandele?

15 MS. BANDELE: Good morning, and thank you

16 for the opportunity to speak with you about my

17 experiences with specifically New York State's

18 Department of Corrections, which I first came in

19 contact with in 1990. I was a student volunteer, a

20 member of a campus club, and we wanted to create

21 relationships with people who would be returning to

22 the neighborhoods in which we lived.

23 In New York State most prisoners come from

24 seven distinct neighborhoods. Most of us at the City

25 University of New York lived in that neighborhood --

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1 lived in those neighborhoods, and it made sense to us
2 that these men and women who were invested into the
3 community in which they are returning their
4 engagement, that it would be quite different than
5 their previous one. So to that end we visited
6 regularly, we did poetry reading, we ate, we shared
7 our living experiences with one another, and it was a
8 period of tremendous growth for me.

9 No one ushered that period along with more
10 impact than a man named Rashid. He was serving twenty
11 years to life for a murder he participated in when he
12 was seventeen years old. We developed a personal
13 relationship after two years, and then three years
14 after that we got married.

15 Let me say this before I go further: I
16 think it's important to continually recognize that
17 prisoners are not a monolith any more than all judges
18 are one thing, all doctors are one thing, all writers
19 or mothers. And I think that the view of prisoners as
20 a monolith really tends to dissolve the opportunity to
21 make the corrections system better. My own husband,
22 you know -- for example, you know, has a master's
23 degree in theology.

24 The men who grow through that program at
25 Sing Sing have a recidivism rate so low it doesn't

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1 even rank. And so that all prisoners do not need to
2 be infantilized or directed to do every single little
3 thing. It's just not true, and I really think it's
4 important to note that.

5 But in any case, I never thought that
6 negotiating a relationship with a man in prison would
7 be easy, but you know, I was 23. I was very young.
8 Had a lot hope for our future and, you know, realistic
9 belief that he would be released. And what we didn't
10 notice was that our relationship was being slowly and
11 in a very calculated way undermined.

12 We weren't undermined so much by the fixed
13 rules of prison life. You know, you read that and you
14 accept that and behave accordingly. We were
15 undermined as people, as individuals, as a family by
16 rules that were selectively enforced by guards, and
17 they were so selective you either didn't know they
18 existed, or there would be these sudden capricious new
19 rulings that would guide, you know, your interaction
20 with your loved one in the facility.

21 So one of the ones that we wives and
22 mothers complained about the most were sudden changes
23 in dress codes. So what you wore last week, you
24 know -- literally I had pictures -- I would wear two
25 weeks later and that now it's unacceptable. In the

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1 manner in which you're told that it's unacceptable is
2 humiliating and has the collateral consequence of
3 making a very vulgar sexual implication about you.
4 You wind up feeling like you're being sexually
5 harassed. Whether or not that's the intention, that's
6 what it feels like.

7 So it was -- hard as this was to take prior
8 to becoming a mother, it was nearly impossible to take
9 once I became a mother because I always have to be
10 aware of what I'm modeling for my daughter, and what
11 does it mean for her to look at her mother being
12 humiliated in this particular way and have no
13 recourse. What is she learning about how to negotiate
14 her space in the world as a woman and, you know, that
15 fear began to envelope me and really make me want to
16 limit my interaction with the facility because, you
17 know, it wasn't okay to have her mother's private
18 parts openly discussed and disparaged.

19 So the most egregious example was this
20 summer. It was maybe, I don't know, 98 degrees. It's
21 July in New York. I had on a dress that was down to
22 my ankles with a collar that was up here, but I had
23 these very sexy naked arms in this 95 degree weather
24 and so did my daughter. And they literally ran from
25 the room where you process in and said, "You can't

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1 come any further" and stopped -- and we were stopped.

2 And, "Look at you, your arms are all out here."

3 So luckily there were Muslims there who had
4 seven layers of clothes on. They gave them to us and
5 we were able to go in. But you know, other than that,
6 we wouldn't have been allowed. The reason that was
7 enforced was there was a new deputy superintendent, a
8 woman, who decided that naked arms would cause the men
9 to riot, and she walked around the facility that day
10 in a tank top and shorts.

11 Incidents like these would send me
12 spiraling back to the office searches that took place
13 when I would go on conjugal visits. And when the
14 guard would sift through my clothes and would often
15 pull your underwear up and shake it out as though I
16 could hide something in it. They do it while a
17 company of men were walking by. I will never be
18 convinced this made the facility more secure. Indeed,
19 the treatment of family members has the potential to
20 make the facility less secure because it can lead to
21 severe tension between a prisoner and a guard who
22 humiliated or otherwise violated his wife.

23 From the time I became a mother,
24 maltreatment by guards seemed to intensify. Perhaps
25 this was because it wasn't just me, but my infant

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1 anymore, and then have that be the reason you would be
2 paroled. And, you know, just forced us to live with a
3 certain amount of fear about what was coming next,
4 what would the next day hold. And I think that, you
5 know, if you walk away with anything, I really want to
6 stress that we know intact families are a strong
7 contributing factor to a prisoner successfully
8 reentering society. We know that children who were
9 provided a measure of safety, security, and stability
10 grow into happy and productive adults. The prison
11 system, as I experienced it, works completely to
12 undermine both of these ideals.

13 It's not true of all facilities. I
14 certainly experienced two in which the leadership, the
15 superintendent in one case, Robert Kuhlmann, in other
16 case I have a lot of hope for William Brown, who is
17 now running Eastern Correctional facility. Their
18 leadership was one of respect for families of
19 prisoners and for staff and that flowed. There were
20 very few instances of violence and the like.

21 So it makes me wonder, you know, why then
22 when there is actual and anecdotal data to suggest
23 that respectfully running the facility makes
24 everyone's lives easier would there be people who
25 chose to go another route. My conjecture is that they

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1 come into work with sets of prejudices, and those
2 prejudices are not at regular intervals being trained
3 out them.

4 So for example, you see people constantly
5 in family situations treated really badly. If you
6 have a mixed race couple, especially if the man is
7 white and the partner is black, staffers who leave the
8 facility because they fall in love with prisoners are
9 treated very badly, same sex couples. You know, women
10 like me who was fairly prominent, you know, an author,
11 you know, appeared to have some means, you know,
12 Rashid was told, you know, basically, "She will be
13 brought down to her level. She's no better."

14 One of the guards said something about me
15 while he was strip searching my husband, you know,
16 obviously looking to provoke an already tense
17 situation. So -- which is a huge problem in that
18 they -- often the people who are in the visiting room
19 monitoring us are the most hostile people you can ever
20 meet. Which in a place already ripe with emotion, it
21 seems to confound, you know, me why that's there.

22 So the confluence of all of these factors
23 combined with my ineffectiveness when it came to
24 protecting and advocating for my husband contributed
25 to the dissolution of my marriage. Earlier this year,

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1 for example, my husband broke his hand while playing
2 basketball. It took fully 25 days for him to be
3 diagnosed, three months to have any kind of real
4 treatment. No painkillers. And I was helpless. I
5 couldn't do anything.

6 I couldn't do anything when he was molested
7 by a guard at Attica who during -- when he was being
8 pat -- pat-frisked, you know, grabbed his testicles
9 and penis. It happened on more than one occasion, and
10 I think that I'll close by saying, you know, something
11 about being a witness to abuse, especially of someone
12 you love, when you're helpless. That is deeply
13 scarring.

14 You know, it's from this place of
15 depression, of helplessness and hopelessness that I'm
16 asked to raise a happy and well-adjusted little girl.
17 And I do my best, but you know, there are no crutches.
18 There are no processes for families of the
19 incarcerated, and when the prison population is
20 hovering at over two million, what does it mean for
21 our society at large to have so many walking wounded
22 among us, and what does it mean for our children?
23 Thank you.

24 DR. DUDLEY: Thank you. I was wondering
25 before we let you go, you mentioned two places that

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1 you thought maybe things were better, and I was
2 wondering if you wanted to mention or note anything
3 specific about those places or any other thoughts that
4 you've had about ways of doing things differently that
5 were better.

6 MS. BANDELE: Sullivan Correctional
7 Facility during the 1990s was run by a man named
8 Robert Kuhlmann. He was an advocate for prisoner
9 education and program. He encouraged interaction
10 between prisoners and outside members of society. He
11 ran a fair prison, a by-the-book prison in that, you
12 know, you didn't get special favors or treatment, but
13 you also didn't have these surprise shocking rules
14 that didn't, you know, exist before.

15 So it was in that way a stable and
16 predictable environment, and because it was stable and
17 predictable everybody had a chance to sort of grow and
18 mature and do better and think rationally without, you
19 know, the unpredictable environment you're always
20 thinking in this fear and defensive mode.

21 DR. DUDLEY: Thank you. Mr. Kaschak?

22 MR. KASCHAK: Good morning. I worked for
23 Mahoning County Sheriff's Department for six years,
24 from October of '98 to June of 2004. I held the
25 position of deputy sheriff. I had several different

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1 responsibilities in the time that I worked for the
2 sheriff's department. I worked at the correction
3 division, the records and warrants, and I also worked
4 patrol division.

5 The incident that I will be sharing with
6 you happened while I was working in the corrections
7 division of the MCSO. On December 28th, 2001 there
8 was an incident that occurred that changed my life
9 forever. On that Friday afternoon I was assigned to
10 the float position of the jail. A float position
11 means that you are there to help other deputies.

12 My shift began at two o'clock that day. At
13 three o'clock in the afternoon I received a signal
14 seven on my radio. A signal seven is a fight between
15 inmates. The call came from the fourth floor housing
16 unit, which is a felony floor in our facility. The
17 fourth floor holds the most dangerous and violent
18 criminals. This is where the rapists, murderers, and
19 armed robbers are housed.

20 When we arrived on the scene, the fight had
21 already been broken up and the inmates were going back
22 to their cells. After the inmates were locked down in
23 their cells, we then learned that a female deputy had
24 been assaulted by an inmate. The female deputy had
25 walked around the pod to point out which inmate had

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1 struck her. It was in P-32, which is where the deputy
2 pointed out inmate twenty as the inmate who struck
3 her.

4 At this point my supervisor instructed me
5 to open his cell door. Two other deputies entered
6 inmate Easterly's cell and escorted him downstairs.
7 The two deputies along with five other deputies and a
8 corporal, who is my supervisor, took the inmate into
9 the gym. I did not go into the gym at this time
10 because I did not believe it was inmate Easterly who
11 had struck the female deputy. I later learned that
12 the deputies had put a beating on inmate Easterly
13 while he was in the gym.

14 After they were done in the gym with the
15 inmate, they took him back into the pod and placed him
16 into his cell. At this point I shut the inmate's door
17 and went down to the booking area with the other
18 deputies. I then went to find the female deputy who
19 had been assaulted. While I was there, I learned from
20 other inmates that it was indeed inmate Easterly who
21 had struck the deputy at the time.

22 At this point I had returned back to the
23 booking area. While I was in the booking area I was
24 sitting in the bridge, which is an office in the
25 booking area. At the time I was speaking with

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1 Sergeant Blue, who told me that Major Bud had called
2 downstairs and asked him, "Why the fuck is inmate
3 Easterly not in the hospital?"

4 At this point the phone rang again. It was
5 Major Orange. When the sergeant hung up the phone he
6 said Major Bud -- Major Orange wants us to go upstairs
7 and move inmate Easterly into the hole and take care
8 of the situation. At this point the other deputies
9 and myself went to his cell and instructed the deputy
10 to open inmate Easterly's door. Deputies Yellow and
11 Green went into the inmate's cell while another deputy
12 and myself walked behind them.

13 When we left -- we left one pod to go to
14 the other, it was there in the hallway that Deputies
15 Yellow and Green took inmate Easterly to the floor
16 while Deputy Purple and myself each held one of his
17 legs down. Deputies Yellow and Green started punching
18 inmate Easterly, and I delivered three knee strikes to
19 his leg. At that point I stood up. The three other
20 deputies continued beating inmate Easterly at the
21 time. This continued going on for another minute.
22 This is when they stopped.

23 The deputy working the pod came and opened
24 the door to let us out of the hallway. Deputy Yellow
25 and Green then stripped him of his clothes and drug

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1 him through the pod to his cell. Deputy Purple and
2 myself stayed in the hallway. When the other two
3 deputies placed him in his cell, Deputy Yellow yelled,
4 "This is what happens when you strike a female
5 deputy."

6 The deputies involved and myself went
7 downstairs, and no reports of this incident were
8 written until September 2002, almost a year later. In
9 August of '02 I went for a job interview with
10 Austintown Police. At this point I was given a
11 polygraph test. One of the questions was, "Have you
12 ever struck an inmate while on duty?" I answered,
13 "Yes, under a direct order."

14 After the polygraph I went home. I
15 received a call from Austintown Police and asked me to
16 come back down. Approximately two hours later I went
17 back down. They stated everything looked good, and
18 all I needed to do was come back and clear up this
19 question. When I went back to the station I told them
20 about the incident. I never thought twice about it
21 since the person administering the test I have known
22 my whole life. My father had worked for the
23 Austintown Police for nearly 25 years and had retired
24 from the police department.

25 After I left the Austintown Police

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1 Department contacted me again stating that they were
2 going to send a letter to Sheriff Gray stating what I
3 had told them during the polygraph test. A few weeks
4 later Major Orange had called me into his office. He
5 was the one who had ordered -- who ordered the assault
6 on the prisoner. When I got there he was waving the
7 letter in his hand. He looked at me and stated, "What
8 the fuck am I supposed to do now that this is public
9 record?" He was holding the letter from Austintown
10 Police Department in his hand.

11 At this point he told me to write a report
12 on the incident, and after I was done writing it he
13 was going to arrest me for an assault. I replied that
14 I would not write anything without my union rep
15 present. He began yelling, "I am giving a direct
16 order to write a report." I again told him that I
17 wouldn't write it without representation.

18 At this point the major called Sergeant
19 Silver into his office. When he arrived the major
20 said I was being placed on administrative leave. He
21 proceeded to take my gun, my badge, my access card,
22 and my magazines. Sergeant Silver said I had to write
23 a report or the major could fire me.

24 Major Orange then asked me one more time to
25 write a report. At this point I agreed to write one.

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1 In the report I falsified it so I would not implicate
2 the major. I said the inmate became aggressive and we
3 had to use force to get him under control. I also
4 never mentioned the major's name in my report.

5 When I got done with the report I took it
6 over to his office and handed it to him. The major
7 then wrote a report and handed it back and gave me
8 back my gun, my badge, my access card, and my
9 magazines. He then stated not to worry about
10 anything, that it was over with, and go back to work.

11 In November of 2002 the FBI showed up and
12 began asking me questions about the incident. Then
13 almost a year and a half later I got a call from the
14 U.S. Attorney General's office asking me to come in
15 and talk. My attorney and myself met with them on
16 several occasions. We did a proffer.

17 In March 2004 I made the toughest decision
18 I ever had to make. I made a plea agreement with the
19 government. I agreed to cross the blue line and
20 testify against other cops. They were more to me than
21 just my co-workers. They were also my friends. Many
22 of them were at my wedding. I worked with them every
23 day, and they were the people I trusted who had my
24 back if I was ever in trouble.

25 Now I was about to send these people that I

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1 called my friends to prison. For me it came down to
2 two reasons: Number one is my wife and daughter, and
3 number two was it was the right thing to tell the
4 truth. It was one of the toughest decisions, but also
5 one of the easiest.

6 In June of '04 I resigned the Mahoning
7 County Sheriff's Department after six years on the
8 force. My whole life I wanted to be a police officer
9 like my father. Because of me not thinking for myself
10 I lost my career and my job. It's hard to explain to
11 people everything I lost. I lost my career, my house,
12 and a lot of my friends because I agreed to become a
13 government witness and testify against other police
14 officers.

15 One thing, I have become a parent, though,
16 and those are the people who truly do care about you,
17 my parents, my brother, my in-laws, and my wife. I
18 also believe that even though this incident was a
19 tragedy it made me a better person, a better husband,
20 and more importantly, a better father.

21 I hope that my story can help other people
22 or other police officers that are put in situations
23 like I was. When a supervisor gives you a direct
24 order, you either obey or you get fired. I hope this
25 doesn't happen to anybody, but if it does, remember

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1 you do have a choice and you can just walk away.

2 I hope you never have to be in a situation
3 where supervisor has lost perspective about why they
4 are a police officer and gives a command that abuses
5 their power. Remember, you still have a choice,
6 though, so please don't make the same mistakes I made.
7 You have too much to lose. Thank you for your time.

8 DR. DUDLEY: Thank you. I guess the
9 question is, you know, in retrospect, is there
10 anything that can be done with regard to being in a
11 situation such as this?

12 MR. KASCHAK: It's the people in charge. I
13 don't know, you know, like because the sheriff's
14 department, you know, we change hands every four years
15 and you never know who's going to be in charge. It's
16 people that abuse the power. I don't really know what
17 can be done with that to make that incident not
18 happen.

19 DR. DUDLEY: Okay. I'd like to thank each
20 of you for giving up your time to be with us this
21 morning, and particularly for sharing such personal
22 experiences with us. So please know that we are very
23 grateful for your contribution to our work. Thank
24 you.

25 MR. SESSIONS: Thank you.