



August 20, 2009

## RCI, food bank raise more than \$2,700 to feed hungry

*BY ASHLEY PHILLIPS*  
*Gazette Staff Writer*

Donations from Ross Correctional Institution employees and inmates resulted in more than \$2,700 raised for "Operation Feed," which helps local food banks.

The program is a partnership between Mid Ohio Food Bank and the Ohio Department of Rehabilitation and Corrections designed to collect both food and monetary donations.

"We were pleased that we were able to have as many people contribute to this cause," said RCI public information officer Charlie Heiss.

RCI was able to donate 1,003 pounds of no perishable food to the Good Samaritan Food Bank, along with a check for \$593. It also presented Mid Ohio Food Bank with a check for \$1,185.

Heiss said they decided to donate to both charities to offer inmates the opportunity to give back to their local communities.

"A lot of our inmates are from the Franklin County area, and many of them have a special interest in trying to give back to their communities," he said.

Part of the management team for Good Samaritan Food Bank, Rob Dickinson said he was very pleased with the help RCI provided.

"We are really grateful for all their efforts. We are in desperate need of food and monetary donations here," he said.

Dickinson reported in July the organization serviced 722 people, which breaks down into 2,404 family members.

"We are dire need of baby food and baby formula here," he said.

Dickinson said the community has been very supportive in helping with their donations.

"The last two weeks of the month are the busiest for us. That is when we could really use more donations," he said.

He also said the organization is short on bread items.

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## Ohio can't stop EMTs working as executioners

Posted 8/19/2009 7:15 PM ET

By Andrew Welsh-Huggins, Associated Press Writer

COLUMBUS, Ohio — Ohio has no authority to stop certified emergency medical technicians from working as executioners in death penalty cases because they are not acting as EMTs when putting people to death, a state attorney ruled Wednesday.

The EMTs are included on the state execution team because they possess skills such as inserting IV needles, not because they are working as EMTs under medical direction, according to the legal opinion by Heather Frient, a lawyer with the Ohio Department of Public Safety.

The Department of Rehabilitation and Correction has two certified EMTs on its execution team. The state's chief executioner, who was an EMT, retired last month. He was replaced by another EMT, prisons spokeswoman Andrea Carson said.

The retired executioner and a current team member who is also an EMT explained their death penalty duties at a March hearing in federal court about Ohio's lethal injection system.

Jonathan Groner, a surgeon who studies lethal injection, maintains that the team members are violating Ohio law because they administer drugs that EMTs are not allowed to handle.

Frient's ruling didn't address this issue since it found only that the State Emergency Medical Services Board has no jurisdiction to investigate EMTs for such alleged violations.

"The individuals do not wear any EMT insignia or uniform, they do not refer to themselves as EMTs (nor does DRC refer to them as EMTs)," Frient wrote.

She added: "it does not appear, based on their testimony, that they think of themselves as EMTs during the execution process."

Groner said the ruling appears to set a lower ethical standard for EMTs than doctors or nurses.

"When you're in a car crash or your mother's having a heart attack, the first person on the scene are the EMTs, so why shouldn't EMTs have moral standards that are equal?" said Groner, a former member of the EMS board.

The board frequently looks at cases where EMTs are hired by hospitals because of their skills but not to work as EMTs, said Richard Rucker, the EMS board executive director.

"They're not holding themselves out as an EMT, so I don't see that as any different in this current situation working with Corrections," he said.

The state's former executioner was a longtime prison employee who had once worked as a prison EMT, although not recently.

The executioner, referred to in court as "Team Member 18," testified in March he volunteered for the execution team because he felt the job should be done right.

"I just felt, at that time, and always have, that it needed to be handled in a professional, humane manner, and that it should be someone with training," he said.



August 20, 2009

## Ky. to keep women in problem prison

*Associated Press*

**FRANKFORT** - Kentucky officials say more than 400 female inmates will remain at an eastern Kentucky privately owned prison after the operator promised to make safety improvements.

Kentucky State Police will soon present another case alleging inmate sexual abuse by a guard and there have been other such cases in past years.

Otter Creek Correctional Center is operated by Nashville, Tenn.-based Corrections Corporation of America.

The Lexington Herald-Leader quoted Jennifer Brislin, a spokeswoman for the Kentucky Justice and Public Safety Cabinet, who said the state will keep its inmates at Otter Creek, partly because of limited alternatives.

CCA is trying to recruit more female guards. The company is offering \$2,000 signing bonuses to new female employees and \$1,000 bonuses to employees who refer a female applicant.

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## Alternatives Agency halfway house changes name to Cuyahoga Re-entry Agency

Posted by [mwhitley](#) August 19, 2009 20:43PM



Joshua Gunter, The Plain

DealerProtesters holds signs demanding their jobs back after being fired from Cuyahoga Re-entry Agency, formerly known as Alternatives Agency.

A Cleveland halfway house marred by ties to the ongoing county government corruption probe is striving to build a new image, with a new name and new leadership.

Alternatives Agency, located on East 55th Street, changed its name this month to Cuyahoga Re-entry Agency Inc.

Three people with ties to the agency have pleaded guilty in federal court to bribery-related crimes in the past few months and others, including the board's former lawyer, have been implicated but not charged.

Brian Schuman, former executive director at Alternatives, pleaded guilty to paying for first-class airline tickets to Las Vegas for two public officials who meet the descriptions in federal documents of County Auditor Frank Russo and County Commissioner Jimmy Dimora in exchange for continued county funding for the halfway house.

As a part of the scheme, J. Kevin Kelley, a former county engineer's employee and Parma school board member, was paid about \$200,000 as a consultant to use his connections with Russo and Dimora to keep county funding flowing to the agency. Russo and Dimora have not been charged with any crime and have repeatedly denied any wrongdoing.

Another consultant, former Ohio state senator and Lakewood mayor, Anthony Sinagra, was charged last week with taking \$190,000 in fees from Alternatives, some of which was funneled to unnamed people who did no work for the agency, according to federal prosecutors. An unnamed lawyer who represented the halfway house board arranged that deal. Sinagra's lawyer said he plans to plead guilty to bribery and mail fraud charges.

Thomas Griveas, executive director of the newly named agency, who started in May, said that he is making changes that are integral to the survival of the agency, which operates a halfway house and does electronic monitoring and transition counseling for recently released inmates.

Griveas, an attorney who has 35 years of experience in probation and corrections, said he was recruited

by new board members "to come in and save this agency."

One of his first moves was to hire James Joyner, a respected former manager at the county's Alcohol & Drug Addiction Services Board, to work with counseling programs.

The agency has also renegotiated contracts with its food service provider and building owner to save money. The agency had been criticized by the state for higher than normal daily food costs. But the transition has been somewhat rocky.

Former workers who were fired with no notice earlier this month protested outside the agency with family and friends Wednesday.

Those who were fired had monitored activities of men and women staying in the halfway house.

They were supported by Cleveland Ward 7 Councilman T.J. Dow, who said employees complained about their work being outsourced to an Avon company.

"They fired 16 people with no notice, no warning or anything," Dow said. "I'm concerned with this business being in my ward and treating people like that."

Sophia Young, one of the fired workers, had been at the agency three years. She thinks leadership wanted to get rid of people who knew of the underhanded and corrupt activities that had occurred.

"They know we knew the secrets," she said.

Griveas said the employees were not given more notice because they may have walked out, leaving residents unwatched.

But he said the employees were told they could apply to work for the new security company.

The new company will perform criminal background checks, which was not previously done. At least 13 of the monitors were found to have criminal records and one was on probation.

"It was the wolves guarding the hen house," Griveas said.

He said he had made offers to negotiate and possibly hire back some of the employees.

Last year, the county had cut funding to Alternatives Agency but Griveas said he has been meeting with officials in an effort to prove the proper controls are now in place.

In July, the Department of Rehabilitation and Correction signed a new yearlong contract with the agency for more than \$2 million to house, monitor and transport inmates leaving state prison, said Alicia Handwerk, who oversees the community residential division of the department. She said the agency was in compliance with the programs and working on improvements. But county Administrator James McCafferty said the county would be cautious before deciding to entrust more work to the agency.

Any contract would have to be reviewed by attorney Richard Blake, whom the county commissioners hired to inspect any possible contracts with agencies involved in the federal probe.

"They will have a lot to prove," McCafferty said.

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### EMT board ducks death-penalty flap

Thursday, August 20, 2009 3:16 AM

**BY SUZANNE HOHOLIK**

THE COLUMBUS DISPATCH

The Ohio EMS board has no authority over the emergency medical technicians who administer lethal drugs in state executions.

That's the opinion board lawyer Heather R. Frient made public yesterday during the board's meeting.

Board members asked Frient to determine whether these technicians were under their jurisdiction. Under state law, intermediate EMTs are not authorized to work with these drugs.

But these technicians are an exception, Frient said.

"They do not appear to be acting as EMTs in the performance of their execution duties," she wrote in the opinion.

The issue was first brought up by Dr. Jonathan Groner, a pediatric surgeon at Nationwide Children's Hospital and former board member.

Groner said his concern was prompted by the testimony of two intermediate EMTs in a federal case filed by an Ohio Death Row inmate challenging lethal injection.

The case, filed in 2004, is pending.

Frient said these technicians:

- Don't "represent themselves" as EMTs on the execution team.
- Don't wear clothes that identify them as emergency-medical workers.
- Don't work under a physician's direction.

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But in court documents, the EMTs testified that they have certificates issued by the EMS division, take continuing education classes and keep up with all state requirements.

Groner said he was disappointed with the opinion.

"When you obtain medical-profession skills -- a doctor, nurse or EMT -- those skills you use to help people should never be used to harm people," said Groner, who opposes the death penalty.

The procedure that state officials follow during executions states that the lethal drugs should be given by a "person qualified under Ohio law to administer medications."

In Ohio, physicians, nurses and paramedics working under a doctor's order are allowed to administer these drugs.

State corrections officials have said they would not ask physicians or nurses to be involved in executions because it conflicts with their oaths to preserve lives.

"The EMS board is put in the position where it does not think EMTs are as professional as other medical professions," Groner said.

The governor is satisfied with the execution process.

"He believes the system established and carried out by (the Department of Corrections) is appropriate," said spokeswoman Allison Kolodziej.

Mark Burgess, EMS board chairman, said he agreed with the opinion because "there are times when we don't have jurisdiction."

He said hospitals often hire paramedics, teach them new skills and call them surgical technicians, for example.

"And we don't have jurisdiction over them," he said. "They're not functioning as a paramedic."

The board didn't challenge or disagree with the opinion, though one member said the discussion might not be over.

"I think it may be something we've got to look at closer," said William Quinn, who represents the Ohio Association of Professional Firefighters on the board.

"It appears to open a Pandora's box."

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## Wrongfully convicted man to get \$632,000

Virginian spent 22 years incarcerated for two rapes he did not commit

**The Associated Press**

updated 9:12 p.m. ET, Wed., Aug 19, 2009

RICHMOND, Va. - A Virginia man who spent 22 years in prison for two rapes he did not commit will get more than \$632,000 in restitution, following a unanimous decision Wednesday by state lawmakers.

Arthur Whitfield, 54, of Norfolk was convicted in 1982 and sentenced to 63 years in prison. A 2004 DNA test proved his innocence and he was freed.

Whitfield needed paperwork stating his innocence in order to receive state restitution, but the Virginia Supreme Court could not issue such a finding — called a "writ of actual innocence" — because the law at that time allowed that only for those who were incarcerated.

Whitfield's only hope was a pardon from Gov. Timothy M. Kaine, but because one of the rape victims opposed the pardon it took until April for Kaine to grant it.

"When we have a victim who continues to assert that the individual is guilty, we obviously had to take some time and make sure we had that right," Kaine said Wednesday.

### **Whitfield struggles with health, money**

Whitfield recently was diagnosed with liver cancer and did not attend Wednesday's special legislative session because he was getting chemotherapy, said his lawyer, Michael Fasanaro Jr.

Whitfield has been working in a produce factory but struggles financially, Fasanaro said.

"I'm delighted that we've finally gotten some commitment from the state to pay him some money," Fasanaro said.

Whitfield will receive \$632,867, according to a formula outlined in state law that compensates the wrongfully convicted based on 90 percent of the state per capital income for up to 20 years.

He will get a lump sum of \$126,573 within a month, then the remaining \$506,294 will be placed into an annuity that he will receive beginning next year.

Whitfield also will receive \$10,000 in community college assistance. He would lose any unpaid amount if he is convicted of a felony.

Instead of the usual 25-year annuity prescribed by state law for such cases, legislators set it up so that Whitfield would consult with the attorney general's office and other state agencies to determine the best way for him to receive the money.

### **'This guy holds no grudges'**

Fasanaro said Whitfield had hoped to get all the money at once so he could buy a house. He currently lives in an apartment, and his father drives him to work.

"He's afraid that he's still going to have to work, and he's not going to be able to much longer" because of his health, Fasanaro said.

Legislators said they wanted Whitfield to get the money quickly to help pay for medical and other expenses.

Sen. Kenneth Stolle, R-Virginia Beach, pushed for restitution after learning this summer that Whitfield had not been compensated for his time behind bars.

"I was extremely amazed at the fact that this guy holds no grudges against the community or the victims," Stolle said. "He probably regrets what happened, but he is completely happy with being out of prison and is not asking for anything."

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August 20, 2009

OP-ED COLUMNIST

## Priority Test: Health Care or Prisons?

By [NICHOLAS D. KRISTOF](#)

At a time when we Americans may abandon health care reform because it supposedly is “too expensive,” how is it that we can afford to imprison people like Curtis Wilkerson?

Mr. Wilkerson is serving a life sentence in California — for stealing a \$2.50 pair of socks. As *The Economist* noted recently, he already had two offenses on his record (both for abetting robbery at age 19), and so the “three strikes” law resulted in a life sentence.

This is unjust, of course. But considering that California spends almost \$49,000 annually per prison inmate, it’s also an extraordinary waste of money.

Astonishingly, many politicians seem to think that we should lead the world in prisons, not in health care or education. The United States is anomalous among industrialized countries in the high proportion of people we incarcerate; likewise, we stand out in the high proportion of people who have no medical care — and partly as a result, our health care outcomes such as life expectancy and infant mortality are unusually poor.

It’s time for a fundamental re-evaluation of the criminal justice system, as legislation sponsored by Senator Jim Webb has called for, so that we’re no longer squandering money that would be far better spent on education or health. Consider a few facts:

¶The United States incarcerates people at nearly five times the world average. Of those sentenced to state prisons, 82 percent were convicted of nonviolent crimes, according to one study.

¶California spends \$216,000 annually on each inmate in the juvenile justice system. In contrast, it spends only \$8,000 on each child attending the troubled Oakland public school system, according to the Urban Strategies Council.

¶For most of American history, we had incarceration rates similar to those in other countries. Then with the “war on drugs” and the focus on law and order in the 1970s, incarceration rates soared.

¶One in 10 black men ages 25 to 29 were imprisoned last year, partly because possession of crack cocaine (disproportionately used in black communities) draws sentences equivalent to having 100 times as much powder cocaine. Black men in the United States have a 32 percent chance of serving time in prison at some point in their lives, according to the Sentencing Project.

Look, there’s no doubt that many people in prison are cold-blooded monsters who deserve to be there. But over all, in a time of limited resources, we’re overinvesting in prisons and underinvesting in schools.

Indeed, education spending may reduce the need for incarceration. The evidence on this isn't conclusive, but it's noteworthy that graduates of the Perry Preschool program in Michigan, an intensive effort for disadvantaged children in the 1960s, were some 40 percent less likely to be arrested than those in a control group.

Above all, it's time for a rethink of our drug policy. The point is not to surrender to narcotics, but to learn from our approach to both tobacco and alcohol. Over time, we have developed public health strategies that have been quite successful in reducing the harm from smoking and drinking.

If we want to try a public health approach to drugs, we could learn from Portugal. In 2001, it decriminalized the possession of all drugs for personal use. Ordinary drug users can still be required to participate in a treatment program, but they are no longer dispatched to jail.

"Decriminalization has had no adverse effect on drug usage rates in Portugal," notes a report this year from the Cato Institute. It notes that drug use appears to be lower in Portugal than in most other European countries, and that Portuguese public opinion is strongly behind this approach.

A new United Nations study, World Drug Report 2009, commends the Portuguese experiment and urges countries to continue to pursue traffickers while largely avoiding imprisoning users. Instead, it suggests that users, particularly addicts, should get treatment.

Senator Webb has introduced legislation that would create a national commission to investigate criminal justice issues — for such a commission may be the best way to depoliticize the issue and give feckless politicians the cover they need to institute changes.

"There are only two possibilities here," Mr. Webb said in introducing his bill, noting that America imprisons so many more people than other countries. "Either we have the most evil people on earth living in the United States, or we are doing something dramatically wrong in terms of how we approach the issue of criminal justice."

Opponents of universal health care and early childhood education say we can't afford them. Granted, deficits are a real constraint and we can't do everything, and prison reform won't come near to fully financing health care reform. Still, would we rather use scarce resources to educate children and heal the sick, or to imprison people because they used drugs or stole a pair of socks?

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The Kentucky Supreme Court heard arguments Wednesday on legal challenges to the state's early release program for prison inmates.

In order to save money, the 2008 General Assembly inserted language in the state budget allowing for the early release of some state prison inmates, based on parole credits. To date, 7,000 prisoners and parolees have been set free under the program. Only six have returned to prison, but not for violent crimes. Most of their new offenses were drug-related. But the program has angered some prosecutors, who say judges and juries, not the Department of Corrections, should decide how long inmates serve. Attorney General Jack Conway agrees, and last fall sued to halt the program. Arguments in the case have now reached the Kentucky Supreme Court, where Assistant Attorney General Hays Lawson appeared to be met by some skeptical justices. Consider this exchange between Lawson and Chief Justice John Minton.



“Part of what Judge Shepherd’s point is, to shut the barn door, it’s way too late,” said Minton. “And that’s part of the equitable consideration, is it not?”

“Well, if the DOC is violating the law, I don’t see that’s a reason, if nine cows have already gotten out, to let the 10th cow go,” replied Lawson.

Lawson wants the high court to reverse an order from Franklin Circuit Judge Phillip Shepherd, allowing the early release program to continue until the merits of the case are heard. But Justice Mary Noble wonders whether the courts should even be questioning legislative intent.

“Doesn’t the act itself basically, if not say outright, clearly imply that, look, this is a for-now emergency thing and we’re doing it to save money because we’re in financial straits? asked Noble. “So, isn’t the DOC’s reading of this consistent with legislative intent?”

No, said Lawson, it is not.

“The DOC is deriving or implying retroactive intent based not on any language in the bill itself, not on any language in the street credit provisions themselves, but based solely on budgetary decisions by the General Assembly,” replied Lawson.

By that he means, the Department of Corrections is applying parole credits retroactively, by giving inmates credit for parole served before the law was changed in 2008. But Justice Daniel Venters says Kentucky’s constitution grants the governor – the state’s chief executive – broad pardon and parole powers.

“The Department of Corrections, which is under the control of the executive, chooses for whatever reason it may have, to release prisoners early,” said Venters. “What other branch of government has any power to say anything about that, or reverse that decision?”

Lawson says the issue was raised in a Pulaski Circuit Court case challenging the early release program, but was not ruled upon by Judge David Tapp. However, Tapp did order a halt to the program, and made his ruling applicable statewide. By what authority, asks Justice Lisabeth Hughes Abramson?

“I’ve read it a couple of times,” said Abramson. “I cannot find any reference to his authority.”

“There was no authority referenced to the court in the final briefs on the matter,” replied corrections department attorney Wil Fogle. “The only thing that was requested was that the court act boldly and issue a statewide injunction.”

Fogle, arguing for reversal of Judge Tapp’s order. Joining him in that effort was attorney Wesley Duke, who says the high court should also uphold Judge Shepherd.

“The actual motion currently pending before the court should be denied,” said Duke. “And this matter should return to the Franklin Circuit Court for a final adjudication on the merits.”

The supreme court made no immediate ruling, which means – at least for now – the early release program may continue, except in Judge Tapp’s judicial district.

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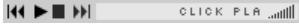
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## Governor tours damaged Chino prison, urges reforms



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06:55 PM PDT on Wednesday, August 19, 2009

By **DUANE W. GANG**  
The Press-Enterprise



**Photo Gallery:** Governor tours Chino prison riot damage

Gov. Arnold Schwarzenegger today toured damage left from a massive prison riot nearly two weeks ago at the California Institution of Men in Chino.

The violence from the Aug. 8 riot left 200 inmates injured, including 55 severely. The governor used the riot to push his plan for prison reform in California.

"The riot here at Chino was a single incident. However, it is a terrible symptom of a much larger problem, a much larger illness," the governor said after touring the housing unit where the rioting erupted.

"The reality is that California's entire prison system is in a state of crisis. It is collapsing under its own weight."

To balance the state's budget, the governor cut \$1.2 billion from the Department of Corrections and Rehabilitation.

Schwarzenegger said he opposes changing the state's Three Strikes law and allowing inmates to go free.

Instead, he has proposed reducing parole caseload ratios to boost the supervision of the state's most serious offenders and allowing some low-risk inmates to serve out the last year of their terms under house arrest with GPS monitoring.

"I cannot stress enough that the time for action is now," Schwarzenegger said. "It is very important that the legislators recognize that every single day it costs us an extra \$3 million if we don't have those reforms and this is why I urge Democrats and Republicans to work together."

The rioting at the Chino prison erupted about 8:20 p.m. on Aug. 8 at the Reception Center West facility, which accepts new felony inmates and parole offenders being processed to other areas.

Inmates in that part of the prison live in seven single-story, military-style barracks that house nearly 200 people each. During the brawl, one of the dorms burst into flames.

Prison guards assembled into tactical units and used pepper spray and batons to quell the violence.

Acting Warden Aref Fakhoury praised the guards for their response.

"Through staff's quick and safe response they were able to control the incident, save lives and quickly bring order back to the facility," he said.

Corrections and Rehabilitations Secretary Matthew Cate said that at 1:30 a.m. Aug. 9 he received the call "that no secretary of corrections wants to hear: that there's a major riot in one of the prisons."

There were about 30 officers initially on duty to begin responding, he said.

Cate also thanked guards for their response and the department's version of a SWAT team. They went through these dorms, "storming them one-by-one and retaking them for the state."

Schwarzenegger said there was a tremendous amount of violence.

"Beds and mattresses were torn apart and destroyed and walls and bathrooms were destroyed," he told reporters. "It looks like a scene from one of my movies except this is a real danger here and real destruction."

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August 19, 2009

## Kentucky inmates to remain at prison

*By Stephenie Steitzer*  
*ssteitzer@courier-journal.com*

Kentucky officials said Wednesday that they will continue housing more than 400 female inmates at a troubled private prison in Eastern Kentucky, despite Hawaii's decision this week to move inmates it has there to other institutions.

As of Tuesday, 429 Kentucky inmates were incarcerated at Otter Creek Correctional Center, where there have been multiple investigations into allegations of sex abuse by corrections officers.

At least five corrections officers at the Wheelwright facility have been charged with having sex with inmates in the past three years. Four were convicted, one case is pending and Kentucky State Police are expected to present another to a Floyd County grand jury later this month.

In addition, the Kentucky Department of Corrections and Hawaii Department of Public Safety have been investigating additional allegations of sex abuse.

Kentucky Justice Cabinet spokeswoman Jennifer Brislin said state officials are working closely with the private prison's owner, the Nashville-based Corrections Corp. of America, to make improvements at the facility.

"We think the best option for the time being is to continue to contract with Otter Creek," Brislin said.

The Honolulu Advertiser reported Wednesday that 40 female inmates from Hawaii were transferred back to the state on Monday and that most of the 128 women remaining at Otter Creek will return within a month.

Hawaii Department of Public Safety spokesman Tommy Johnson, who didn't return repeated calls seeking comment Wednesday, said recently that Hawaii was concerned the prison didn't have enough female workers.

Brislin said CCA has begun offering bonuses and holding job fairs in Eastern Kentucky to recruit more female corrections officers.

CCA spokesman Steve Owen said in a statement that Hawaii expressed a desire to move their female inmates several years ago. The state's contract is scheduled to end this fall.

"We appreciate the opportunity to have provided cost-effective, needed capacity for the state and quality offender programs for the female inmates entrusted to our care," he said.

Kentucky's contract with CCA also is up for renewal, and the Department of Corrections has said it plans to proceed with a two-year extension.

The Courier-Journal reported Wednesday, however, that Corrections Commissioner LaDonna Thompson told CCA last month that it would not grant it a rate increase because of the sex-abuse

allegations, inmate fights, improper reporting of an inmate death and other problems.

Kentucky would have difficulty moving its Otter Creek population — which is more than double the size of Hawaii's — to other facilities, Brislin said.

Kentucky's only state-run women's prison — the Kentucky Correctional Institution for Women in Shelby County — is about 98 percent full most of the time and is the only facility that can house pregnant inmates from county jails.

Reporter Stephenie Steitzer can be reached at (502) 875-5136.

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## CA Legislature to Vote on Prison Reducing Measures

By [Jeralyn](#), Section [Inmates and Prisons](#)

Posted on Wed Aug 19, 2009 at 09:36:06 PM EST

Tags: [California Prisons](#) ([all tags](#))

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[A vote could take place tomorrow](#) in the California legislature on several measures that would reduce the prison state's vastly overcrowded prison population. The proposed reforms:

.... would allow some prisoners to serve the last 12 months of their sentences under house arrest, reclassify some property crimes from felonies to misdemeanors and create a new sentencing commission to examine how sentencing laws contribute to prison overcrowding.

Altogether, the proposal would cut the prison population by 27,000 over the next year, saving \$1.2 billion, and 37,000 over the next two years.

While Republicans oppose the reforms, it is expected to pass. Gov. Shwarzenegger is on board: [More...]

"We must find a way to cut costs and relieve overcrowding without sacrificing public safety," Schwarzenegger said Wednesday at the California Institution for Men in Chino, where a major prison riot occurred earlier this month. "Not all criminals and not all crimes are created alike."

Other proposed reforms:

Under the measure up for a vote in the Legislature today, parolees who commit such transgressions would be subject to "alternative sanctions," such as GPS supervision, rather than being sent back to prison.

Other changes in the package including cutting active parole supervision to cover only the most serious offenders; cutting an unspecified number of positions at the Division of Juvenile Justice and at the Department of Corrections and Rehabilitation headquarters; and giving inmates time-served credit for participating in rehabilitation programs.

....The plan would also establish a new commission to examine sentencing laws. Members would be appointed by the governor and the chief justice of the California Supreme Court. The commission would recommend new sentencing guidelines by July 2012, and those guidelines would take effect the following year unless rejected by the Legislature.

The court ordered CA last month to [reduce CA's prison population by 40,000](#). Will this satisfy the court? It sounds like it's a good beginning.

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