

Murderer without chance at parole could be sentenced to five years more

Brad Dicken

ELYRIA - Nine years ago, John Michael Robinson went on a robbery spree that left two drive-through clerks dead in Ottawa and Sandusky counties.

In October, he'll be in a Lorain County courtroom - on trial for allegedly attempting to escape from Lorain Correctional Institution last year by hiding in a trash container.

Among the witnesses Robinson plans to call during his trial are three other convicted killers, including Jason Robb, one of the leaders of the deadly 1993 prison uprising at the Southern Ohio Correctional Facility in Lucasville.

Bill Willis, Robinson's defense attorney, said he questions the wisdom of putting Robinson on trial on the attempted escape charge, which carries a maximum prison term of five years.

That's because Robinson, 32, was sentenced to two consecutive life prison terms plus another 19 years after pleading guilty to aggravated murder and attempted murder charges to avoid the death penalty. He is not eligible for parole, according to the Ohio Department of Rehabilitation and Correction.

"What possible harm can the state do to him?" Willis said.

But county Prosecutor Dennis Will countered that Robinson committed a crime and should be punished for it.

"I don't know how you ignore somebody attempting to escape," he said.

Robinson's crimes

Armed with a .25-caliber Beretta semiautomatic pistol, Robinson committed his first murder on April 21, 2000, gunning down 20-year-old Crystal Pierson at Two Z's Drive-thru in Carroll Township in Ottawa County.

Pierson was found in a pool of blood in the store's back office by her sister. She died a day later.

Three days later, on April 24, Robinson struck again at The Gables bar near the Fremont city limits. Bartender Robert Hovis testified during Robinson's plea hearing that Robinson waited until they were alone in the bar before pulling a gun and ordering him to fill a bag with money.

Hovis testified that he could tell that Robinson intended to kill him and tried to knock the gun from Robinson's hand. The gun went off and a bullet hit Hovis in the hand.

Hovis said he then emptied the cash register and the office safe before making another attempt to escape from Robinson by slamming the door to the office. Robinson then forced the door open, Hovis said during the hearing, put the gun to Hovis' head and fired.

But Hovis said he jerked his head as the gun went off and the bullet went through his right cheek and into his jaw. He fell to the ground, he testified, and played dead until Robinson left the bar.

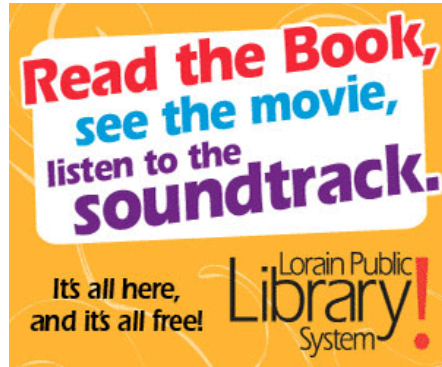
Less than 30 minutes after Hovis reported The Gables robbery to police, the body of 42-year-old Denise Clink was found at Gene's Drive-Thru, just outside the city limits of Clyde, a small town in Sandusky County best known as the home of a Whirlpool factory. Robinson, police concluded, had shot Clink during a robbery of the drive-through that she and her husband owned.

After that, Robinson drove to the Monroe, Mich., hotel, where he was staying with his then-18-year-old girlfriend, Dawn Dennis.

As the manhunt intensified in Sandusky - where Robinson is from - and in Ottawa and Sandusky counties, the pair headed off on a cross-country trip, eventually stopping in Houston.

They were arrested May 1, 2000, when FBI agents tracked them to a Motel 6 after Dennis tried to buy Robinson a pair of basketball shoes with a personal check at a Houston mall.

Dennis, who later took a plea deal to charges of obstructing justice, immediately surrendered, but Robinson remained in the hotel room for half an hour before going outside with a gun in his hand. He ultimately dropped the gun and was arrested.



Robinson took a plea deal a year later, avoiding the death penalty in exchange for a prison sentence that offered him no chance of parole.

Out with the trash

Robinson arrived at Lorain Correctional Institution in May 2008. He had been at the prison before, but had also served time at several other prisons throughout the state during his years behind bars.

In a statement to investigators from the Ohio Highway Patrol looking into his escape attempt, Robinson said he felt he had to try to escape.

"I've had enough," he wrote. "I had to shoot my shot. I didn't want to be one of those old guys walking around here and never have tried."

Robinson told investigators he became friendly with a prison worker named Jeff Phillips while working as a mechanic and welder at the prison. He said he talked with Phillips about escaping by hiding in trash containers that were picked up from the Grafton prison.

Phillips, who later was fired for helping Robinson plan the escape, showed the inmate how a pole blocked one of the trash containers from the view of a security camera, Robinson told investigators.

On Sept. 8, 2008, Robinson's cellmate was supposed to make up a dummy of Robinson in bed - which he didn't do - to make guards think Robinson was still in his cell. Meanwhile, Robinson climbed into the trash container and was waiting for the garbage to be picked up when he was found, according to court documents.

Prosecutors contend Robinson struggled with officers as they removed him from the trash container.

Prisons spokeswoman JoEllen Culp said that after the escape attempt, Robinson was transferred to the maximum security Ohio State Penitentiary in Youngstown, where he is now classified at the highest risk level.

Andrea Carson, another prisons spokeswoman, said even before Robinson allegedly tried to escape, he had racked up several violations of prison rules, including tattooing, possession of contraband and assault on another inmate.

The witness list

Willis, Robinson's attorney, said he has tried to get prosecutors to drop charges against his client, but they have refused. So he has begun preparing for an October trial before county Common Pleas Judge Raymond Ewers.

Robinson, he said, told him that he wanted to call convicted killer Robb, 42, as a witness.

Robb, who was serving a prison sentence for a voluntary manslaughter conviction out of Montgomery County at the time, was a key leader of the Lucasville uprising in which 10 people died. According to court documents in Robb's case, he was a leader of the Aryan Brotherhood and was involved in the deaths of a prison guard and a fellow prisoner, crimes for which he received the death penalty.

Robinson also told Willis he wanted to put Martin Scott, 35 - who is serving a life prison term for gunning down his father-in-law in 1994, according to The Columbus Dispatch - on the witness list. Scott is eligible for parole in 2041.

Also on Robinson's witness list is Chris Rowe, 37, who was sentenced to 15 years to life in prison after killing an acquaintance during a 2001 argument, according to the Circleville Police Department. Rowe is eligible for parole in 2016.

Prison officials said none of the three killers on Robinson's witness list was at Lorain Correctional when Robinson made his alleged escape attempt. Willis said he doesn't know why Robinson wants the men in court, but if that's what his client wants, he plans to put them on the stand.

"He never told me," Willis said. "He said he wanted them called as witnesses."

Willis said that while it's rare for clients not to share their reasons for wanting a particular witness to testify, it's not unheard of.

"Some clients are naturally suspicious, even of their own defense counsel," he said.

Security risks

The criminal histories of Robinson and his witnesses have prosecutors and county sheriff's deputies who guard the Lorain County Justice Center where Robinson's trial will take place concerned about security.

Sheriff's Capt. John Reiber said he couldn't discuss specific security plans, but the Robinson trial has been discussed. It's not the first time high-risk prisoners have been at the county jail or the Justice Center, he said.

"Maybe our alert will be up a little bit, but the building is secure," he said. "Our jail is secure."

Willis said security is a valid concern because Robinson and his fellow prisoners have nothing to lose.

"When you do this in this case, you are actually playing into his hands," Willis said.

Not only does the trip to Lorain County get all of the men out of the maximum security prison in Youngstown, where they are incarcerated, it also puts them in a courtroom setting, he said.

Will, the county prosecutor, said that while security is a concern, it can't be the deciding factor on whether to take a case to trial.

He also rejected Willis' concerns about the cost of the trial and transporting four prisoners to Lorain County.

"He's a high-risk individual, and he tried to escape, and he needs to be held accountable," Will said.

Contact Brad Dicken at 329-7147 or bdicken@chronicle.com.

Cold Case Posters To Appear In Prisons

Saturday, August 22, 2009 7:58 AM

COLUMBUS, Ohio — Crime Stoppers is turning to inmates for help in solving cold cases.

The organization announced Friday that it was working with the Ohio Department of Rehabilitation and Correction to unveil new posters featuring pictures of murder victims, along with details of the crimes.

The posters will appear in central Ohio facilities.

The goal, prison officials said, is to encourage inmates to reveal details they might have or hear about unsolved crimes.

"We do it because we hopefully want to be able to help those who are constantly having broken hearts over the fact that these cases are not solved," said ODRC director Terry Collins. "So, if we can help solve a case, that's what we want to do."

Authorities said a similar effort helped solve a case in Cincinnati.

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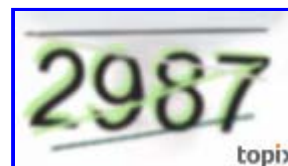
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Other Voices: Tough sentencing laws didn't cause state's prison mess

The Legislature is today debating ways to save \$1.2 billion in the Department of Corrections budget in order to close our long-term budget problem.

There are ways that we can find sufficient savings in Corrections without threatening public safety. But the Department of Corrections and Rehabilitation and some liberal legislators give lip service to public safety while promoting policies that will put Californians at great risk.

For starters, they are pushing for the early release of 27,000 so-called “non-serious” and “non-violent” offenders to cut the corrections budget and reduce overcrowding. This means individuals convicted of crimes like threatening to use a weapon of mass destruction, illegal weapons dealing, stalking and violent child abuse could be set free well before justice is served.

Some liberals blame mandatory sentencing laws for our prison overcrowding and growing prison budgets. They are calling for the creation of an unaccountable sentencing commission that would be given broad powers to gut these laws, without a vote of the Legislature or the people. This would be the worst nightmare for public safety come true – three strikes, no more!

For years, Sacramento liberals have tried to gut California's tough-on-crime mandatory sentencing laws, such as 10-20-life and three strikes. The people have said “no” time and time again at the ballot box. California families understand how important these public safety protections have been in lowering violent crime rates by 50 percent.

It's time for a reality check. As a former chairman of the state Board of Prison Terms, I've had first-hand experience in implementing California's sentencing laws, as we worked to keep dangerous criminals locked up behind bars where they belong.

Despite what we heard at the time when laws like three strikes passed, California's prison population has not exploded. At the time of its passage, corrections estimated that our inmate population would grow to 245,000 inmates by 1999. In reality, the number of in-state prisoners was 169,825 in 1999, and today it has dropped to 161,596.

The real reason prison budgets are skyrocketing and our prisons are overcrowded is not sentencing laws, but rather irresponsible action by the Legislature and corrections department's intransigence and then ultimate settlement of numerous extraordinarily costly inmate lawsuits.

California spends more per inmate than most other large states. In 2007, California spent \$46,437 per inmate. By the same token, Texas spent \$19,223 per inmate, and they house nearly the same number of inmates that California does.

Over the past decade, prison spending has grown far more than population and inflation growth. At the same time, the Legislature has failed to take any realistic steps to increase prison capacity and modernize and replace aging prison facilities.

Between 2005 and 2008 alone, prison administration grew by a breathtaking 105 percent. Since 1997, inmate medical care costs have increased 325 percent. Even though our in-state prison population declined during the past decade, we have added 18,416 corrections employees.

This makes no sense. Californians are not well-served by a prison system that spends more and more on prison administration with nothing to show for it but unrehabilitated felons and higher costs to taxpayers.

It's time the Legislature got serious about cutting bloated prison bureaucracy and rising inmate health care costs, excessive litigation and instead focus on building additional inmate capacity and other measures to make early release unnecessary.

We must reduce our corrections budget responsibly, without threatening public safety. Compromising justice and making all of us potential crime victims is not the answer.

The corrections department touts these policies as “smart” and “good for public safety.”

They are neither.

Smart parole policies guarantee accountability and justice. They ensure predictable, progressive consequences for continued victimization or for demonstrated rehabilitation. These policies do neither.

Jim Nielsen represents the Assembly District 2, which includes Butte, Colusa, Glenn, Modoc, Shasta, Siskiyou, Sutter, Tehama and Yolo counties.

<http://www.theunion.com/apps/pbcs.dll/article?AID=/20090822/OPINION/908219988/1024/NONE&template=printart>

Ritter swings budget ax at prisons, human services

8/21/2009

By Jason Kosena

THE COLORADO STATESMAN

Gov. Bill Ritter's bleak Tuesday budget update had one bright spot: It's not as bad as it could have been.



When the June budget was released,

On Tuesday, Gov. Bill Ritter, surrounded by Democratic lawmakers, talked about further budget cuts the state must make in coming weeks to balance the budget. Due to the recession, the state has cut more than a \$1 billion from its operating funds since last year.

Photo by Jason Kosena/The Colorado Statesman

Ritter said he expected to find the need to fill an estimated \$384 million shortfall in the coming months. It's halfway through August, and the shortfall and subsequent cuts announced by Ritter this week totaled only \$320 million — \$64 million less than the first estimate.

Unfortunately, the good news stopped there.

In order to recoup the state's \$320 million shortage, Ritter is making massive budget cuts by executive order.

The new cuts will affect nearly every state agency and department. Included are plans to eliminate 266 state positions as well as large-scale cuts in the Departments of Corrections and Human Services.

"We're still investing in small businesses, job creation, infrastructure and education so we can recover stronger, healthier and quicker," Ritter said in prepared remarks to reporters. "Still, you can't reduce spending this much without impacting services. Sadly, many people are going to feel the pain of these cuts. Many people will be making sacrifices to help all of us get through this tough time."

During a presentation to the Joint Budget Committee Tuesday before a packed chamber in the Old Supreme Court building, Ritter and budget director Todd Saliman explained how \$25 million would be trimmed from the Department of Corrections budget. Those trims include the elimination of 34 employees who provide education and vocational training services for inmates. Ritter also cut drug and alcohol treatment programs in the state's prison system.



Ritter also trimmed \$19 million by shortening the parole terms of prison inmates who meet certain milestones early.

During a press conference with reporters after the JBC presentation, Ritter said he believed the reduction of parole time was a safe and efficient method to gain critical dollars.

A packed Old Supreme Court Chamber listens to Gov. Bill Ritter announce his budget cuts to the Joint Budget Committee on Tuesday.

Photo by Jason Kosena/The Colorado Statesman

"We know that it's difficult for the Department of Corrections to find places to cut," Ritter said. "If you're on parole for five years, everybody makes or breaks it by the midway point. So, by cutting

their parole in half, people who have not had a problem on parole, we release them and take the savings."

Ritter said that it's important to note that any prisoner eligible to be considered for early release already will be nearly ready to re-enter society.

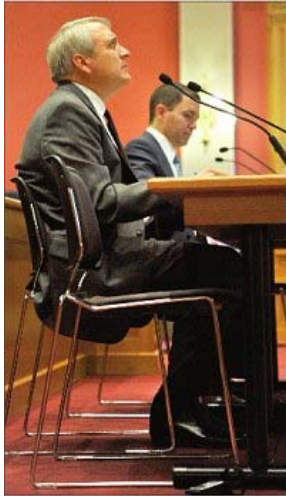
"These are people who are already parole eligible and within 110 days of the release day," Ritter said.

The Human Services Department also will take much of the pain.

Hospital provider rates will be cut by 1.5 percent, saving \$8.5 million, which comes in addition to a 2 percent cut to provider rates last year. Pharmacy rates will be cut by \$1.7 million, and 59 beds at the Colorado Mental Health Institute at Fort Logan and 32 beds at the Grand Junction

Regional Center will be eliminated.

Furthermore, the state will no longer offer \$200 monthly checks to residents who have applied for Supplemental Security Income. The state's Medicaid program will see an \$18.5 million cut.



"We had to balance the budget and make tough choices, and that's what we did," Saliman told reporters Tuesday morning. "These were not easy choices."

Not all areas of the state budget took hits as hard as the ones dealt to Corrections and Human Services, however. Funding for higher education will remain flat with help from federal stimulus dollars, and K-12 education will remain relatively untouched.

In addition, funding for emergency preparedness will be unaffected in an effort to beef up the state's readiness to handle a possible H1N1 flu pandemic. Community programs helping the developmentally disabled, drug and alcohol treatment facilities and service programs such as Meals on Wheels also were mostly spared.

Ritter did suggest the creation of a \$10.50 fee on criminal background checks in an effort to raise additional revenue. Ritter can make budget cuts by executive order, but he will need the Legislature to approve any fee increases.

Bill Ritter appears before the Joint Budget Committee Tuesday morning.

Photo by Jason Kosena
The Colorado Statesman

After Ritter's presentation to the JBC Tuesday, Republicans were quick to criticize him for not cutting enough from the budget.

"When you look at the \$320 million in cuts, maybe 25 to 40 percent of them aren't cuts but are backfills from the federal stimulus monies," said Sen. Mike Kopp, R-Littleton, the minority caucus chairman. "They weren't really cuts."

Kopp went on to say that Ritter broke a June promise to make "10 percent across-the-board cuts" in the proposed solutions he released this week.

"On June 25, the governor told all departments that they needed to prepare for 10 percent across-the-board cuts, and that was not what was presented today. It's somewhat disingenuous to make the argument they did," Kopp said. "In actuality, that did not happen. We're going to be in a much worse situation in the '10-'11 budget year when we have to make those cuts."

But Kopp's interpretation of Ritter's June budget plan — and promises — is not entirely accurate according to Ritter spokesman Evan Dryer, who referred to a meeting with reporters in the Governor's Office on June 25. At the time, said Dreyer, Ritter said he was soliciting a proposed list of 10 percent cuts from all departments, but that he would not make across-the-board cuts.

In an article published in the June 29 Colorado Statesman, Ritter was quoted as saying he will not make 10 percent across the board cuts to all state departments.

"That allowed him to look carefully, methodically, and surgically to decide which will be cut and which will not," Dryer said. "This is a politically expedient argument that (Kopp) is making. We did what we had to do to balance the budget."

Most of Ritter's proposed cuts will take effect Sept. 1 and will remain in effect until the next legislative session. Ritter will produce a balance 2010-'11 budget to the Joint Budget Committee during the first week of November.

— Jason@coloradostatesman.com

Quinn grapples with prison cuts amid budget mess

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An advertisement for Carmi Eye Care. On the left is a standard vision chart with letters of varying sizes and numbers indicating the distance in feet (10, 8, 5, 3, 2). On the right is a yellow background with the text "Carmi EYE CARE" in red and black, followed by "PROFESSIONAL VISION EXAMS" in black. Below the text is a pair of black-rimmed glasses.

By Jim Suhr

Carmi Times

Fri Aug 21, 2009, 05:26 PM CDT

East St. Louis, Ill. -

Close some prisons. Release low-risk inmates and hire more parole officers. Send imprisoned illegal immigrants to their home countries. Save hundreds of millions of dollars.

Gov. Pat Quinn won't publicly tip his hand about to what extent such suggestions in June by a bipartisan group he tapped to find ways to make the cash-strapped state's government leaner will guide how he applies the cost-cutting scalpel to the state's prison system.

But handed autonomy by the state's lawmakers to make cuts needed to close an \$11.6 billion budget gap, the Democrat is showing signs that the Taxpayer Action Board's tips might have gotten his attention.

He plans to shed some 1,000 corrections jobs - more than 400 at six prisons by the end of next month - to save perhaps \$125 million. He's considering releasing nonviolent offenders; prison union leaders have said as many as 11,000 of the state's some 45,500 inmates could be eligible. And he's suggested that "downsizing" some prisons aren't out of the question.

Quinn isn't elaborating beyond that, even about the timing or scope of the cuts. Nor is Michael Randle, the state's new corrections chief who didn't respond to recent requests for interviews by The Associated Press.

All of it has stoked speculation about what might be on the table and how deep the cuts might be in the state Department of Corrections that last fiscal year had a budget of \$1.44 billion, trailing only the state's spending on human services and health care.

None of it is bound to make everyone happy. As members of the House Prison Reform Committee, for example, cuts to the state's prison system are making Republican Rep. Jim Sacia - a former FBI agent - cringe, claiming, "I've never seen an agency be more of a whipping boy than the Illinois Department of Corrections." A Democratic colleague, Rep. Eddie Washington, believes deeper cuts are in order.

Both lawmakers respect Quinn's diligence. They don't envy his task.

"He's proven to be a very competent, capable governor given the monster he inherited," Sacia said, crediting Quinn with getting bipartisan input. "He's doing a commendable job taking on a difficult situation. Accordingly, he

has to make the tough cuts and, therefore, becomes the bad guy to everybody.

"He's trying to make the difficult decisions we slid out of, and I'm not proud of that."

Last week, the American Federal of State, County and Municipal Employees, which represents 13,000 Illinois prison workers, urged Quinn during a meeting not to lay off thousands of workers overall despite the budget crunch. Insisting he must lay off 2,600 workers to help cut \$1 billion in spending from the out-of-balance fiscal plan, Quinn through a spokeswoman pressed for "shared sacrifice."

Other states already have made such tough choices, cutting back on the massive expense of running prisons by eliminating guards, trimming drug treatment and parole programs and, in some states, releasing inmates early.

In announcing its Illinois recommendations, the Taxpayer Action Board noted that the state's prison population, at more than 45,000 inmates, has ballooned by more than 600 percent between 1970 and 2000 while Illinois' general population climbed just 11 percent.

The board suggested having those who commit drug and property crimes - as well as low-risk inmates older than 50, a demographic that's nearly 10 percent of the state's prison population - spend less time in prison. The group also said the state should expand electronic monitoring programs for parolees, hire more parole officers and work with private organizations to establish education and job programs.

The board suggested it was a matter of money: The average annual cost to incarcerate an inmate in Illinois is roughly \$30,200, compared with \$4,000 per parolee per year.

"If the state can effectively minimize the prison population, it will have considerable positive financial and social implications," the board concluded.

The Taxpayer Action Board also pressed that Illinois negotiate with the home countries the return of the some 1,700 illegal immigrants the state's corrections department says are housed in prisons statewide.

The changes, the panel said, could save hundreds of millions of dollars.

Part of the solution, that group insists, might be closing some prisons - something the state has flirted with in recent years. Proposals to mothball the Stateville prison in Joliet and another aging lockup in Pontiac were eventually discarded, partly due to the threat of litigation.

"Targeted prison closures appear to be an attractive option" that "provides a significant opportunity over the long-term," the board concluded. The panel noted that an internal Department of Corrections analysis suggested that closing a prison could save \$30 million to \$40 million a year. Much of that would be offset by the cost of housing the inmates elsewhere, making the net benefit between \$4 million and \$6 million.

Washington figures the state's only "supermax" prison should be the first to go. The Tamms Correctional Center in deep southern Illinois is where offenders deemed "the worst of the worst" spend 23 hours a day in their cells, spawning complaints of inhumane treatment. Quinn expects Randle to take a long look at prisoner treatment there, then recommend to him what should be done.

Washington insists Tamms, with some 260 inmates, is at a little more than half capacity, making it underused and, with one employee for every inmate, overstaffed. And he submits it's invincibility is no big deal: Escapes have been a rarity at any state lockup.

Washington considers Quinn's plans for layoffs the "wise and needed thing to do," and he submits that such cuts "may not go far enough."

The union's Lindall counters that prison staffing already is down 25 percent in the past eight years, leaving little room for more job cuts. He notes the state has been shelling out overtime - \$44.3 million in the 2008 fiscal year and perhaps around \$60 million this budget cycle - when it might be cheaper to hire corrections officers at straight time.

California bill would free more than 27,000 inmates

updated 3:23 p.m. EDT, Fri August 21, 2009

STORY HIGHLIGHTS

- California Senate OKs bill to allow early release of 27,000 inmates
- State Assembly will take up measure, which would save \$524 million, on Monday
- Democratic Senate official says changes would protect public from violent offenders
- Senate Republicans call the legislation a threat to public safety

[Next Article in Politics »](#)

TEXT SIZE  

(CNN) -- A controversial bill that California legislators say would allow the early release of more than 27,000 inmates from crowded prisons will be taken up by the state Assembly on Monday.



Inmates at Mule Creek State Prison in Lone, California, interact in a gym modified to house them in August 2007.

The Senate on Thursday passed the corrections package 21-19, after Senate President Pro Tem Darrell Steinberg, D-Sacramento, assured senators the changes would protect the public from the most violent offenders.

The legislation also would direct more resources toward parolees, he said.

Senate Republicans say the bill would undermine public safety. All 15 Senate Republicans voted against the measure.

Both houses of the legislature are controlled by Democrats.

Consideration of the bill comes as California faces a mid-September deadline for reducing its [prison](#) population by about 40,000 inmates. A special panel of three federal judges issued the order,

contending the crowded prison system violates prisoners' constitutional rights.

The judges said they will make the reductions themselves if the state fails to act.

The measure would save the financially strapped state \$524.5 million, according to a statement from Steinberg's office.

When coupled with budget revisions that lawmakers made in July, the total corrections savings would be \$1.2 billion, he said. That is the amount that Republican Gov. [Arnold Schwarzenegger](#) wants as part of his efforts to cut state spending and balance the budget.

Don't Miss

- [250 inmates hurt after California prison riot](#)
- [California cuts deep to close \\$25 billion budget gap](#)

Republicans said the bill would lead to the release of about 27,000 prisoners, while Democrats estimated it would reduce the prison population by 27,300 in the 2009-10 fiscal year and 37,000 during fiscal year 2010-11.

"It is undeniable that the real failure of our [criminal justice](#) system is that it fails to distinguish between violent offenders and nonviolent

offenders," Steinberg said.

"Of course, we want to keep violent criminals off our streets and out of our communities, and this reform package is a necessary step to do that because it concentrates our incarceration efforts on the violent criminals and ensures that nonviolent offenders have more contact with parole officers," he said.

Some nonviolent offenders could serve shorter sentences.

According to Steinberg, each parole officer in [California](#) is responsible for about 70 parolees, many of whom recommit crimes and go back to jail. If the legislation is passed, the ratio would be reduced to 45 to 1, he said.

"They [parole officers] cannot adequately supervise those who are the most at risk and those who are the most risk to the public safety," Steinberg said. With a lesser workload, the officers also can make more home visits and arrange more meetings with the people they supervise, the lawmaker said.

Senate Republicans called the legislation a threat to public safety.

"Among the inmates who could be eligible for early release under the Democrat plan include felons convicted of human trafficking, stalking, identity theft, violent child abuse and threatening to use a weapon of mass destruction," the Republican Caucus said in a written statement.

"Unfortunately, this proposal exploits a fiscal crisis in order to advance a dangerous liberal agenda that seeks to undo successful anti-crime laws," said Senate Republican Leader Dennis Hollingsworth of Murrieta.

GOP lawmakers in the Senate also strongly opposed the creation of what they described as "an unelected and unaccountable sentencing commission that would be given broad authority to alter important public safety laws."

The legislation would establish a 16-member Sentencing Commission that would put in place new sentencing guidelines by July 1, 2012. Unless vetoed by the legislature and governor, the guidelines would become effective January 1, 2013.

The 13 voting members of the commission would include the chief justice of the California Supreme Court, a judge appointed by the chief justice, the state public defender and the secretary of the Department of Corrections and Rehabilitation. A crime victim would be among the three ex-officio members.


California Assembly Speaker Karen Bass, D-Los Angeles, issued a statement early Friday morning, explaining that the assembly recessed around midnight and will reconvene Monday.

On Thursday and into Friday morning, she said in the statement, "we have been taking into account many of the concerns raised by law enforcement, and are working toward a bill that the people of California can agree

makes sense," and that process will continue through the weekend.

"Our target remains a responsible approach that will achieve our public safety and budgetary goals, and allow us to prevent the wholesale release of prisoners by federal judges."

"Relieving prison overcrowding and reducing recidivism are monumental challenges, but they are challenges that we will not retreat from," Schwarzenegger told an audience of prosecutors in June.

California has a 70 percent recidivism rate. [E-mail to a friend](#)  | [Mixx it](#) | [Share](#)



August 21, 2009

Mercer Co. prison ablaze amid riot

The Associated Press

BURGIN, Ky. - Two buildings of a central Kentucky medium-security men's prison were ablaze Friday night and police in riot gear reportedly entered the facility with tear gas.

Ambulances rushed to the spectacular scene at the 1,200-inmate Northpoint Training Center, 66 miles southeast of Louisville. Dozens of state police, corrections department officers and local police officers had been summoned.

"They've called in pretty much every available unit that can respond," said Kentucky State Police spokesman Lt. David Jude.

The Advocate-Messenger of Danville reported on its Web site that state police and corrections department staff were firing tear gas as they entered the prison at 9 p.m. EDT, and loud explosions could be heard along with demands for inmates to surrender.

• <http://www.courier-journal.com/article/20090821/NEWS01/908210416>"
target="_new">Courier-Journal reports on fire

A prison spokeswoman said it had been on lockdown since Tuesday, when one group of inmates assaulted two others.

Mendolyn Cochran said that at 6:30 p.m. Friday, inmates set fires in trash cans in one building. All inmates were then called to the yard, where they continued to set fires in cans and destroyed property.

Jay Blanton, a spokesman for Gov. Steve Beshear, said the governor was aware of the situation and had been in contact all evening with the state Department of Corrections.

Northpoint has more than 1,100 general population inmates housed in six open-bay dormitories, according to its Web site. Another 60 special management inmates are housed in single cells in a separate structure, and 40 minimum-security inmates housed in another separate structure.

It opened in 1983 and has a staff of 285.



Posted on Sun, Aug. 23, 2009

Lethal bacteria strikes Illinois inmates; prisons fail to notify state

BY GEORGE PAWLACZYK AND BETH HUNSDORFER
News-Democrat

The Illinois Department of Corrections regularly failed to follow a state law requiring that it notify state health officials of a potentially fatal staph infection that has affected more than 1,400 inmates, according to an investigation by the News-Democrat.

The virulent bacterial disease, which over decades has developed a resistance to antibiotics, also has infected guards and even visitors. Those infected can become carriers for life with the potential of infecting relatives.

During 2008, when the reporting law took effect in March of that year, IDOC did not report nine outbreaks of the infection known as MRSA -- Methicillin-resistant Staphylococcus aureus, according to a copy of an internal IDOC memorandum obtained by the newspaper. Another four outbreaks went unreported in 2009, a spokesman said. A total of 16 outbreaks have occurred since the law went into effect with 13 not reported to the state and local health departments as required.

But after inquiries over several days by the newspaper, IDOC announced it will implement a strict reporting process that will comply with the statute, spokeswoman Dede Short said Friday.

"We have concerns about the notification process," she said. "What we are going to do is ask the prisons that they follow up with written notification to the local health departments. We are going to reach out to staff and make sure that they follow up. But our first priority is treating symptoms."

She said the local departments will in turn notify the state health department.

Last week, before the newspaper obtained a copy of the internal IDOC memorandum, IDOC spokeswoman Januari Smith and state health department spokeswoman Melanie Arnold said that since the law took effect, the only prison that had found MRSA cases that were required to be reported was the Vienna Correctional Center in Johnson County. The spokeswoman, who researched the matter over two days, said that in May, the Vienna prison reported two clusters involving four inmates.

"We follow the IDPH reporting guidelines," Smith said at the time.

But later, Short confirmed that the nine clusters in 2008 listed in the memorandum should have been reported, as should have four other cases in 2009 that were also not reported. They involved several prisons.

The state law that took effect March 3, 2008, requires IDOC to report MRSA if these factors are shown:

- * A cluster of at least two cases exists.
- * The infections can be epidemiologically linked to particular inmates or staff.
- * The infections occurred within two weeks in the same prison housing unit.
- * The infections are confirmed by clinically testing a suspected culture sample.

However, a physician and nationally known MRSA expert said that even if the requirements are enforced, they would not reflect the extent of the problem in Illinois prisons, which he said is near epidemic levels.

"The number (of infections) is very large, absolutely. It is very serious," said Dr. William Jarvis of Jason and Jarvis Associates of Port Orford, Ore. Jarvis was referring to the internal memorandum written by Timothy McLean, chief of IDOC's Office of Intergovernmental Relations. Jarvis is a former infectious diseases branch director at the Centers for Disease Control and Prevention in Atlanta.

Laboratory testing confirmed that 1,037 inmates were diagnosed with the infection between July 2007 and December 2008, according to the Feb. 23 memorandum. Another 1,094 inmates were treated after showing symptoms but were not tested. McLean could not be reached for comment.

"They were well meaning in what they tried to put forward, (but) they just didn't understand that it was going to become a game of how can you get around reporting," Jarvis said of lawmakers. He called the two-week inclusive reporting requirement "irrelevant" because state prison inmates are often moved about, making it difficult to track who had the infection in the first place.

The latest staph infection figures, produced by IDOC spokeswoman Short, showed 400 confirmed MRSA infections and seven clusters in the first six months of 2009 among a prison population of about 45,000. Only one of the 2009 clusters was properly reported, she said.

This translates to an infection rate of about 900 per 100,000 population, or 35 times that of a study published in 2008 in the *Annals of Internal Medicine* of patients treated during 2004 and 2005 at nine San Francisco hospitals. That study showed a rate of 26 MRSA cases per 100,000 population.

Previous to the state MRSA reporting law taking effect, at least four guards at Illinois' only state-run supermax prison, the Tamms Correctional Center, received compensation after reporting having been infected with MRSA through inmate contact.

In an April 3, 2008, decision granting compensation to a Tamms guard based on a claim from Oct. 10, 2007, the state arbitrator or case judge wrote, "Arbitrator has known for some time that the MRSA infection has been present throughout the Illinois prison system."

While Tamms inmates cannot be contacted at the prison, a former inmate said the infection is widespread.

Reginald Akeem Berry, of Chicago, did eight years in the solitary-confinement-only, supermax lockup as part of an overall 17-year stretch for murder. He said he was placed in a cell that had held an inmate with MRSA who had been transferred to another wing. Berry said he was forced to sleep on the same mattress the infected prisoner had used.

"I got this golf ball-sized lump in my back. It was so painful I said to myself that something has got to be wrong," Berry said.

There was no laboratory confirmation, he said, but rather an immediate and painful lancing of the boil by a nurse followed by the insertion of a stent, or device to drain the wound.

"There were lot of guys who had MRSA when I was there," he said.

The newspaper contacted the health departments in 16 counties where maximum and medium security state prisons are located. These overcrowded prisons house about 25,000 of the state's approximately 45,000 inmates. The original capacity of the 16 prisons is 15,920 inmates.

None of the county health departments received reports from the prisons in their counties concerning MRSA. The reporting law also requires laboratories that confirm MRSA to contact local health departments with the results.

While deaths from MRSA infections are unusual, they are on the rise, according to a 2005 study published by the *Journal of the American Medical Association*. There were 18,650 deaths from the infection in the United States that year, according to the study. The resistant bacteria that causes the disease is believed to have first infected hospital patients and

has since spread to schools, prisons and other community settings.

Two well-known Illinois nonprofit organizations disagree on how widespread the MRSA problem is in Illinois prisons.

Hanke Gratteau, left her position as managing editor/news of the Chicago Tribune earlier this year to become director of John Howard Association of Illinois, a prison reform group based in Chicago.

"If there's a (MRSA) problem in IDOC, it has not come to our attention during many trips to various institutions," she said. "And we haven't heard about it via inmate mail."

Jeanine Thomas is the founder of MRSA Survivor's Network.

"It is rampant in the prison system and they've been covering it up," she said.

Anders Lindall, spokesman for Council 31 of the American Federation of State, County and Municipal Employees, which represents state prison guards, noted that guards have been infected on the job.

"The union became aware of MRSA in state facilities more than two years ago through members who contracted the infection at work," he said.

Lindall said a recent bill signed into law by Gov. Pat Quinn calling for aggressive treatment and high levels of hygiene is "a good first step."

He urged that all MRSA infections, and not just those covered by the state health law, be reported.

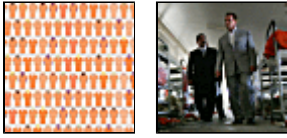
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California says no to offer to take inmates

Roger Rapoport

Sunday, August 23, 2009



(08-23) 04:00 PDT Muskegon, Mich. --

A generous offer to move 2,000 inmates from jam-packed California jails to prisons here and across the state in the town of Standish was turned down last week by Gov. Arnold Schwarzenegger's secretary of corrections and rehabilitation, Matthew Cate.

This is bad news for Michigan, where Gov. Jennifer Granholm has been trying to save the jobs of at least half of the 1,000 corrections officers scheduled for layoffs this fall as her state continues shutting down prisons it no longer needs.

It's also not very good news for California, where a riot at the California Institution for Men last week, court orders, overcrowding and possible budget cuts raise questions about how to reduce recidivism, officially at 59 percent but closer to 70 percent, according to some critics.

Schwarzenegger had a compelling reason to accept Michigan's offer. A federal judicial panel has ordered California to slash its inmate population by 40,000 within two years to relieve overcrowding.

In his letter to Michigan officials, Schwarzenegger's corrections secretary said that moving prisoners from jam-packed cafeterias and hallway cages to Michigan jails wouldn't save taxpayers any money. The Muskegon prison would accommodate only California's least-dangerous inmates.

The Standish prison was dismissed because it did not cover the cost of driving inmates 150 miles for the medical and mental health staffing required under a federal court order.

California's decision paid little attention to Granholm's promise to help Schwarzenegger lower recidivism. Despite record-breaking unemployment, crime is down in Michigan, and so is the prison population, which has fallen from 51,500 to 47,000 since 2006.

During the first half of 2008, crime in Michigan's big cities was down 17 percent. At the same time, recidivism, which has been running about 48 percent in Michigan, is down to 33 percent for thousands of inmates being released through the innovative Michigan Prisoner ReEntry Initiative. The program, which is being expanded to cover all prisoners prior to parole, has caught the eye of corrections officials around the country. Some officials are flying in to study why it works.

While California corrections officials argue that it's hard to compare Michigan prisoners with hard-core inmates at places like Chino, new prisoner-release programs appear to offer an interesting alternative for California.

Granholm's offer to Schwarzenegger suggested that the state's 3-year-old Prisoner ReEntry Initiative would help California reduce its inmate population and cut down on crime. Despite a very tough economy, the Michigan crime rate has fallen in part because parolees are committing fewer crimes.

For once, it appears that something is going right with crime in Michigan. While the California analysis shows that moving prisoners to Michigan would not save any money, it does not factor in the hidden costs of programs that fail to keep a majority of parolees from returning to prison.

Although paroling inmates early might sound risky, it appears to be working thanks to job training, psychological counseling, medical care, housing, employment and transportation programs that are central to the state's re-entry program.

While similar programs are used in California and other states, the results in communities like Muskegon are clearly of national interest. Michigan prisons are closing and officers are being laid off because the corrections system appears to be working.

Since Michigan's program began in 2006, only 11.4 percent of the 933 inmates released in the Muskegon area have gone back behind bars. Less than half of those criminals committed a crime. The rest were sent back for technical parole violations.

While Michigan corrections officials expect that impressive figure will drift up as more parolees are rearrested over time, they contend that the Prisoner ReEntry Initiative can hold down crime. The state is trying to avoid locking up criminals until they max out and become exempt from the parole system.

Ernie Stacey, a social worker who coordinates the Prisoner ReEntry Initiative in Muskegon, says that by letting prisoners out before their maximum sentence date, they remain under the control of parole officers who can track them with sophisticated GPS devices and show up unannounced to ensure that they are not doing crystal meth, getting drunk, buying guns or holding up convenience stores.

Clearly, shifting more resources into prerelease programs, something that could be hard to do if the corrections budget is cut again by the California Legislature, makes economic sense. Every released prisoner who does not bounce back into the system is a victory. Even in hard times, many well-mentored Michigan parolees are finding and keeping jobs.

At his office in a park setting near the Muskegon prison, Stacey, who runs the local re-entry program, says, "Thanks to new technology, we have the capacity to do a better job of supervising them. Five years ago, this might not have been possible.

"The state discovered that getting tough on prisoners, holding them until the end of their sentences and then releasing them with bus fare, didn't work very well," Stacey says.

"Through vocational training, mentoring, mental health services, anger management and substance-abuse programs, we are doing a better job of preparing inmates for reentry.

"We want to let them out on parole before their maximum sentence because at that point they are no longer

under our control. We can't follow up. They have no further obligation to the Department of Corrections.

"But when we parole these prisoners, that means some of them are on an electronic tether, and they face the possibility of being arrested for technical violations like drinking in a bar or being found at or near the home of an ex-spouse where there is a history of domestic violence. It's a strong deterrent because they know that a parole violation is a crime that will send them back to jail.

"Local police officers even come in and talk with these guys and explain what they can and can't do, how to stay out of trouble and, in a worst-case scenario, how to call a police officer for emergency help if something is going wrong in their life."

While California mandates a minimum three-year parole for all released prisoners, it appears that Michigan's approach is achieving better results. This could be one of the reasons that both Pennsylvania and the Obama administration are taking a look at Michigan's prisons as a potential new home for their inmates.

The Standish maximum-security prison rejected last week by California has just been short-listed as a potential new home for high-risk detainees to be shifted out of Guantanamo Bay Detention Camp. Granholm says she would prefer to do business with Schwarzenegger.

The welcome mat is still out for Californians who want to make themselves at home in Michigan's relatively roomy jail cells.

Roger Rapoport, the author of "California Dreaming, The Political Odyssey of Pat and Jerry Brown" and "Citizen Moore," writes about politics in Michigan and California. Contact us at forum@sfchronicle.com.

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This article appeared on page **E - 2** of the San Francisco Chronicle

Rioting inmates set central Ky. prison ablaze

By JEFFREY McMURRAY (AP) – 1 day ago

BURGIN, Ky. — Rioting inmates set fire to trash cans and other items inside a central Ky. prison, and damage to some buildings was so extensive that officials were busing many of the facility's 1,200 prisoners elsewhere, police said Saturday.

By early morning, firefighters had extinguished the fires at the medium-security Northpoint Training Center in a rural area 30 miles south of Lexington, state police Lt. David Jude said.

Eight inmates were treated for minor injuries, and eight staff were also injured in the melee, although none was admitted to the hospital, said Cheryl Million, a spokeswoman for the Kentucky Department of Corrections.

Officers in riot gear rushed the prisoners with tear gas about 9 p.m. Friday, and all the inmates were subdued in less than two hours, authorities said.

Six buildings had burned, including a kitchen, medical center, canteen and visitation area. Million also said all dormitories were damaged "to the extent of being inhabitable," except for one 196-bed unit.

A bus carrying some 42 inmates deemed higher security risks left the property shortly after 6 a.m., heading to an undisclosed facility. It wasn't clear how many other inmates would have to be moved.

"To me it would seem like a pretty daunting task to move that many inmates suddenly from one place," Jude said.

Gov. Steve Beshear praised corrections officials and state police for handling the situation without any serious injuries.

"Their work last night in the face of the most trying circumstances was truly remarkable," Beshear said in a statement. "Corrections officials are currently assessing the extent of damage to determine the needs going forward for safely housing prisoners in the coming days and for the long term."

Some of the inmates would be able to stay at Northpoint, Million said.

"As we continue to assess the situation, other inmates could possibly be transferred," Million said. "Decisions to transfer would be based on facilities security levels and inmates' needs."

Jude said the prisoners were being kept in an outdoor courtyard surrounded by prison guards. Police formed a perimeter around the outside of the facility to make sure no one escaped.

Portable toilets were brought in, and prison officials were using temporary food stations to feed the prisoners because the fire in the kitchen destroyed much of the prison's food supply.

"Everything seems to be at a calm," Jude said. "They're sitting down, kind of going with the program right now."

Jude didn't immediately say what caused the rioting, which began around 6:30 p.m. Friday.

Prison spokeswoman Mendolyn Cochran said Friday the prison had been on lockdown since Tuesday, when one group of inmates assaulted two others, The Advocate-Messenger of Danville reported. Later Friday, some inmates started setting fires in trash cans, she said.

Million wouldn't confirm the report, saying only that some of the fires started in trash cans and that some inmates had access to matches because smoking is allowed in parts of the prison.

The melee in Kentucky comes two weeks after more than 1,000 inmates rioted at the California Institution for Men in Southern California. The prison was designed to hold about half as many inmates, although investigators say they don't know if crowding helped spark the racially charged riot.

Northpoint has more than 1,100 general population inmates housed in six open-bay dormitories, according to its Web site. Another 60 special management inmates are housed in single cells in a separate structure, and 40 minimum-security inmates are housed in another separate structure.

It opened in 1983 and has a staff of 285.

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August 24, 2009

Tobacco ban no problem at Rapides Parish jails

By Abbey Brown
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They were ready for the worst, but Rapides Parish Sheriff's officials have had little to no problems since they banned tobacco in the jails.

Statewide, correctional institutions were required to fall into line with the Louisiana Smoke-free Air Act passed by legislature in 2006. The correctional facilities were given extra time -- until Aug. 15 -- to implement the indoor smoking ban.

Rapides Parish Sheriff's Office Maj. Karla Ryder said they've been working on phasing tobacco out of the jail since April.

On July 1, they stopped selling cigarettes in their three correction's facilities -- the main jail in the Rapides Parish Courthouse, the work release facility and Detention Center III off of Louisiana Highway 28 that houses mostly Department of Corrections' inmates.

Cigarettes used to be the jails' commissaries number one seller, but as of July 1 they pulled the items off the shelves.

"We didn't rip the cigarettes out of their hands so we allowed them to smoke what they had after that day, but they weren't able to purchase any more," Ryder said. "But in the last two weeks, our Corrections Emergency Response Team has gone in and done shakedowns and taken out any of them that were left."

The Sheriff's Office formed CERT in part to respond to problems they thought could arise out of the ban. But thankfully, Ryder said, things have gone smoothly.

"We haven't had any problems with the transition," she said. "When we first announced it, we had a lot of requests for transfers because they thought it was something just we were doing. When they realized it was statewide, they changed their mind."

Before the ban inmates were allowed to smoke anywhere in the cell blocks. Now, they aren't allowed to smoke anywhere. There are no designated "smoking" areas at the facilities for the inmates, Ryder said, pointing out that logistically it wouldn't be possible. Security concerns are too big and all the corrections staff would be doing would be taking inmates back and forth from the smoking area.

Ryder pointed out that the change will help lower medical costs. Issues with asthma, allergies, sinuses and colds are a huge portion of their medical costs. It will help reduce hospital visits, doctor's visits and medication.

Sheriff Chuck Wagner said the change has been a great one for the jails.

"It isn't just healthier for our inmates, but it is healthier for our employees," he said. "They have to go to work every day and live in that environment. A healthier workforce is a more productive workforce."

Wagner pointed out that not only is the change making the jails healthier for the corrections staff and inmates, but it also has made things cleaner.

"The ceilings were so brown and yellow from all the smoking over the years," he said. "We've been

cleaning everything out and things are going really well."

Ryder said many of the inmates who were forced to make this healthy change have embraced it.

"They are telling us they want to have more healthy choices," she joked. "They are saying, 'We want to get healthy now that we aren't smoking.' So we are looking into some healthier options for our commissaries."

Ryder said inmates were given the option to get the patch or participate in other cessation programs but very few used them. Most just quit cold turkey.

Now that the ban is in place, any cigarettes or other kind of tobacco found in any of the jails will be considered contraband and will give the inmate an additional misdemeanor charge.

Department of Public Safety and Corrections Secretary James M. Le Blanc said the smoking ban is the "right thing to do."

"The Department started the educational process months ago in an effort to ease all parties toward this significant change," he said.

Department Medical Director Dr. Raman Singh said the overall goal of the ban is to create a safer, smoke-free environment for all who live and work at state correctional facilities, and, perhaps indirectly, to reduce the number of smokers resulting in healthier individuals and reduced medical costs.

"Some employees and offenders see the ban as an opportunity to quit smoking for good," Singh said. "Smoking is one of the biggest 'preventable' causes of morbidity, and it also becomes more important to help people break the habit because our beloved state of Louisiana has some of the highest numbers of cancer and heart disease rates in the nation."

latimes.com

CAPITOL JOURNAL

Unshackling prison reform

The governor and the Legislature are under pressure from the courts to solve an explosive problem.

George Skelton

Capitol Journal

August 24, 2009

From Sacramento

Rioting inmates in Chino recently torched a dormitory, ravaged five other dorms and destroyed 1,200 beds. Roughly 1,300 convicts participated and 175 were injured. The state caught a break.

No guard was hurt. And no prisoner was killed.

"It turned out better than we thought," says Matthew Cate, the state's prison boss as secretary of the Department of Corrections and Rehabilitation.

"Officers were able to retreat to a place of relative safety near the administration office. They regrouped, then swept through and retook it with our version of a SWAT team."

After only about four hours.

It's a wonder there haven't been more riots -- and more catastrophic ones -- given the incendiary, overcrowded conditions of California prisons. Tens of thousands of men are stacked practically like cordwood in barracks or gyms, averaging 200 per dorm.

Credit Cate, other prison officials and the much-maligned guards for keeping the lid on an explosive tinderbox.

California's 33 prisons hold roughly 153,000 inmates in facilities originally designed for 80,000. Another 6,000 are housed in fire camps or local facilities. And 8,000 have been transferred to out-of-state custody.

"When you put a bunch of human beings in an environment in which they're living in quarters designed for a population half that size, with all the tensions that go into a prison anyway, you're bound to have an explosion," says Steve Merksamer, who runs a political law-lobbying firm. In the 1980s, he was chief of staff for Gov. George Deukmejian, a lock-'em-up former attorney general.

"They're not exactly a docile population. There's a great deal of racial and ethnic rivalry. . . . The only thing that surprises me is we haven't had a Chino situation far more often."



As Deukmejian and Merksamer entered the governor's office, still fresh in their memories was a deadly prison riot in Attica, N.Y., 12 years earlier that had tarnished Gov. Nelson Rockefeller. That riot lasted four days; 33 guards were taken hostage and 39 people died, including 10 guards and civilian employees.

"My biggest fear always was a prison riot," Merksamer recalls. "We trained. We'd have mock riots.

"We had prison overcrowding then, but it wasn't as crowded as it is today. We embarked on the largest prison building program in history."

That was then. Now the state is virtually broke.

The Legislature and Gov. Arnold Schwarzenegger actually have authorized \$2.4 billion in bond issues to build prison cells and \$1 billion to construct community reentry housing facilities. But there's a lousy bond market because of the recession and the state's shaky budget. So no construction has begun.

Meanwhile, the Capitol is under siege by three federal judges who have ordered the Schwarzenegger administration to reduce the state's prison population by 43,000 inmates over two years. "Immediate action is necessary to prevent death and harm," the jurists decreed Aug. 4. They told the governor to send them a reduction plan by mid-September.

Speaking last week at the Chino riot scene, Schwarzenegger declared: "The politicians in Sacramento have swept the problem under the rug for so long that California is quite literally losing control of our prisons."

Here, I must paraphrase Ronald Reagan's famous debate line: *There he goes again* -- Schwarzenegger acting as if he had not been Sacramento's most powerful politician for nearly six years.

In fairness, Schwarzenegger long has been attempting prison reforms and bed-building. But so has the Legislature. It's just that legislators are so polarized by partisanship and philosophy that it's a painful strain to come together and compromise. And the governor has little influence over fellow Republicans.

It doesn't help that the minority party basically has been contradicting itself: advocating tax cuts and smaller government in most cases while pushing for costly, longer sentences in state prisons. Both parties also have had a love-hate relationship with the powerful prison guards union, which won a fat wage and benefits contract under Democratic Gov. Gray Davis.

The end of political gerrymandering -- legislators drawing their own districts -- should help by spurring campaign competition and the election of more pragmatic centrists beginning in 2012. Another partial remedy would be an open primary system, and that will be proposed on the June 2010 ballot.

One more systemic flaw highlighted by the current fight over prison cost-cutting and reform is term limits, which create a distracting game of musical chairs.

In the Assembly, nearly 40% of Democrats (19) are running for another office. Most are fearful of being branded by campaign opponents as "soft on crime" if they vote for, say, early release from prison of even decrepit old blind men.

That's why a plan by Democratic leaders and the governor to reduce the prison population by 27,300 inmates this year and save \$525 million passed the Senate 21 to 19 last week, but stalled in the skittish Assembly. No Republican supported the bill, but none was needed because it required only a majority vote to pass.

An amended, watered-down measure may be debated on the Assembly floor today. It will retain the feature Schwarzenegger deems most important: an overhaul of the parole system by focusing on the riskiest parolees and paying little attention to the rest, resulting in fewer ex-cons being returned to prison for minor violations.

All this can be worked out and space freed up in the barracks and gyms. Better to do it now than after the

predictable prison blowup.

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Insurance adjusters look at Ky. prison after riot

(AP) – 15 hours ago

BURGIN, Ky. — Officials said Sunday that investigators and insurance adjusters have started probing what's left of a Kentucky prison in the wake of a fiery riot that injured 16 people and forced 700 inmates to be relocated.

The damage assessment could take several days and a probe into what prompted Friday night's melee would likely start later in the week, Kentucky Justice and Public Safety Cabinet spokeswoman Jennifer Brislin said.

"This is not a quick thing," Brislin said. "They continue to assess the entire situation."

Prisoners started some of the fires in trash cans, and flames eventually spread, shooting into the air during the riot. Several buildings were seriously damaged at the Northpoint Training Center, a medium-security facility about 30 miles south of Lexington.

Officers in riot gear rushed in with tear gas, and all the inmates were subdued within two hours, authorities said. They were kept in the prison yard and authorities surrounded the facility so no one could escape.

Eight inmates were taken to the hospital and eight prison workers were injured and helped at the scene. Four inmates remained hospitalized Sunday, but two were released to the Department of Corrections later in the day, Brislin said. The two inmates who remained hospitalized in stable condition had complained of chest pains, Brislin said.

Brislin said investigators will interview inmates and review security videos to see what caused the riot. "They haven't even started interviews yet," Brislin said.

About 500 inmates remained at the prison. The others were taken to facilities across the state. Brislin said the Special Occurrence Response Team at the prison remains active and security staff is working 12-hour shifts.

The remaining inmates at the prison were being housed in a 196-bed dorm that was not severely damaged, the prison chapel, gym and a unit of 60 single cells, said Mendalyn Cochran, a spokeswoman for Northpoint Training Center. Another 40 minimum-security inmates were being housed on the grounds outside the main fence, Cochran said.

The melee came two weeks after more than 1,000 inmates rioted at the California Institution for Men in Southern California. That prison was designed to hold about half as many inmates, although investigators say they don't know if crowding helped spark the racially charged riot.

Northpoint opened in 1983 and has a staff of 285.

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August 23, 2009

It's tough for terminally ill inmates to receive medical furloughs in Alabama

By Markeshia Ricks
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Almost a year ago Alabama passed a law that would allow terminally ill inmates a chance to die at home and, it was hoped, save the state a little money.

But the eligibility criteria for the new medical furlough are so strict that it could be a long time before the state Department of Corrections sees significant savings.

When Alabama passed its law last year, it became one of 36 states to provide a medical furlough for incapacitated or terminally ill inmates.

Ruth Naglich, associate commissioner on health services for the department, said when the bill was first proposed, 120 of the state's 25,000 inmates were identified, but that number shrank once the final law was in place.

In a year's time, the state has released three terminally ill inmates, and they were just released this summer.

The first medical furlough release, Omar Rahman, was so ill that he died 30 hours after his release. He was serving a life sentence and had been in prison since 1982, according to the department's records. The other two inmates who have been furloughed are alive.

So who's not eligible?

Sex offenders and those convicted of capital murder.

"The number of prisoners eligible was brought down, particularly when they took out sex offenders," Naglich said.

And even if you are an inmate who is technically eligible -- no identifiable risks, no warrants in other states, no sentencing restrictions -- Naglich said the state is challenged to find somewhere to put you.

"Some inmates simply don't have any family left," she said. "And if they have family left, they might not have the means or ability to care for the individual as the bill requires."

In addition to ensuring that there is family willing and capable to take the inmate in, the state also is required to notify victims of the inmate's crimes.

"In the case of someone in prison for multiple burglaries, we have to contact every county where they had charges," she said. "And the victims get to have their say and understandably so."

Larry Spencer, an assistant professor of criminal justice at Alabama State University, said the drafters of the state's medical furlough program are cautious for a reason -- prisoner furloughs are risky business.

"The state is taking a chance to some extent," said Spencer, who worked for the federal prison bureau for 26 years. "You're putting an inmate into the community, unsupervised, and although they are sick you have to ask 'Would he pose a threat if he was released?'"

Spencer said he's not surprised that the state only has released three people under the new program.

"If something happens, the first thing that would be asked is who made the decision to let this person out," he said. "You don't want to pick up the newspaper or turn on the television and see that."

Spencer said the state has to look at a lot of different things to ensure that it is making the right call, including an inmate's criminal history, what type of adjustment the inmate made in prison and how sick he or she really is.

"This is one of those things that (the) state has put in place to alleviate the severe overcrowding, but the other factor is the cost for medical care," he said. "The cost of medical care can just tear up your budget."

That's what it's been doing to Alabama's budget.

Naglich said there are 170 inmates who are suffering from a debilitating or terminal illness, but there are 6,000 statewide who are in some kind of chronic care clinic. She said a patient who receives dialysis three times a week and has other related illnesses costs the state between \$60,000 and \$65,000 a year.

An inmate with cancer might cost the state \$68,000 and an inmate who has a stroke and must use a wheelchair for the rest of his or her life could cost the state an extra \$45,000 to \$50,000 because of extra staff, equipment and nutritional needs.

The medical furlough program is expected to help alleviate some of these financial burdens, but Naglich said it's tough and slow going.

"There are a lot of hoops, and we would like to see the process more streamlined," she said. "It's not as clear cut as 'Oh gee, this inmate is dying; just let him out.' The criteria is such that no one should be at risk."

Naglich said the department works with the state's pardons and parole board on this program, but there is a need to develop resources not only for inmates who are medically furloughed, but also even terminally ill inmates who complete their sentences.

Nursing homes and hospice facilities aren't eager to take in people who have criminal histories, she said.

"I do appreciate that there are folks in the community helping us with these furloughs because the department is so strapped," she said. "But if we're going to leave these folks in prison and the laws aren't going to change, we have to start thinking about how we can use our funding to provide the kind of facility that can care for them in a cost-effective way."



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Ministry helps inmates cope

By Kevin Kelly
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COVINGTON - It was nearing 10 in the morning last Thursday when two men wearing pink jumpsuits and plastic sandals shuffled into a stark one-window room on the eighth floor of the Kenton County Detention Center.

Chris Cox and Ricky Lewis quietly settled into red plastic chairs on one side of a table at the front of the room. Two volunteers from Exodus, a listening ministry program designed to reduce the incidence of suicide in local jails, were seated across the table from them.

Harold Trouten has been visiting inmates at the Boone, Kenton and Campbell county jails as an Exodus volunteer for about four years. On this visit, fellow volunteer Steve Clark, of Bellevue, accompanied the Edgewood resident.

"I guess my first thing to say is what kind of day are you having here today?" Trouten asked the inmates. "Whoever is having the best day can tell me."

Cox spoke up. It was his 28th birthday.

"Kind of a little weird being in jail," said Cox, who is from Clifton and is serving a 61-month sentence for drug trafficking. "I'm trying to keep a smile on my face."

The conversation would go on to cover several topics - including responsible parenting, existing job skills, continuing education, substance abuse and medical treatment and aspirations for the future - before the next two inmates arrived for their visit with the Exodus volunteers.

"It feels good to be able to get to talk to somebody that's not incarcerated and has got an outside view on your situation and the things they think you should be doing to better your life," said Lewis, a 26-year-old from Covington who is serving three years for a probation violation. "You can't really talk to an inmate and expect some good insight about life and how you should live it. I think it really helps out."

Last month, the Cincinnati Association of Volunteer Administrators (CAVA) honored Exodus with its Outstanding Volunteer Program award.

The jail visitation program is co-sponsored by Mental Health America of Northern Kentucky and the Northern Kentucky Interfaith Commission. The fiscal courts in Boone, Kenton and Campbell counties provide funding for the program, Exodus Director Matt Muir said.

"It's been one of the programs that's been more dependable in staying in the jail and working with the jail system," said Capt. Jerry McCullough, director of prisoner services at the Kenton County Detention Center. "My understanding from some inmates that I've spoken with is that the program has really helped them..."

"It's very different from other programs we have here in the jail. It gives the inmate an opportunity to open up and express their feelings."

The Exodus program started in 1985 with the primary goal being that of, "providing empathy through active listening skills and spiritual guidance to those incarcerated."

Muir is a community support specialist with Mental Health America of Northern Kentucky. He has served as director of the Exodus program since 2006 and as one of its volunteers since 1999.

Exodus has about 40 volunteers and is looking for more.

"We've got some that have been doing it for 20 years," Muir said. "The thing about the program is it's a really nice experience for the volunteers in that they really feel like they're doing something to help others....It really serves the people that are incarcerated because it gives them a chance to get out of their cell and just do a neighborly visit. It is a listening ministry. We try to encourage the people incarcerated to do the talking."

The program stresses compassion and projects general Christian beliefs to inmates without preaching or trying to convert.

People interested in becoming an Exodus volunteer must be at least 21 years old and complete an application. A security background check also is necessary. Upon acceptance into the program, volunteers have to complete four hours of mental health training. The training is an annual requirement, Muir said.

The volunteers make several visits each month to the Boone County Jail, Kenton County Detention Center and Campbell County Detention Center and they are allowed to schedule as many as five visits per month. An average visit is two hours. The volunteers are scheduled in pairs and typically meet with one inmate at a time, Trouten said.

A log sheet is filled out after each visit. It includes notations about any medical or psychological concerns. The volunteers report on an inmate's mood, paying close attention to any indication an inmate might be considering harming themselves.

If an inmate wants an outside referral - Cox, for instance, inquired to Muir about sober living housing - they are provided a directory that lists local resources available to inmates.

"You have to take each (visit) and give what you can," Trouten said. "Sometimes the people are just so wrapped up in what's going on that really they came out of their cells and that might be about the only good thing that happened for the day. Other times you come away, the people, heck, they inspire you they're so upbeat and faith-filled, knowing what's going on and what they're going to try to do.

"Each visit is different, and that's the truth of it."

Additional Facts

About Exodus

For more information on the Exodus jail visitation program, call director Matt Muir at (859) 431-1077 ext. 483 or email mmuir@mhanky.org
