

DELAWARE STATE COMMITTEE OF  
UNITED STATES COMMISSION ON CIVIL RIGHTS

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HEARING ON DELAWARE PRISON SYSTEM  
SMYRNA CORRECTIONAL INSTITUTION

SMYRNA, DELAWARE

WEDNESDAY, JUNE 6, 1973

9:00 A. M.

**PRESENT:**

L. COLEMAN DORSEY, CHAIRMAN

MSGR. THOMAS J. REESE

LULA P. COOPER

ROBERT T. COULTER, ESQ.

HOWARD H. BROWN

SHERMAN N. MILLER

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**WITNESSES:**

THOMAS WINSETT

PERRY EDWARD MATTHEWS, JR.

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**FOSTER**

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ROBERT COULTER

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L. COLEMAN DORSEY

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LULA COOPER

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MSGR. THOMAS REESE

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SHERMAN MILLER

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MSGR. REESE

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MR. DORSEY: If the meeting would come to order, this is the continuation of the Hearing by the Delaware State Advisory Committee The United States Commission on Civil Rights. Our meeting adjourned Saturday evening, June 2, to reconvene here at Delaware Correctional Center at Smyrna Wednesday, June 6. Before we start, Mr. Coulter has an announcement.

MR. COULTER: I want to advise both of you, Mr. Matthews and Mr. Winsett, who will be testifying shortly, that we will have recording provisions of the proceeding on video tape recorded equipment for later play back. Possibly on a public television station, but not necessarily. I want to advise you that anytime you may decline to be photographed or otherwise recorded by this video tape recording equipment, or that you may request that any such recording not be aired over any public or private media if you wish. You can make a decision on this now or at anytime in the future. Do you understand?

MR. WINSETT: Yes.

MR. COULTER: Mr. Matthew, do you understand?

1 MR. MATTHEWS: Yes, I understand.

2 MR. COULTER: Thank you.

3 MR. DORSEY: That brings up one point:

4 Don't forget, the recorder can't record nods.

5 MR. MATTHEWS: Yes.

6  
7 ...THOMAS WINSETT, was called and

8 testified as follows:

9 BY MR. COULTER:

10 Q. Mr. Winsett, could you state your full name and  
11 present security classification?

12 A. Thomas Winsett, medium security.

13 Q. How long have you been confined at DCC?

14 A. Since it opened, and before that seven years at  
15 the old jail. I have been incarcerated ten con-  
16 secutive years in the Department of Corrections.

17 Q. Are you familiar with the new regulation for  
18 the treatment of inmates in the Delaware prisons?

19 A. Yes, I am.

20 Q. Have you had occasion to observe the adjustment  
21 process as it is carried into effect at this  
22 institution?

23 A. Yes, I have.

24 Q. Does that process comply with the regulations  
25 for the treatment of inmates; and if so, in what

1 respects does it depart from these regulations?

2 A. It doesn't follow the regulation. The major  
3 departure is it is used as a classification team.

4 Q. Can you state what the adjustment process is?

5 A. It is two. There is a minor write up for minor  
6 infractions of the rule, which is handled by the team;  
7 and major infractions handled by an adjustment board.  
8 Any minor violation can and often is a major violation.  
9 This depends upon the whims of the major adjustment  
10 board who had the power to review minor write ups. It  
11 can be called up for a hearing before the major ad-  
12 justment board, and the penalty is published in the book  
13 for inmates as a maximum of ten days. In practice  
14 this is often circumvented by sending a man to maximum  
15 and just leaving him there, bypassing the classification  
16 team entirely. The adjustment board in this case  
17 function as a classification board. They have a classic  
18 excuse: "We are overcrowded. If we send you from  
19 medium or maximum, you lose your room. So you will  
20 just stay in maximum until they get ready to send you  
21 back." That is how most of the men got in maximum.

22 It never shows up in the class-  
23 ification minutes weekly. Any classification is public  
24 so it is known why and what a man moved for. This  
25 doesn't show up in those minutes at all.

1 Q. In other words, what you are saying is that  
2 the adjustment or disciplinary process is used to con-  
3 fine a man for a greater length of time in the maximum  
4 security than is permitted by the regulations?

5 A. Yes, sir.

6 Q. And that the regulations would appear to request  
7 the classification team to make that decision?

8 A. Yes, sir.

9 Q. And not the adjustment board?

10 A. Any man is moved here is supposed to be moved  
11 by a classification team. If the rules spell out ten  
12 days, this seems pretty reasonable. This seems a  
13 reasonable punishment for a violation. However, if he  
14 goes for maximum, he stays six, eight, nine months to  
15 a year. And it never shows up in any of the paper work.  
16 This seems very unreasonable for the prisoner.

17 Q. According to the regulations, the adjustment  
18 board is permitted as a punishment to assign a man to  
19 maximum for a limited period of time?

20 A. Yes.

21 Q. After that the classification committee makes  
22 the decision whether or not that man is to be removed  
23 from maximum security?

24 A. Yes, sir.

25 Q. But that is not done?

1 A. That is the theory; but it is not the practice.

2 Q. Is there an inmate organization here of which  
3 you are one of the principal organizers?

4 A. Yes, sir.

5 Q. What is that organization?

6 A. The Prisoner Action Committee is an inmate  
7 civil government group situated in the minimum security  
8 building. It has an elective board of executive  
9 committee of nine members; and I am a member of that  
10 executive committee. The purpose is to try to improve  
11 the quality of life in the institution.

12 Q. Is this organization officially recognized?

13 A. Yes, sir, it is.

14 Q. Do you convey greivances from inmates to the  
15 administration of the institution?

16 A. Yes, sir. We hold open meetings. We hear the  
17 inmates principal complaints, and we try to work with  
18 the administration to alleviate these complaints.

19 Q. Is that one of the principal functions of the  
20 organization?

21 A. That has been thus far. We would hope that it  
22 wouldn't be strictly a greivance committee.

23 Q. Is there any other greivance procedure  
24 established?

25 A. In theory an inmate can approach the warden or

1 the deputy superintendent for treatment or the deputy  
2 superintendent for security. It is a little difficult  
3 in the physical plant to do just that, though.

4 Q. Are you familiar with the greivance procedure  
5 that is called for under the regulation for treatment  
6 of inmates?

7 A. Yes, sir.

8 Q. Is that procedure implemented or operative here?

9 A. No, sir, it isn't. Again, it is very difficult  
10 for a man in one of the securities to avail himself of  
11 this procedure.

12 Q. To go back and clarify, the Prisoner Action Comm-  
13 ittee is limited to inmates confined in medium security?

14 A. Yes, sir.

15 Q. No inmate in minimum is permitted to take part?

16 A. No, sir. No inmate in maximum and no inmate in  
17 pretrial.

18 Q. Is there another function for the Committee apart  
19 from greivances?

20 A. Yes, sir. It is to keep a rapport between  
21 prisoners and improve our quality of life through our  
22 own action in our quarters.

23 Q. In your judgment, does this organization benefit  
24 the inmate at this time?

25 A. Yes, sir. It seems to have.



1 Q. Has it helped to relieve tension, in your  
2 judgment?

3 A. It seems to have, yes, sir. Over the past six  
4 months it has been operative.

5 Q. Is there also a newspaper in the institution  
6 which you are associated with?

7 A. A monthly magazine, The Delcore Diamond. I am  
8 the editor. This is an inmate organization. It has  
9 no staff member on it. With this the inmates are  
10 allowed to express greivances within the limits of  
11 censorship.

12 Q. But there is censorship?

13 A. Yes. But it is liberal.

14 Q. What items are censored?

15 A. The attack on officials by name or public  
16 officials by name, or articles that would be extremely  
17 derogatory in the institution.

18 Q. Is there a category of material that might be  
19 described as inflammatory that is also censored?

20 A. Well, a hate article, a hate for hate sake  
21 article would never get by the censor. Or an article  
22 that tends to cast aspersions on the guard force would  
23 never get by.

24 Q. Who is responsible for the censor?

25 A. The deputy superintendent for treatment, Anthony

1 Sarlorno.

2 Q. Are you familiar with the classification process  
3 as it operates under the new regulations for inmates?

4 A. Yes.

5 Q. Are the regulations with respect to classification  
6 implemented?

7 A. Generally. There are painful exceptions.

8 Q. What are those exceptions?

9 A. Security takes precedence over the classification  
10 of inmates. And the only way I can say this is that  
11 the wrong people, the wrong inmates, get the beenies.  
12 The man who is unemployed, laying around the building,  
13 who does not go to school naturally has more access to  
14 the treatment team members than a man who goes to  
15 school at 8:00 and come back at 4:00. He is a stranger  
16 to the treatment team. The unemployed inmate has  
17 access to the treatment team and he will get classified  
18 to the more desirable classifications.

19 Q. Are there hearings for classification conducted  
20 in a full and fair manner in general?

21 A. In my viewpoint, no, sir. The inmate is excluded  
22 from participating in these hearings. He is brought  
23 into the room and asked questions, and sent from the  
24 room while a decision is made about him on information  
25 that he has no knowledge of, which he probably has to

1 have knowledge of if he is going to make adjustment,  
2 if he is going to make resocialization. If he is  
3 called in there and asked four or five questions and  
4 sent from the room, then they pull something from the  
5 file, which is generally the case, discussed in his  
6 absence and make a decision in his absence. He is  
7 never going to know how to correct whatever they find  
8 offensive.

9 Q. In other words, Mr. Winsett, the inmate who is  
10 being classified does not know the information which  
11 is being used by the classification team or the  
12 institution classification committee?

13 A. Generally, no.

14 Q. Is he permitted to see the file?

15 A. Generally, no.

16 Q. Are those exceptions frequent or infrequent?

17 A. Very infrequent. Usually if there is an  
18 exception it is the inmate's personal relationship with  
19 some member of the treatment team. This takes years  
20 to develop. A short term would never know what infor-  
21 mation the treatment team is basing this judgment on.

22 Q. Assuming the system were working as it is  
23 supposed to and the classification committee were  
24 responsible for moving from a maximum to medium  
25 security, is that decision relevant to the inmate's

1 eventual parole consideration?

2 A. It certainly is. If he cannot move from  
3 maximum to medium, parole is practically impossible.  
4 If you cannot move from medium to minimum, his chances  
5 are very, very bad for parole.

6 Q. Is an inmate permitted to have someone at the  
7 hearing that he does have to assist him in any way,  
8 a representative perhaps, or an attorney?

9 A. On paper, yes. It is very rare. Only on rare  
10 occasions has this been done, to my knowledge. Again,  
11 that inmate who is representing him will be sent from  
12 the room while the decision is made. So he would not  
13 have any knowledge of the material that the team uses  
14 to base its judgment on.

15 Q. Do you feel it to be practical under some  
16 circumstances to permit the inmate a representative  
17 or to permit him to have an access to the information  
18 which is considered by the classification board?

19 A. In my opinion, it is essential that the inmate  
20 have the information that is considered by the board,  
21 or he is never going to be able to correct his personal  
22 problem if he has no knowledge of it.

23 Q. In this regard are the inmates here advised in  
24 writing or clearly verbally what factor or which  
25 standards the classification board or committee is going

1 to apply in the case?

2 A. No inmate here can make a judgment as to the  
3 standard used. He will get a written slip of paper  
4 and then vague ambiguities. You cannot relate to the  
5 written policy. You cannot observe an inmate and see  
6 him get a particular classification and pick out any  
7 standard that was applied. It is capricious.

8 Q. Moving on, what legal services or facilities  
9 are available to inmates here?

10 A. Well, there is a collection of law books in the  
11 library that is generally outdated. And there is  
12 inmates that will help inmates. The public defender's  
13 office is very reluctant and has never gotten involved  
14 in a prisoner's right case in this institution. If the  
15 prisoners have any legal problem, they just have to  
16 handle it themselves as best they can.

17 Q. Are jailhouse lawyers permitted to assist other  
18 inmates?

19 A. To some degree, yes, sir.

20 Q. What legal materials are available?

21 A. The Delaware Code, the Federal Code; Delaware  
22 Code up to about 1970. But there is one copy of the  
23 1970 and 440 prisoners. You have trouble catching up  
24 with it sometimes.

25 Q. Is a set of the Atlantic Reporter here?

1 A. Up to 1958. And I understand there is a volume  
2 I understand there is a more recent volume.

3 Q. Are the Federal Reporters kept here?

4 A. Yes, sir. Again, up until about the mid 60's.  
5 I understand again--I have never seen it--and I have  
6 looked for it--that there is a more recent copy.

7 Q. Are there any other materials to assist inmates  
8 in doing their own legal work?

9 A. Not to my knowledge, no, sir.

10 MR. COULTER: Turning now to Mr.  
11 Matthews, I would like to perhaps ask him a  
12 few questions and permit the committee to ask  
13 questions to either witness at the end of that,  
14 if that is satisfactory.

15  
16 ...PERRY EDWARD MATTHEWS, JR., was  
17 called and testified as follows:

18 BY MR. COULTER:

19 Q. Could you state your full name and present  
20 classification for the Board?

21 A. Perry Edward Matthews, Jr., medium security.

22 Q. Are there racial problems at DCC?

23 A. Yes. There are racial problems, but not among  
24 the inmate population themselves. The inmate  
25 population, we get along fairly well racially. We

1 communicate with each other, we socialize.

2 Q. What problems are there?

3 A. What?

4 Q. What are the problems?

5 A. The problem is like the custodial staff and  
6 the treatment staff. They seem--when they make a  
7 decision it seems to be based mostly on race rather  
8 than the requirements that we are supposed to meet.  
9 Like as far as write ups going to maximum security or  
10 appearing before the adjustment board, certain white  
11 people complaints are reprimanded and black people are  
12 written up and sent to maximum or appear before the  
13 adjustment board.

14 Q. What do you mean by write up? What is that?

15 A. The write up is like for a rule within the  
16 institution. Like most of them are little rules, like  
17 having your shirttail out or something like this. You  
18 know, you just forget. But instead of saying, "Put it  
19 in," you might get wrote up for it.

20 Q. Who makes these write ups?

21 A. The officers.

22 Q. That goes in the inmate's file?

23 A. It goes into his folder.

24 Q. Is that considered by the classification team  
25 later?

1 A. Yes. It plays a major part on your movement  
2 within the institution.

3 Q. What about 24-hour lockups in this regard?

4 A. Like 24-hour lockups, they are very common for  
5 oversleeping. If you are not up by 8:00, that is 24-  
6 hour lockup. The officer give these 24-hour lockup  
7 without referring to his superior. It is up to him,  
8 and at his own discretion.

9 Q. You believe that race is a factor in putting  
10 someone on 24-hour lockup, generally?

11 A. Definitely.

12 Q. Are there other race problems here in work  
13 assignments?

14 A. Yes. Certain clerical type work and what they  
15 call the goody jobs, alot of black people don't get  
16 these type jobs. We are given the kitchen jobs,  
17 cleaning up the yard, tier men, scrubbing the floors.  
18 The rest of the population get fairly good jobs.

19 Q. What about the building maintenance crew?

20 A. The building maintenance crew? Well, maintenance  
21 did have a racial problem up until about a couple weeks  
22 ago. They refused to hire blacks. And so it was  
23 brought to their attention. So they kind of got around  
24 to like hiring a few blacks.

25 Q. When did you first call this problem to my



1 attention?

2 A. (No response.)

3 Q. About a month ago?

4 A. Yes.

5 Q. At what time did they begin to start having  
6 black inmates work on the building maintenance crew?

7 A. About a couple weeks ago.

8 Q. Are pork substitutes available in the diet for  
9 inmates who may decline to eat pork for religious  
10 reasons?

11 A. There are no substitutes. A lot of the vegetables  
12 are mixed with pork substances. We have to go about  
13 three or four days before we can get a meal for those  
14 men who don't eat pork.

15 Q. How many inmates here, as far as you know, would  
16 decline to eat pork?

17 A. Generally speaking most of the black population  
18 don't eat pork, or would prefer not to eat pork.

19 Q. But of those men who would actually decline and  
20 not have a substitute food, is it more than a dozen  
21 or less?

22 A. Definitely so.

23 Q. More than a dozen?

24 A. Yes.

25 Q. But not hundreds?

1 A. I would say roughly 150.

2 Q. Have you ever been confined to the isolation  
3 area?

4 A. Yes. I was confined to maximum security, and  
5 in the section which is referred to as the hole.

6 Q. The hole is known as the isolation area?

7 A. Yes.

8 Q. How long ago were you confined there?

9 A. About two months ago.

10 Q. How long were you confined there at that time?

11 A. 15 days.

12 Q. Was this the only time you were confined there?

13 A. In the hole?

14 Q. Yes.

15 A. At this institution, yes.

16 Q. Do the toilets flush automatically in the hole?

17 A. Yes. They come on like every 15 minutes or  
18 half an hour.

19 Q. Does the frequency with which the toilets flush  
20 vary from time to time?

21 A. Yes. Sometimes if we seem to talk too much it  
22 will come on about every ten minutes.

23 Q. Do they continue to flush automatically during  
24 the nighttime?

25 A. Yes.

- 1 Q. Is it difficult to sleep with the toilet  
2 flushing?
- 3 A. The first ten days it is.
- 4 Q. Is the toilet loud?
- 5 A. Very loud.
- 6 Q. Could you hear the toilets in the other cells?
- 7 A. Yes.
- 8 Q. Loudly?
- 9 A. Very.
- 10 Q. Are you permitted to have books in isolation?
- 11 A. No books.
- 12 Q. Are you permitted personal items such as tooth-  
13 paste, toothbrush?
- 14 A. Not in the cell. We are allowed to have these  
15 once a week.
- 16 Q. You are permitted to use the toothbrush once a  
17 week?
- 18 A. We are allowed--like we get a toothbrush if they  
19 have any back there. But most of the time they say,  
20 "We don't have any."
- 21 Q. What about soap?
- 22 A. They give us soap when we take our showers.
- 23 Q. But not in your cells?
- 24 A. Not in our cells.
- 25 Q. What about a washcloth?

- 1 A. No.
- 2 Q. Never?
- 3 A. No washcloth, no towels.
- 4 Q. Do you have hot water in the cell?
- 5 A. Yes.
- 6 Q. Are you permitted to have a pillow?
- 7 A. No.
- 8 Q. Are you permitted to smoke?
- 9 A. No.
- 10 Q. Are you permitted to exercise outside of your
- 11 cell?
- 12 A. No.
- 13 Q. Are you permitted out of your cell apart from
- 14 showers?
- 15 A. No.
- 16 Q. How often do you take a shower?
- 17 A. I think they have started twice a week now,
- 18 Wednesday and Saturday.
- 19 Q. How often was it when you were there?
- 20 A. Once.
- 21 Q. Were you permitted underwear in isolation at that
- 22 time?
- 23 A. Only the underwear that you wore in. Other than
- 24 that, no underwear.
- 25 Q. Do you know of any individual who committed a

1 self mutilation or attempted suicide while in isolation,  
2 or did you at anytime?

3 A. When I was in maximum security several men cut  
4 themselves with razor blades.

5 Q. Were they in the isolation area at that time?

6 A. Yes.

7 Q. Have you had any difficulty obtaining permission  
8 for certain people to visit you here?

9 A. Yes.

10 Q. Who were those individuals who wished to visit  
11 you?

12 A. One was Miss Charlotte Brownders. It was a few  
13 other people too, but I can't recall the name at this  
14 moment. But I put the name on my visiting list. Then  
15 they were taken off, at first by Mr. Redman. He's no  
16 longer here. Then Mr. Towers took the same name off  
17 again. I asked him why, and he said, "I don't want  
18 this type of people in here." So he wouldn't go any  
19 further on the issue.

20 Q. Was any other reason given to you?

21 A. No.

22 Q. At that time was Miss Brownders associated with  
23 the Prisoner's Solidarity Committee?

24 A. Yes.

25 Q. Were the other individuals that you mentioned

1 also associated with that organization, or not?

2 A. Yes.

3 Q. Do you know whether in the receiving area  
4 personal hygiene items such as toothpaste, toothbrush,  
5 combs are provided to the incoming inmates?

6 A. No. They are not provided. I worked in the  
7 receiving area.

8 Q. When was that?

9 A. About six months ago.

10 Q. And your knowledge is not more recent than six  
11 months?

12 A. It is more recent than that. A friend of mine  
13 works in the receiving room now.

14 Q. Is this still the case, that personal hygiene  
15 items are not provided?

16 A. That's correct.

17 Q. This is only on some occasions that they are not  
18 provided?

19 A. It is like sometimes if they have too much in  
20 pretrial they might come back and give the man a tooth-  
21 brush, a few men.

22 Q. On some occasions these items are provided?

23 A. Yes.

24 Q. Do you feel from the inmates point of view,  
25 from your point of view, that there is an adequate

1 security and supervision here?

2 A. No, I don't.

3 Q. What do you mean by that?

4 A. Well, I feel that the custodial staff, if there  
5 was an incident between two inmates, I feel that the  
6 guard couldn't do nothing to save me or another inmate.  
7 If another inmate had a knife after me, the guards  
8 wouldn't do anything. They would stand there and look  
9 at me. I have seen it happen before. The officer  
10 turns his back and walk down the tier. They can't even  
11 take care of themselves. I have seen it in maximum  
12 security. An officer was being stabbed. The other  
13 two officers went in the room and locked the doors.

14 Q. Let's be clear: You don't know this as a  
15 matter of your first-hand personal knowledge, do you?

16 A. What?

17 Q. The information that you have just given--let me  
18 restate that: Were you actually there at the time  
19 when this incident took place?

20 A. Yes. I was in maximum security.

21 Q. When you witnessed these incidents take place  
22 you have just testified to?

23 A. Yes, sir.

24 Q. Have you also had this feeling that you might  
25 not be adequately protected against another inmate's

1 attack, or is this a feeling that you have recently  
2 come to have?

3 A. It has just developed recently.

4 Q. To your knowledge, are you the only one who  
5 has these feelings?

6 A. No, I am not the only one. I think generally  
7 speaking the rest of the population feels somewhat  
8 the same.

9 Q. Bearing in mind that I am not asking you to  
10 provide evidence that will incriminate you or anyone  
11 else in any way, is it customary for any substantial  
12 number of inmates to carry weapons in this institution  
13 in medium security where you are?

14 A. It is not a custom. But due to lack of security  
15 and protection provided by the custodial staff, I  
16 think more than likely they will carry weapons.

17 Q. This is something recent again?

18 A. Yes.

19 Q. Have you had particular personal problems with  
20 medical treatment here?

21 A. Yes. A few weeks ago my neck fell over to the  
22 side. Something was wrong with my spinal cord, and my  
23 neck fell over to the side. I went to get my brace  
24 that I use to strap my neck up with when it falls over.  
25 When I went to my cell it wasn't there. The officers



1 had come in and took my brace. I went to the  
2 hospital, the institution hospital; and they said it  
3 wasn't nothing they could do for me. So I told them  
4 the pain was about to knock me out, I could barely  
5 remain conscious. They sent me back to the building.  
6 Upon going into the building I fell out. So they got  
7 a stretcher and took me back to the institution  
8 hospital, and took my blood pressure, temperature, and  
9 sent me back to the building again. They said that I  
10 couldn't see the doctor until three days later. So  
11 when the doctor arrived he said wasn't nothing wrong  
12 with me. He pulled my medical record, and it states  
13 that I am supposed to have my brace at all times. As  
14 of that day they haven't given me my brace back. They  
15 say they don't know what happened to it. I tried to  
16 have my family doctor to see me, and they said I  
17 couldn't go to him, he had to come here. But in order  
18 to get a brace I must go to the store and get measured  
19 for it.

20 MR. COULTER: I have no further

21 questions.

22 BY MR. DORSEY:

23 Q. Mr. Matthews, just a minute ago you said you  
24 were in maximum security when an inmate stabbed a guard;  
25 is that right?

1 A. Yes.

2 Q. Now, where was this physically?

3 A. What?

4 Q. Where was the attack?

5 A. Well, it took place on A block, maximum  
6 security.

7 Q. How many inmates were present when that attack  
8 occurred?

9 A. I would say 25 or 30.

10 Q. They were actually in the same room where it  
11 occurred?

12 A. No. We were in the day room at first. Then the  
13 officer came past the day room. The day room is right  
14 off A block. You see, they lock us in the rooms for  
15 count like if the officer is going to take count. They  
16 lock us in the room. Then they go down on the tiers  
17 and the men on the tier--the cell door is open.

18 Q. Where did the attack occur?

19 A. It started on A block, and he got stabbed from  
20 A block to the office. The office is at the other end  
21 of A block past the day room.

22 Q. How many officers saw the attack occur?

23 A. Two.

24 Q. What did they do?

25 A. Well, they left the day room door and went into

1 the office--the guard office across from the day room  
2 and locked the door.

3 Q. Why did they lock the door?

4 A. They were frightened. You could see it on  
5 their face.

6 Q. When did this attack occur?

7 A. I think it was about four months ago, three or  
8 four months ago.

9 Q. Now, you also said that there was not  
10 sufficient custodial staff or not sufficient care, I  
11 believe, to properly protect the prisoners; is that  
12 right?

13 A. Right.

14 Q. Has this had any result in sexual attacks?

15 A. No. You see--I don't think it resulted in any  
16 sexual attacks; but it may--it has created a lot of  
17 tension.

18 Q. Have there been any sexual attacks within the  
19 prison within the last month or so?

20 A. Not to my knowledge.

21 Q. Are there enough guards and do they take enough  
22 care to make sure that sexual attacks do not occur?

23 A. It is enough guards to do that. I mean, they  
24 seem to be very interested in that, sexual assaults.

25 Q. Are any narcotic drugs available to inmates on

1 an informal basis?

2 A. Not to my knowledge.

3 Q. How about barbituates?

4 A. Maybe from the hospital. All you have to do is  
5 go up there and say you are sick, and they give it  
6 to you.

7 Q. You have testified before about the self  
8 mutilation by some of the men in solitary. When did  
9 this occur?

10 A. Well, it occurred when we first moved down here,  
11 about three or four months ago.

12 Q. You also said that they could change the timing  
13 of the toilet flushing; is that right?

14 A. That's correct.

15 Q. Do they change the time as a punishment procedure?

16 A. It appears to be that way.

17 Q. Now, when the toilets are flushed quickly, do  
18 they all flush at once; or first one and then the one  
19 in the cell next to it and then the one in the cell  
20 next to that?

21 A. That is the way they flush, on a rotating  
22 basis.

23 Q. It is on a rotating basis?

24 A. Yes.

25 Q. Do they ever start flushing the first cell again

1 before the last set is done flushing?

2 A. It seems like every third time they flush them  
3 it works that way.

4 (Mr. Winsett being recalled).

5 BY MR. DORSEY:

6 Q. You say your committee is spending most of its  
7 time with greivances; is that right?

8 A. Seems to be that way, yes, sir.

9 Q. What sort of greivance do you handle?

10 A. Well, general population greivances: Visiting,  
11 visiting procedure. We started off the first time  
12 with the medical facilities, how the hospital was being  
13 run. The management agreed with us on a few things  
14 there. It seems to have improved; it is not what we  
15 want. We are interested in some of the minor rules  
16 that usually result in the minor lockups; the number  
17 of books permitted in the room. It is petty things,  
18 yet they contribute to alot of misery and alot of  
19 frustration. I've gotten fairly good cooperation from  
20 management on these things as they come up, as it  
21 develops.

22 Q. In other words, some of the problems have been  
23 cured because you have succeeded in bringing the  
24 problems to the attention of the top management, is  
25 that right?

1 A. Yes, sir. We have a very very bad communications  
2 problem here. You didn't ask me this, but I would  
3 like to go a little further.

4 Q. Please do.

5 A. We have a cultural problem. Addressing myself  
6 to what Perry has said, we have a guard force that is  
7 predominantly from a rural down state area. They have  
8 rural down state attitudes. We have a prisoner  
9 population that is primarily inner city. There is a  
10 great deal of conflict between these two groups. I  
11 am not saying it is racial; I just think it is  
12 cultural. But it is particularly hard on the young  
13 black inner city dweller to come into this place and  
14 find himself in the country. He runs into little  
15 rules that seem to hassle him. He can't understand  
16 them; he can't understand why they are there, what  
17 purpose they serve. They seem arbitrary to him, or  
18 they probably are. Right now this is the sort of  
19 thing that the committee is trying to address itself  
20 to.

21 If it is not a clear and compelling  
22 reason for it other than tradition, we try to bring  
23 it to management to get it corrected or eliminated  
24 or removed. And we have had some success.

25 Q. Have you observed the way in which the 24-hour

1 lockup punishment is administered by individual  
2 guards?

3 A. Yes, sir, I have.

4 Q. Is it exercised in a way that reflects this  
5 cultural difference?

6 A. Generally I think this is probably the main  
7 drawback with the 24-hour lockup. It seems to fall  
8 on young men with long hair or blacks, the blacks  
9 that evidence militancy in their manner or appearance.  
10 They seem to catch alot more of these 24-hour lockups  
11 than the white down staters or white middle class  
12 person will get. There seems to be a conflict there.

13 Q. Is there any reporting system where the guard  
14 has to report to any superior officer or administrator  
15 that a 24-hour lockup punishment has been administered?

16 A. No, sir. Just this past two weeks we have  
17 managed to get the administration to let us appeal--  
18 not the 24-hour lockup, but the fact that the 24-hour  
19 lockup goes on a man's record. A man now has the  
20 right to appeal that. The harm of the 24-hour lockup  
21 is not being locked up 24 hours, it is the fact that  
22 it goes in a man's record. Having these under appeal--  
23 it would destroy some men. They get 10 or 15 24 hours  
24 in a row and it is insignificant by themselves. But  
25 taken to the parole board it is going to be pretty

1 hard on him. We are now appealing those.

2 Q. Now, let me turn to another subject: You  
3 commented on the way in which a man's ability to be  
4 transferred from maximum to medium to minimum security  
5 affected his eligibility for parole?

6 A. Yes, sir.

7 Q. Now, some of these decisions are made by the  
8 classification committee; is that right?

9 A. Some of them, yes, sir.

10 Q. Is it true that overcrowding prevents those  
11 decisions from being carried out so that a man who is  
12 eligible to be transferred, let's say to minimum or  
13 to a better part of minimum is unable to be transferred  
14 there because of overcrowding?

15 A. That is the theory, sir. But I have lived here.  
16 As I see it, that is not the practice. There is over-  
17 crowding here. There is a shortage of cells at any  
18 given time. But there is not a week that goes by that  
19 men will not be moved. Which men is the problem that  
20 we have. We see men going from pretrial to minimum.  
21 We have even seen them go from maximum to minimum.  
22 So they can't use that as an excuse not to move a man  
23 from medium to minimum, and yet they will. I am quite  
24 sure that any one of these buildings--this has been  
25 discussed with management--there are men who should be



1 going the other way, going back. And men that should  
2 be going ahead, this isn't done. They will use over-  
3 crowding as a way around that. But when they want to  
4 move someone, they move him.

5 Q. Now, are you familiar with the living conditions  
6 in the pretrial sections?

7 A. No, sir. I haven't been in the pretrial  
8 section except to pass through with. I know it is  
9 crowded, just walking through it.

10 Q. Have you talked with people who are being de-  
11 tained while they are waiting trial when they have  
12 been placed in the medium security?

13 A. Yes, sir, I have.

14 Q. Have you talked to any fellows who started out  
15 in the pretrial section and moved to medium?

16 A. Yes, sir.

17 Q. Did they make any comments to you about any  
18 change in living conditions or the way in which they  
19 were treated in medium?

20 A. Well, they seem to feel there is alot more  
21 privileges in medium. I don't know why that should be,  
22 except that we have more ready access to the ground,  
23 to the library, to the commissary, and to the schools.  
24 Pretrial is more of a County jail setup. They don't  
25 move much. They have a very restricted yard,

1 restricted area. If they go to the commissary, they  
2 are escorted by a guard, to church. A man in medium  
3 moves fairly free about the ground; during the day-  
4 light hours, anyway.

5 MR. DORSEY: Mrs. Cooper or Monsignor  
6 Reese, have you any questions?

7 MS. COOPER: Yes. I would like to  
8 address these to Mr. Matthews.

9 (Mr. Matthews was recalled.)

10 BY MS. COOPER:

11 Q. Who do you feel represent to the views of the  
12 black prisoner here to the administration?

13 A. No one.

14 Q. You do not feel that anyone--

15 A. You are speaking about the administration?

16 Q. Well, let me rephrase that: There is a prisoner  
17 action committee, which Mr. Winsett has been speaking  
18 of; is that correct?

19 A. Yes.

20 Q. How many of the black prisoners participate in  
21 that organization here in medium security?

22 A. Quite a few participate. I think they are  
23 looking for something new, trying to get around  
24 violence. But we are not making enough progress with  
25 the majority of the black prisoners. They seem to be

1 laying back hoping that something will develop, some-  
2 thing constructive will come out.

3 Q. Are there any blacks on the executive committee  
4 of the Prisoners Action Committee?

5 A. Well, yes. Most of the board is black.

6 Q. Most of the board is black?

7 A. Yes.

8 Q. So what you would say is that there is  
9 representation of the black prisoners' views adequately  
10 on the Prisoner Action Committee?

11 A. Yes.

12 Q. Okay. Do you feel that there is adequate in-  
13 formation which would be relevant to blacks in this  
14 day and age in terms of black history available to  
15 black prisoners?

16 A. Not made available by the institution. But  
17 various organizations from the outside send us free  
18 literature.

19 Q. Then is this information allowed in by the  
20 administration?

21 A. At certain intervals. Sometimes they cut it  
22 off. Like once there was an article printed in the  
23 Black Panther paper concerning the riot here; and they  
24 cut it off from the black paper to the Jet magazine for  
25 approximately four months.

1 Q. Four months?

2 A. Yes. We just began to receive our papers  
3 recently.

4 Q. So that you don't get all of the information  
5 about what is going on outside?

6 A. No, we don't.

7 Q. In terms of the black community that is out-  
8 side--

9 A. No.

10 Q. Have you had any black instructors while you  
11 were here? Have you participated in any of the  
12 educational programs?

13 A. Yes. I took ghetto economics from the  
14 University of Delaware and black awareness. They only  
15 had one semester. They didn't return the next  
16 semester.

17 Q. You only had one?

18 A. Yes.

19 Q. What do you think of that? Was this Dr. David  
20 and Dr. Ukachi?

21 A. Yes.

22 Q. How did you evaluate this as far as the black  
23 prisoners when the University through Dr. Ukachi came  
24 in with the black awareness program and a ghetto  
25 economics program? Was this a positive reaction on the

1 part of the prisoners?

2 A. Very positive.

3 Q. Were they looking forward to continuation of  
4 this kind of program?

5 A. Yes, we were. We had been told that it would  
6 continue.

7 Q. You had been told that it would continue?

8 A. Yes.

9 Q. Were you told why it was discontinued?

10 A. No, we weren't.

11 Q. No explanation was given as to why?

12 A. None.

13 Q. How did that affect the attitude of the black  
14 prisoner?

15 A. Well, alot of the black prisoners refused to  
16 participate in any other college courses. Like they  
17 just want to work full time; they didn't participate  
18 in anything else.

19 Q. Is this the kind of greivance that could be  
20 brought to the Prisoner Action Committee?

21 A. Yes.

22 Q. Has it been brought to them?

23 A. No.

24 Q. But this is a vehicle that could be used in  
25 order to get some of the courses that you would want?

1 A. Yes.

2 (Mr. Winsett recalled)

3 BY MS. COOPER:

4 Q. Mr. Winsett, I have a few questions for you:  
5 Earlier you said that you felt that the physical plant  
6 interferes with the process, in other words, that  
7 because of the physical plant even though a prisoner  
8 is granted the right to talk to the warden, he can't  
9 get to him because of the physical operation?

10 A. Yes.

11 Q. So, in other words, your right as a prisoner  
12 to get to the warden is jeopardized because of the way  
13 the prison itself is structured?

14 A. Yes, ma'am. It is the way the teams and every-  
15 thing is set up? You have to go through procedures  
16 and channels, which I suspect is very frustrating to  
17 some people. If they have a complaint, they feel the  
18 warden should hear them. They don't like to start with  
19 the social worker in the building. When they know the  
20 warden is going to have to hear it, it is going to be  
21 two or three days getting up through the procedure that  
22 he has to follow. It is frustrating, and it possibly  
23 turns him off. So he is left with the complaint,  
24 maybe serious. But he gets no satisfaction on it.

25 Q. You spoke about the Delcore Diamond. You spoke

1 about the Delcore Diamond and this being the voice  
2 of the person inside the prison, right?

3 A. Yes, ma'am.

4 Q. Do you feel that your freedom of speech is being  
5 hampered through the censorship of that newspaper?

6 A. To some degree. But I feel that our freedom  
7 of speech is being hampered through our own failure to  
8 use it fully. Perry is on the staff of the Diamond,  
9 too. We are an inmate organization. So what happens  
10 in the Diamond is our responsibility. If there is  
11 failure and shortcoming, it has to fall on us. We  
12 don't write as much as we should; we don't complain.  
13 I would like to see the censor tested alot more than  
14 he is. I know I have had articles refused. But one  
15 of the things we want and we are going to have is we  
16 are going to have a journalism course in here. Most  
17 of it falls with the prisoners; they are not availing  
18 themselves of it.

19 Q. Then it doesn't bother you that you might  
20 write an article and that Mr. Salerno solely can just  
21 keep it out of your paper?

22 A. Yes, ma'am, it does bother me.

23 Q. Then you do feel that your freedom of speech  
24 is being hampered in that respect?

25 A. Yes, it is being. But when that happens, I send

1 it to Mr. Frank and it gets printed anyway.

2 Q. Your newspaper is available to the public?

3 A. Yes. We have a sizable mailing list. It is  
4 going out to anyone who is interested.

5 Q. How much does that cost?

6 A. No cost. That is maintained entirely through  
7 donations.

8 Q. Do you get all of your requests for that news-  
9 paper?

10 A. I wouldn't have any way of knowing that, since  
11 I don't work in the mailroom. I have a feeling--it is  
12 a vague feeling that I am probably subject to a little  
13 censorship on the incoming as well as outgoing; but I  
14 can't prove that.

15 Q. Can I say that I wrote several months ago for  
16 a copy of your Delcore Diamond, and I have never re-  
17 ceived a copy. That is why I was asking if you are  
18 getting all of your requests?

19 A. It goes through the institution mailroom and  
20 then through a faculty advisor and then it comes to me.

21 Q. I have a question that might deal with attitude  
22 a little bit: What is considered a hate article?

23 A. Well, I think what happens is if someone is  
24 advocating violence as a means of action, particularly  
25 if it was addressed to a specific individual. I don't



1 think that just the advocacy of violence would be  
2 censored out. But if he said, "Let's stab a security  
3 person or we should throw this person out of the jail,"  
4 I think I would be subject to censor. I have only been  
5 censored three times in fourteen months. One is on an  
6 article that attempted to put the guards in a bad  
7 light. Another dealt with homosexuality, which at that  
8 particular time was very prominent in the institution.  
9 That was censored out. And more recently a reference  
10 to our administration was censored out; specific ref-  
11 erence was censored out.

12 MS. COOPER: That's all for this  
13 minute.

14 BY MONSIGNOR REESE:

15 Q. Mr. Winsett, do you think that prisons are  
16 necessary?

17 A. Yes. I know that prisons are necessary. I  
18 think you've got to have them. It is probably 10 or  
19 20% of the people in here that are violent and that  
20 would hurt you. I don't think this prison is necessary.  
21 I have lived in it for ten years. I find that most of  
22 the men that are committed here, probably 80% are  
23 committed for violence against property. In that ten  
24 years I have seen many young first offenders, come and  
25 become repeaters because they came to jail. I have

1 seen men punished for crimes against themselves such  
2 as narcotics and then come back for armed robbery.  
3 I think there is a destructive force that is applied  
4 to a man in prison. I think that most of these men  
5 shouldn't be in this prison.

6 I think it should be operated as it  
7 is said it is operated, as a correction institution.  
8 There should be schools or therapy. This is not where  
9 the emphasis lies. It is on custody and punishment.  
10 It is very destructive to a young man. You have a  
11 prison because you have dangerous people. There are  
12 people here that will hurt you and kill you. You are  
13 maintaining a prison for 450 prisoners for three and a  
14 half million dollars a year when there is only 40  
15 dangerous men here. The rest of them could be handled  
16 on probation and parole. I get a little emotional  
17 about that.

18 Q. Are there places that have done just that with  
19 good results?

20 A. Yes, sir. I think most prisoners are aware of  
21 that. We read the press and we are aware that prisoners  
22 are phasing out.

23 They are going to turn the officers  
24 dining room into a dormitory. If you give the judges  
25 of Delaware cells, they will fill them up. They closed

1 New Castle and lost the capacity. We lost 200 cells.  
2 They closed Dover and lost 100 cells. I didn't see  
3 the crime rate soaring when we lost 300 capacity. You  
4 can close two more and you wouldn't lose--you wouldn't  
5 have a crime rate increase. If you give them 300 more  
6 cells, they will fill them up. If you give them the  
7 guards dining room, we'll still have overcrowding.

8 Q. The rules for the treatment of prisoners, are  
9 you satisfied with the rules as they are?

10 A. As they are written, yes, sir.

11 Q. Do you think it is possible that they can work  
12 here?

13 A. I think in time they are going to have to work  
14 here, or we are going to be in more trouble than we  
15 can ever handle. You have given the men something.  
16 They see it, and they have a copy of it. And they want  
17 implementation. They want it in spirit as well as in  
18 letter.

19 Q. It has been agreed upon by the administration?

20 A. Yes, sir. The inmates have been forebearing  
21 in letting them make adjustments. It takes time to  
22 change a prison just as any institution. But things  
23 like the doctor is supposed to inspect our mess hall,  
24 him being responsible for sanitation. He has never  
25 been in the mess hall. The doctor is supposed to visit

1 the men in isolation daily, or whenever he visits  
2 here. He does not. We can see where they need time  
3 for the doctor to make adjustments, but it has been  
4 six months.

5 BY MR. MILLER:

6 Q. I have a question, one thing that bothers me  
7 an awful lot: We talk about this term "rehabilitation."  
8 You just said what you feel rehabilitation is, and  
9 you said that a good deal of crimes are against  
10 property.

11 A. Yes, sir.

12 Q. It seems as if you have an ax to grind with  
13 property.

14 A. No, sir. I am in here for a crime of violence.  
15 So I think society has the right to protect itself  
16 against people who commit violent crimes, putting him  
17 where he cannot commit a crime of violence. If the  
18 man sells a television set for \$200 and you put him  
19 out here for 12 years at 6 and \$8000 a year, you make  
20 a worse criminal out of him. I don't see the economics  
21 in it for society and I don't see where it helps the  
22 individual.

23 Q. Let's back up and look at that from another  
24 side of the fence: You are right now speaking in terms  
25 of hard dollars without any emotional ties based on

1 what happened to the person. I will take myself as an  
2 example: I spent about three or four years saving up  
3 some silver coins, and me and my wife went away on a  
4 trip and we came back and certainly many of these  
5 silver coins were gone, except for a handful. It took  
6 me five years day by day, I think three or four years  
7 saving coins as I drove up and down the highway. You  
8 tell me it is fine, it is all right to let a guy come  
9 in and take the coins and go out and ditch the money to  
10 a pusher and steal some more for junk that will  
11 eventually kill him. I think I am doing him a favor  
12 by getting him away from that kind of system to give  
13 him a chance to get his head clear. We can't do nothing  
14 with ourselves with out minds messed up.

15 A. If a man needs to get his head clear. But the  
16 failure rate on probation is one-third of the failure  
17 rate on release from prison. When you send him to  
18 prison you have increased his chances of participating  
19 in another crime four times over what he had on  
20 probation.

21 MR. DORSEY: Both of you are getting  
22 into a subject that is of extreme interest to  
23 all of us individually. However, as a committee  
24 we have a more limited scope of inquiry. It is  
25 kind of like talking about the adult system

1 without talking about the juvenile system.  
2 Somewhere you have to say, "We are just going  
3 to talk today about one thing." And I think  
4 that is what we need to limit ourselves on.

5 MR. MILLER: I want to ask a couple  
6 more questions.

7 (Mr. Matthews recalled.)

8 BY MR. MILLER:

9 Q. I want to ask you, Mr. Matthews, you said that  
10 there were no real problems with racial tension with  
11 the prisoners in terms of the prisoners themselves.  
12 Then you said just two weeks ago they opened up jobs  
13 in the maintenance crew for black prisoners?

14 A. Yes.

15 Q. Didn't this cause any emotional problems before  
16 two weeks ago?

17 A. Not between the inmates. If I am on an  
18 integrated tier, which most are, and I can't get a job  
19 in maintenance, it is not because of the white guy  
20 living next door to me. He's not in charge of me.  
21 So to direct my energy at him, would be fruitless.

22 Q. So you clearly are stating that the guard f  
23 is responsible?

24 A. Yes. And the classification board, and  
25 tenance themselves. All of these are toge

1 Q. Do you take any test for classification, written  
2 test?

3 A. I don't think so. I didn't take any. But I  
4 think they use where we get testing for the schools,  
5 when they come to give us tests for schools. We have  
6 no idea what they use as classification evaluation.  
7 They never tell us.

8 Q. Do you feel that possibly poor educational  
9 background for inner-city people versus rural people  
10 may have something to do with your classification  
11 versus the other population? If you come from an inner-  
12 city background, you might not be exposed to wrenches,  
13 so they say, "He don't know this, but he knows this."  
14 A guy coming off the farm might have been using  
15 wrenches and stuff to fix tractors, and he may know  
16 that.

17 A. That wouldn't be good enough. It is more jobs  
18 available in maintenance than using wrenches. I mean,  
19 spray painting, wiring; and all of these are on-the-  
20 job training. I mean, they train us right there on  
21 the job.

22 Q. So, therefore, you see no other reason that they  
23 could not pick blacks, other than just race?

24 A. Yes.

25 MR. MILLER: All right.

1 BY MR. BROWN:

2 Q. Do you know of any incident where two inmates  
3 are put in the same cell who are antagonistic towards  
4 each other, and have you witnesses what happened?

5 A. We have separate cells.

6 Q. So you don't know of any cases where two inmates  
7 have been isolated together purposely to cause any  
8 conflict?

9 A. No, I don't.

10 Q. The relationship between the inmates is a  
11 relationship that they understand. The relationship  
12 between the guards and the inmate, if it is not just  
13 racial it is political. In other words, along with  
14 bias that the black prisoners are getting also it is  
15 the so-called long hair or so-called political white  
16 prisoner. Do they get the same type of treatment?

17 A. Yes, I would say so. I am taking political  
18 science courses, and I have approximately 30-something  
19 books relating to politics in my cell. I have heard  
20 a few officers make comments about, "What's this  
21 Commie doing here?" I am taking political science;  
22 I am studying politics, period. We have alot of books  
23 here. Like we don't discriminate in what we read; we  
24 might read anything. And then most of the time they  
25 do look at us critically, too. Because they say--they



1 seem to think that we oppose everything that they  
2 stand for.

3 Q. Have you ever been on furlough?

4 A. No.

5 Q. What is your opinion about the furlough system?

6 Do you think you are qualified to go on furlough?

7 A. I think I am qualified. I think I need one.

8 Q. Are you married?

9 A. Yes.

10 BY MR. DORSEY:

11 Q. Are you married?

12 A. Yes.

13 Q. Is your wife still married to you?

14 A. Yes.

15 Q. Do you have any children?

16 A. Yes.

17 Q. When do you expect to be eligible for parole?

18 A. Four more years.

19 Q. How long have you been here?

20 A. Six years.

21 BY MR. BROWN:

22 Q. In your particular situation have any efforts  
23 been made as far as you and your wife is concerned to  
24 either give you furlough, or special visitation  
25 privileges, or anything?

1 A. No. I talked to the social worker about it.  
2 He said, "I don't think you should put in and expect to  
3 get it. You know, you should wait awhile longer."

4 BY MR. DORSEY:

5 Q. You are discouraged from making application  
6 for furlough?

7 A. Yes.

8 Q. Who discourages you?

9 A. The social worker. For one, the social worker.

10 Q. Have any of you tried making the application  
11 so that you are sure that you will be turned down?

12 A. Here recently men have been putting in more  
13 regularly. We are trying to attack the statistics.  
14 Statistically speaking we have been making furlough--  
15 speaking of the population itself--maybe 7 men put in  
16 for furlough and four make it. Statistically speaking  
17 they have been giving out furloughs. Everybody put  
18 them in.

19 BY MR. BROWN:

20 Q. Have you been denied furlough within the last  
21 three or four months?

22 A. Yes.

23 Q. Would you guess what percentage of furlough  
24 requests are granted?

25 A. I couldn't take a guess because the other

1 building over there, they go for furloughs, too. We  
2 over here in medium, we very seldom receive furloughs.

3 MR. BROWN: I would like to ask Mr.  
4 Winsett a question.

5 (Mr. Winsett recalled.)

6 BY MR. BROWN:

7 Q. You mentioned the difference between the guard  
8 and the inmate. Does this cultural difference have  
9 a tendency to create problems?

10 A. Yes, it does. The guard force here is primarily  
11 of two origins, retired military personnel or down  
12 state primarily. There are exceptions. The prisoner  
13 here is primarily young and black. If not, he is  
14 young and long haired and white. And as Perry said,  
15 there seems to be a conflict in ideology. The white  
16 guards with his views feel threatened and he hassles  
17 the prisoners a great deal of the time. He may have  
18 problems. He would make a problem inmate. Nobody  
19 gets better by going to the hole. Nobody is ever  
20 improved by going to the hole; he gets worse.

21 (Mr. Matthews recalled)

22 BY MR. MILLER:

23 Q. Along that line, Mr. Matthews, have the blacks  
24 done anything to try to defuse any of this situation  
25 described by Mr. Winsett, the cultural differences?

1 A. Well, one thing, we are not dealing with the  
2 custodial staff; but among the inmate population--my-  
3 self and four other white guys, we were going to hook  
4 up a group therapy session in the afternoon for better  
5 relationship among the inmate population so we could  
6 work together and maybe come up with something to run  
7 to the administration. But they wouldn't make space  
8 available to us. The educational building is closed  
9 and so is the library. So that only leaves the  
10 building open. Two TVs in one day room and the men  
11 playing cards in the other room. The only place left  
12 open is the staff dining room. They never gave us any  
13 word on it.

14 Q. You said that you spent considerable amount of  
15 time reading politics?

16 A. Yes.

17 Q. Have you done any looking into the so-called  
18 down state politics to see how maybe the prisoners could  
19 maybe through the committee that you have existing,  
20 as a part of some of these discussions talk about the  
21 differences between the two groups and how you could  
22 resolve these problems?

23 A. First of all, we don't have the energy to start  
24 with. The morale is completely shot. We are not given  
25 enough rewards for participating in anything. So the

1 desire is almost gone. We don't have the desire to do  
2 anything. That's the way it is: "Let it go." Because  
3 it is a mass population here. To deal with all of  
4 them, they have to see something coming out of it.  
5 But we get changed around. Like when "Pac" was first  
6 started, I was one of the men who helped structure it.  
7 Really, it was my idea, along with a few others. And  
8 they took us out. I ended up in the hole for 15 days.  
9 Then after I came out of the hole I was given 15 days  
10 lost privileges and classified to stay in the max.  
11 When I came back, everything was changed around in  
12 here. And once we get changed around, we seem to lose  
13 our sense of direction. This always comes up.

14 (Mr. Winsett recalled.)

15 Q. Mr. Winsett, one of the things that concerned  
16 me about the long-haired white, do you feel that the  
17 discrimination shown him is of the same pie that is  
18 shown blacks?

19 A. Generally, yes. Possibly it is more covert than  
20 what is shown the blacks. He suffers about the same  
21 degree. We have a sizable long hair population. They  
22 seem to get into the same difficulties in complying with  
23 the same rules as the black. He suffer from the same  
24 type of negative classification, the kitchen, washing  
25 pots and pans, put on the yard crew or janitorial duties.

1 About the same percentage as the black.

2 Q. Does he come from the inner city, or are there  
3 many rurals?

4 A. He primarily is from the inner city, too. We  
5 have a high percentage of white middle class long  
6 hairs. They seem to be a little better equipped to  
7 deal with the situation here. Alot of them will  
8 pretend or remold themselves to go along with the  
9 situation. They can more readily perceive the dangers  
10 of having long hair and take action. There is not  
11 much hope for a black in that respect.

12 (Mr. Matthews recalled.)

13 BY MSGR. REESE:

14 Q. Mr. Matthews, you mentioned being active in  
15 the founding of PAC and then going to the hole and  
16 max for awhile. Was there any connection between your  
17 activity with PAC and your being sent to the hole?

18 A. Well, the administration said the two weren't  
19 related. But they seem to be, to me.

20 Q. But there was some specific charge that put you  
21 in the hole?

22 A. Specific charge?

23 Q. Yes.

24 A. Yes. But I shouldn't have had a charge. I  
25 mean, I was sent to max for refusing to go into my

1 cell. And the whole building had refused to go in  
2 their cell that night. Out of the incident there were  
3 only two men wrote up, myself and another fellow who  
4 helped to organize PAC from the beginning.

5 Q. He was active in PAC, too?

6 A. Yes.

7 MR. DORSEY: Thank you very much,  
8 Mr. Winsett and Mr. Matthews.

9 I would like to take a three-minute  
10 standup for the court reporter.

11 (Witnesses excused).  
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