

Ulrich

DELAWARE STATE COMMITTEE OF
UNITED STATES COMMISSION ON CIVIL RIGHTS

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

STAFF:

DONALD GOFF

WITNESS:

JOHN C. ELLINGSWORTH - *Sussex*

CCR
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Meet.
174

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I N D E X

ROBERT COULTER	3
L. COLEMAN DORSEY	5
DONALD GOFF	16
L. COLEMAN DORSEY	26
SHERMAN MILLER	26
L. COLEMAN DORSEY	30
MSGR. THOMAS REESE	31
HOWARD BROWN	31
L. COLEMAN DORSEY	31
SHERMAN MILLER	32
LULA COOPER	32

1 ...JOHN C. ELLINGSWORTH, was called
2 and testified as follows:

3 MR. DORSEY: Mr. Ellingsworth, as you
4 gather, I am Chairman and we follow a practice
5 of having the general council address questions
6 on behalf of the committee, and then the
7 committee members ask questions. I would like
8 to express our appreciation for your coming up
9 today.

10 THE WITNESS: I am sorry I wasn't
11 here last week, but I was on vacation.

12 MR. COULTER: As I have advised all
13 the other witnesses, the proceedings are re-
14 corded on video tape equipment. If at anytime
15 you would wish to not be recorded on that
16 equipment, that is your privilege. If you would
17 like to decline to be photographed by that
18 equipment, can you say so now?

19 THE WITNESS: I don't have any
20 objection.

21 BY MR. COULTER:

22 Q. For the record, will you please state your full
23 name and present position?

24 A. Superintendent of Sussex Correctional Institution
25 John C. Ellingsworth, Georgetown.

- 1 Q. How long have you held that position?
- 2 A. Approximately nine years.
- 3 Q. Did you work at Sussex Correctional Institution
- 4 prior to that time?
- 5 A. Yes, I have been there 19 years total.
- 6 Q. You began working there--
- 7 A. 1954.
- 8 Q. As a correctional officer?
- 9 A. Yes.
- 10 Q. Are you familiar with the rules for the treatment
- 11 of inmates in the prisons?
- 12 A. Yes.
- 13 Q. Have these new regulations been fully put into
- 14 effect at SCI; and if not, what are the areas where
- 15 they have not been fully put into effect?
- 16 A. I would say on the part of the rules of the
- 17 treatment of inmates they have been put in. We are
- 18 hampered in one area due to the fact of the facility
- 19 in these rooms, the space and the staffing. That is
- 20 one of the big problems. I would say the major
- 21 problem. We don't have the facility to take care of
- 22 it. In this inmate treatment complaints there is
- 23 certainly areas that we just can't do.
- 24 Q. What areas in particular are those?
- 25 A. One problem we are running into right now is the

Rules for
the treatment
of inmates

1 cell area for one thing. There is supposed to be one
2 to a cell. The medical area is another problem we are
3 having. We only have a part-time doctor; we don't have
4 a full-time doctor. And as far as the psychiatric
5 treatment under this thing, it is one of our major
6 problems. We don't have a psychiatrist at Sussex.

7 MR. COULTER: Excuse me, I am going
8 to have to attend to another matter just now.
9 The Chairman will continue the questions until
10 I get back.

11 BY MR. DORSEY:

12 Q. Is it possible to comply fully with the
13 regulations with regard to recreation rooms, rooms and
14 bathing facilities?

15 A. The recreation room, we cannot comply with.
16 The bathing facilities we don't have any problem with.
17 They take a shower anytime during the day that they
18 like. There is no limit--no time limit on taking a
19 shower. They can take 10 or 15 showers a day if they
20 want to.

21 Q. I gather your staff is divided between custodial
22 and treatment staff; is that right?

23 A. Right.

24 Q. Is Lieutenant Nelson on the custodial side?

25 A. Right.

*Rules for
the Treatment
of Prisoners*

Showers

1 Q. Do you have any staff to assist you in the
2 management of the whole facilities?

3 A. Other than the captains. You have shift
4 captains and you have an assistant captain at present.
5 He is retiring. At the end of the month I will be
6 there by myself.

7 Q. Do you have any secretaries or anything?

8 A. I have one secretary, but she is tied up with
9 other duties. We have a shortage of clerks. She does
10 all of my typing.

11 Q. Is there a shortage because of lack of money?

12 A. Lack of money and lack of staff.

13 Q. Are there positions there but not filled?

14 A. The positions haven't been allotted. They have
15 been in the budget before. As a matter of fact, I
16 have put in for assistant superintendent.

17 Q. How are medical services handled?

18 A. We hire one medical orderly, and he stays pretty
19 busy, especially with 206 inmates which we have at
20 the present time.

21 Q. How much training has the medical orderly
22 received?

23 A. He has quite a bit. He doesn't have any degree
24 in medical technology, but he does fairly good.

25 Q. Is he an inmate or staff?

admin.
staff

med. staff

1 A. He is staff.

2 Q. How about visits by doctors?

3 A. Well, at present we were set up for two and a
4 half hours--two and a half visits a week. At present
5 the doctor we had for 12 years resigned. The doctor
6 we have now states with his other duties on the outside--
7 we were fortunate to get him--he can only make it one
8 afternoon a week. I have no objection to this. As a
9 matter of fact, I think the man is doing an exceptionally
10 good job keeping down inmate medical problems.

11 Q. How many hours does he spend there in one
12 afternoon?

13 A. It varies. Could be three, it could be four.

14 Q. Does he visit the kitchen areas and inspect
15 them?

16 A. He does not.

17 Q. Does he inspect any cells?

18 A. No, he does not.

19 Q. He has nothing to do with what the general
20 physical condition is?

21 A. The medical orderly handles this?

22 A. Is there anyone with nurse's training on your
23 staff?

24 A. Any what?

25 Q. Is there anyone with nurse's training on the

Doctors
hours

Medical
officers
duties

1 staff?

2 A. No.

3 Q. Are you able to send inmates out to the hospital?

4 A. Anytime we feel it is necessary and we can't
5 get them to a doctor, the staff has orders to trans-
6 port either by vehicle or ambulance.

7 Q. Are inmates permitted to give legal assistance
8 to other inmates?

9 A. Yes, they are.

10 Q. Without any restrictions?

11 A. Well, the restriction would be according to the
12 time they get to give legal assistance. I mean, we've
13 got a schedule.

14 Q. The cells are arranged in tiers; is that right?

15 A. Yes.

16 Q. You have one tier that is named D-1?

17 A. Right.

18 Q. Why is D-1 tier all black?

19 A. Well, there is no reason for it. In other words,
20 I--we have three whites on there and they went to the
21 farm section. But our kitchen, it has two whites on
22 it. We only have two whites in the kitchen. C has
23 mostly black. This is just a coincidence.

24 Q. Are black and white inmates permitted to share
25 a single cell?

Legal assistance

discriminating housing jobs

cell

1 A. If they wish. If we have cells available on
2 the one to one basis, we put them individually. If
3 we have an individual that wants to be moved out of
4 that cell and prefers, we honor it. We save a lot of
5 hassle and alot of trouble for our staff.

6 Q. You have some--

7 A. I have to clarify that a little more.

8 Q. You have some prisoners that stay in single
9 cells; is that right?

10 A. Very few.

11 Q. Most of your cells are doubles?

12 A. Double.

13 Q. And an assignment to double cells are selected
14 by you or by the prisoners?

15 A. By me or by the prisoners?

16 Q. Right.

17 A. By the staff.

18 Q. All right. So the staff decides who is going
19 to live in a double cell?

20 A. The staff decides whether there is room, and
21 they put them.

22 Q. The staff decides who is going to live in a
23 particular cell?

24 A. Yes.

25 Q. Okay. Now, you had a point you wanted to clarify?

cell
selections

✓

1 A. Yes. Most of the inmates at Sussex prefer
2 black and black, white and white. And they have always
3 requested this, and it seems to be the fact that this
4 eliminates a problem. We have no qualms on that.

5 Q. What percentage of your inmates come from
6 north of the Chesapeake and Delaware Canal?

7 A. I would say at least half. I am just estimating.
8 I have to go through the files.

9 Q. What percentage of your guards come from north
10 of the Canal?

11 A. None.

12 Q. Are there any cultural differences between your
13 guards and the inmates?

14 A. Any what?

15 Q. Cultural differences?

16 A. What do you mean by that?

17 Q. Have they been brought up in the same surrounding
18 such as agricultural community versus a large city?

19 A. Well, we have--I don't know. But most of our
20 staff, which is an old staff, which has a number of
21 years, all come from the agriculture area. We have a
22 number of inmates from Wilmington area. Whether they
23 were all in the farm, I don't know.

24 Q. What kind of rehabilitation activity program
25 is available?

*in difference
of guards &
inmates*

1 A. We have the educational program, which we have
 2 been fortunate to have from outside sponsors. The
 3 vocational school at Georgetown sponsored it. Through
 4 their function we had a and b, adult basic. And we
 5 also had ^{GED.} ged. Adult basic was sponsored by the
 6 institution. ^{ed} ged was sponsored by the community
 7 vocational school.

8 Q. How many teachers do you have on your staff?

9 A. We don't have any.

10 Q. Who does the staffing for the teachers that work
 11 with your inmates?

12 A. Department of Education.

13 Q. How many black teachers are there that work
 14 with your inmates?

15 A. One black teacher and one white teacher.

16 Q. So you only have two teachers, then, that work?

17 A. We don't have them now, I don't think.

18 Q. What other kind of rehabilitive program is there
 19 besides education?

20 A. We have the work release program. We did have
 21 what we called outside educational program. We had to
 22 stop it due to the staffing. We had that at Sussex.
 23 We had one guy a year ago in college. He was taking
 24 college courses in the community college. As a matter
 25 of fact, we have been proceeding along these lines very

Education

Other Rehab.
 Progs.

1 well. But we didn't have the staff to keep it up.

2 Q. You needed staff because you had to have
3 transportation?

4 A. We needed to have transportation mainly.

5 Q. Was there any concern that that man was a poor
6 security risk?

7 A. No.

8 Q. Was there any reason why you couldn't give him
9 a car and let him drive?

dures license
10 A. Well, the only thing is the rule states that
11 they don't drive their own automobile. We did have
12 one--we had the case going over--the boy that was going
13 to get his high school education over at the vocational
14 school. We let the family transport him without any
15 problem. As a matter of fact, I think that was a guy
16 whose family transported him.

17 Q. Why is work release not expanded?

18 A. The main reason is we don't have the facility
19 to expand it. I don't think we have the problem with
20 jobs, employment. But I think mainly the problem we've
21 got is facility.

22 Q. What facilities do you need for work release?

23 A. I made the recommendation sometime ago that I
24 figured we should at least have 150.

25 Q. What facilities do you need for work release?

- 1 A. Work release center.
- 2 Q. What is that?
- 3 A. Well, just a main building that is separate
4 from the institution for just work release.
- 5 Q. Why don't men go from their cells out to the
6 job and back again?
- 7 A. What was this?
- 8 Q. Under a work release program the jobs are not
9 in the institution, are they?
- 10 A. Right.
- 11 Q. They are often in the community; is that right?
- 12 A. For the work release program.
- 13 Q. Couldn't prisoners go directly from their cells
14 or where they are living, out to their job and then
15 come back to the prison?
- 16 A. We are doing that now.
- 17 Q. So no special room or anything like that is
18 needed, is there?
- 19 A. I think we are just a little off track. I
20 stated we needed a separate building for work release
21 program to--one reason is to get this work release
22 program away from the maximum security--the medium
23 type environment. These people are trustee status.
24 When you send these people into the community and back
25 behind locked bars, you are losing all of your initiative

work release

1 on their part. They are saying, "We are still in jail."
2 Make up your mind. If you are going to classify him
3 out in the work release program, make it close to the
4 institution but in a separate facility.

5 Q. You think that the only way for work release
6 to be effective is for the men involved to be in a
7 minimum security; is that right?

8 A. A separate unit, right.

9 Q. It would not work with men who would be returned
10 to medium security facilities; is that right?

11 A. Well, the work release procedure, you go to a
12 classification system. We feel at Sussex to get on a
13 classification of work release there is programs that
14 you participate in; we recommend these. We recommend
15 treatment programs if needed. And we strongly feel
16 that one of the basic things of work release is the
17 family ties for the support of the family and to pay
18 their expenses. So if you are on a medium status, you
19 are not on work release. You are processing to get on
20 a minimum status. There is maximum, medium, and
21 minimum. To be on a work release status you come from
22 maximum or medium to minimum. So you are put on a
23 work release program.

24 Q. Since they cannot classify a man out of medium
25 to a work release facility, therefore, they cannot put

Requirements
for work -
release

1 the man into a work release program; is that right?

2 A. What you are saying is they cannot classify to
3 minimum facility?

4 Q. Right.

5 A. When they get in the minimum type area of
6 classification, then they are on work release.

7 Q. Is that right?

8 A. Right.

9 Q. And you can't do that if there is no minimum
10 facility there; is that it?

11 A. Right.

12 Q. What sort of punishment system do you have in
13 Sussex to make sure the inmates abide by the rules?

14 A. I think if you read your treatment of inmate
15 rules, it is right in there.

16 Q. Then it speaks of solitary. But in Georgetown
17 I gather it talks only of keeping a man in lockup and
18 things of that sort; is that right?

19 A. Well, in isolation areas; but actually this area
20 back in here is the receiving area, too. If you came
21 to the institution, you are back in the same area they
22 are. They go through a process just like it is in the
23 inmate treatment.

24 Q. Could you describe the isolation area for us?

25 A. Well, the isolation area we have toilet facility--

Punishment

*not
willing to
talk about*

*difference
in rules*

*isolation
description*

1 they have a four-cell area. We try to use the back
2 area or the other area, whichever is vacant for this
3 punishment or isolation.

4 Q. Are the isolation cells, the punishment cells,
5 with solid walls and solid doors?

6 A. No. They are similar to your tier areas out in
7 the other areas.

8 Q. That is the most extreme sort of punishment at
9 Sussex?

10 A. No punishment. It is isolation. We have 24-hour
11 lockup. We have reprimands, the type things the boys
12 use.

13 Q. I gather if a fellow gets really bad, you try to
14 somehow get him back up to Smyrna; is that it?

15 A. We have been accused of this.

16 Q. Mr. Ellingsworth, another one of the staff
17 members is Mr. Donald Goff. Mr. Goff has been a con-
18 sultant to the Commission and has been working to help
19 establish a set of minimum standard guidelines for the
20 Commission to try out, and see during these hearings
21 what the general reaction is in a variety of states.
22 Mr. Goff would like to ask a few questions if you don't
23 mind.

24 BY MR. GOFF:

25 Q. Several times there has been an observation that

*Isolation
adv't*

1 there is insufficient staffing both here and at
2 Smyrna. Who determines the extent of the positions
3 that you have in your institution?

4 A. I do it through the budget.

5 Q. You make a formal budget request to whom?

6 A. To the maintenance office.

7 Q. To the Commission?

8 A. To the Director or assistant.

9 Q. And then what happens to it from there? Will
10 he knock it out or--

11 A. Well, I would rather not say. My hands are off
12 of it after that, just hoping that I get everything
13 that I ask for.

14 Q. You are just hoping?

15 A. Yes.

16 Q. In your last budget how many additional
17 correctional officers did you request?

18 A. I requested--I think it was eight.

19 Q. How many did you receive?

20 A. We received five last summer. Now, I don't
21 think it was my budget request, but it helped.

22 Q. You requested all eight and you received five?

23 A. Yes.

24 Q. You feel that you only needed three more than
25 you received?

1 A. Right.

2 Q. When a new officer comes--I come to you as a
3 new officer, I come through the merit system. What
4 happens to me as a new officer?

5 A. Well, the last five went through a training
6 program over at Smyrna High School.

7 Q. A Smyrna High School training program?

8 A. Yes.

9 Q. Can you tell us about it?

10 A. Only thing I know about it is that they have
11 so much classwork and they had so much field work.

12 Q. Who conducted the training?

13 A. Mr. Grant.

14 Q. Who is Mr. Grant, sir?

15 A. He is the institution training officer or
16 department training officer.

17 Q. He is the department officer, and you have no
18 idea of the content that these individuals were taught?

19 A. I taught one class. The class I had was on
20 adjustment procedures.

21 Q. How long is this particular training program?

22 A. I think it was four weeks.

23 Q. Four weeks?

24 A. Yes.

25 Q. They are not on post for four weeks?

*officer
training*

1 A. Well, they come down to the institution and
2 just filter through and get familiar with it. Of
3 course, after we get them we usually try to train them
4 with older officers.

5 Q. You put them on with an older officer to become
6 familiar with the post, and what-have-you?

7 A. Yes.

8 Q. How much firearm training is given?

9 A. I don't know.

10 Q. You don't know?

11 A. No.

12 Q. What weapons do you have in your institution?

13 A. We have carbine. We have a shotgun. We have
14 gas guns.

15 Q. Are any of the officers in your institution
16 qualified?

17 A. We have the .38 revolver.

18 Q. Do any of the officers qualify?

19 A. You mean firing?

20 Q. Yes, sir.

21 A. We fire every year.

22 Q. There is a regular qualification?

23 A. Right. Put out by the department.

24 Q. So every officer must qualify?

25 A. Yes.

Training
Firearm

- 1 Q. So you know the officer that have qualified
2 and the one that has not?
- 3 A. Right.
- 4 Q. With all the weapons?
- 5 A. Right.
- 6 Q. I assume that you are a member of the American
7 Correctional Association.
- 8 A. Right.
- 9 Q. The Warden Association?
- 10 A. No.
- 11 Q. Are you familiar with the Manual of Correctional
12 Standards?
- 13 A. Right.
- 14 Q. Have you made any use of the correctional
15 training guides?
- 16 A. To some degree, yes.
- 17 Q. When is that used, sir?
- 18 A. We use it quite a bit. I use it myself, and we
19 do have volumes to go to the correctional staff to use.
20 Actually I just use it for reference.
- 21 Q. Is there any in-service training conducted in
22 the institution or inside the department?
- 23 A. We had in-service last year, I believe.
- 24 Q. Was that department?
- 25 A. Department, right.

*in-service
training*

- 1 Q. How many officers attended?
- 2 A. I think the majority of them. I can't tell you
3 right offhand. I would say the majority.
- 4 Q. The majority of the officers attended?
- 5 A. Right.
- 6 Q. Is that a one-day session?
- 7 A. No. It went on quite awhile. I believe we
8 had it year before last. I don't know how many
9 sessions. As a matter of fact, we had the Federal
10 trainer down for baton training, the night stick. We
11 haven't had any this year.
- 12 Q. Are the wardens involved in the training, in
13 developing the training curriculum? Can you give us
14 some idea what the training curriculum is? You
15 mentioned the baton. Lock counts, was that included?
- 16 A. Yes. Shakedowns, count procedures, report
17 writing. There is a number of things pertaining to
18 an officer's job.
- 19 Q. Anything in terms of "the new breed?"
- 20 A. What was this?
- 21 Q. Anything in terms of "the new breed?"
- 22 A. No.
- 23 Q. You have been in correction now for 19 years?
- 24 A. Right.
- 25 Q. Would you make some kind of evaluation as to

1 whether the inmate that we are receiving now in our
2 institutions are similar to the inmates that we had,
3 let's say, in 1960?

4 A. No. They are not the same.

5 Q. They are not the same?

6 A. No.

7 Q. In what sense are they different, sir?

8 A. Well, I feel that most of the inmates now are
9 younger. I feel that they have got more of an
10 educational background; and I feel also that I think
11 due to the society changing we got to consider the
12 drug problem now, a major improvement in crime, which
13 we didn't have back a few years ago.

14 Q. From the point of view of institutional
15 management, has there been any shift in the "problem"?

16 A. Well, yes. We have been trying to get programs
17 in to try to take care of the drug problem. The
18 alcohol problem has been for years. Of course, you
19 have the drug problem now. Like I say, we are trying
20 to institute programs into the institution to try to
21 get these people back. As a matter of fact, the drug
22 program has got treatment centers that we have sent a
23 number of these people for treatment. We have the
24 Critten House--

25 Q. From an institutional operational point of view,

*change in
character of
inmates*

1 is not the drug problem less bothersome than an inmate
2 orientation shift problem?

3 A. What do you mean by that? Are you talking
4 about the staff?

5 Q. No. I am talking about inmates. You were
6 discussing the facts that the inmates of today were
7 different than the ones in 1960. I raised the question
8 whether this caused management problems. And I am
9 wondering whether this increase in management problem
10 in correction may be due more to a change in the
11 orientation and thinking and feeling of the inmate
12 population than it is due to the drugs?

13 A. Well, yes. Like I say, they are more educated
14 now. Most of the inmates have more of an education.
15 They are involved in drugs. I think alot of them
16 don't feel that drug is considered a crime.

17 Q. I am not thinking about drugs. I am thinking
18 about institutional operation. Because I would suppose
19 that while you may have some drug cases in here, you
20 do not have that many drug cases in your institution.
21 I may be wrong on that.

22 A. Well, you are wrong.

23 Q. But you are saying--

24 A. Drug related cases. I am not just talking about
25 drugs, just drug related.

1 Q. What I am trying to get at is this whole shift
2 in orientation of inmate population, which the journal
3 has almost every month. They are talking about this
4 court case; they are talking about that court case.
5 They are talking basically about the shift in the
6 inmate orientation. I am trying to pin down whether
7 or not you do not agree with the fact that there has
8 been a shift in the inmate orientation from now and
9 1960?

10 A. I agree with you.

11 Q. Do you think there is anything to be done about
12 this?

13 A. Well, the only thing I know now, the inmates
14 that are coming in now, we've got to get on a more
15 personal type level with them. Now you've got to get
16 on an individual type basis and explain to them.
17 Because I think alot of them still don't know why they
18 are in the prison. They are cut off like that, and
19 this is what you've got to get across to them.

20 Q. And you think it is different now than it was
21 in 1960?

22 A. Yes.

23 Q. They don't understand why they are in?

24 A. That's right. I don't think they sincerely
25 understand why they are there and why there are put

Why would
in prison

1 there. And then understand the change of environment.
2 I don't think they feel that coming from society into
3 a place of incarceration--they can't grasp it. It has
4 to be explained to them, if you can do it.

5 Q. They don't feel that they get a fair shake?

6 A. Right.

7 Q. Where in the past they may have been willing to
8 accept this?

9 A. Well, in the past you had what I call your
10 regular weekend commitment, the drinking or drunk, or
11 whatever you want to call him. I think he looked
12 forward to it to thaw out for Monday morning.

13 Q. Just one other area: Are you responsible, sir,
14 for the food that is served in your institution?

15 A. No.

16 Q. Who is responsible for preparing the menu?

17 A. It is done up at DCC by the dietitian.

18 Q. Is there a professional dietitian?

19 A. Yes.

20 Q. And she submits the menu to you?

21 A. She submits it to me and my kitchen staff.

22 Q. When the food is on the line, is it pretested
23 or pretasted?

24 A. Yes. I've got some healthy looking veteran
25 people.

Food

1 Q. And they eat a meal off the line?

2 A. Right.

3 Q. Is there a posted menu?

4 A. Yes.

5 Q. There is a posted menu?

6 A. Yes.

7 Q. So that the inmate know in advance?

8 A. If there is a change, it is posted, also.

9 Q. One further minor question: Is garbage weighed
10 in your institution?

11 A. No.

12 BY MR. DORSEY:

13 Q. Are any substitutes offered for people on a
14 pork-free diet?

15 A. The only substitutes that we have available in
16 the diet--if it is pork there, then they will have to
17 eat the other vegetables there. We don't have a
18 substitute.

19 BY MR. MILLER:

20 Q. Do you find that it is possibly cheaper for
21 prisoners or inmates who may get 30 days or 90 days,
22 even up to six months, to come in on these weekend
23 things where they spend Friday night, Saturday, and
24 Sunday until they--

25 A. Well, you've got to look at the view. I have no

1 objection to weekend commitments. As a matter of
2 fact, I am all for it. Because these people have--are
3 screened by the Courts. Mostly it is Motor D
4 violators. But the objection is that these people
5 should not be incarcerated in regular institutions.
6 These people are not security type people. They are
7 put under alot of stress and strain; contraband and this
8 type thing, bringing contraband for other inmates.
9 They take alot of harassment. My question is, why
10 don't we have a center or building away from the
11 institution; close to the institution under supervision,
12 but not too close. You would have a large number of
13 people that you could keep out of the institutions
14 with this.

15 Q. Do you feel that would have more positive--

16 A. We had 18 the other week. And we were so full
17 that we had to turn part of them away. We had 18
18 weekenders. You take 18 here or down in Sussex and
19 what you've got here, it runs up to a fairly good size.

20 Q. Just to pursue one of Mr. Goff's questions
21 just a little bit: We are somewhat concerned about
22 the difference in outlook with the new type of prisoner
23 coming down. Maybe the guy comes from the inner city.

24 } ^{rural} Urban culture thinks very much different from a guy
25 } coming from the inner city culture.

1 A. Yes, we find this out.

2 Q. Listening to you, you stated that most of your
3 people have been around with you for a good long time.

4 A. Right, the staff.

5 Q. And most of them you can say are somewhat
6 settled in their ways?

7 A. I would say a small percentage are. I have come
8 up through the old hardcore, too. And I changed my
9 ways. I am not really old; I may look old. I am only
10 43, and I come up very young in the correctional
11 system. I feel I changed my way of thinking with the
12 system and on through. And I think there is a large
13 number of old staff that has. I don't think they are
14 objecting to the treatment at all.

15 Q. What are you all doing to sit down and meet with
16 prisoners to try to work out what is the problems of
17 cultural differences that may exist?

18 A. Well, I have--of course, I have limited time to
19 talk to the inmates. We have the Jaycee Chapter. I
20 talked to the AA people yesterday. We get alot of
21 feeling through our classification system. Social
22 services get alot of input on this type of thing. I
23 can't say my door is always open; but if it is a serious
24 complaint, then I try to get to it as soon as I
25 possibly can. Just like today I have probably got one

*Communication
with the inmates
**

1 now, and I am up here. And this---due to the fact
2 that we don't have staff to handle all of this. I
3 have to say the staff on the level of correctional
4 officer take alot of responsibility off of the
5 shoulder of social services, myself and all. That is
6 the advantage you have with old staff.

7 Q. As previously reported to us, I think the
8 educational facilities, you have one room that you have
9 a multitude of things going on?

10 A. Yes.

11 Q. Are you trying to develop some sort of
12 rehabilitive program, or are you just trying to, you
13 know, just to hold things at status quo and hope that
14 the lid don't blow? I've got some serious question
15 about the effectiveness of what you are attempting to
16 do.

17 A. We have already tried. As a matter of fact,
18 like I say, the money hasn't been available for these
19 programs. We had volunteer people from other areas.
20 The Department of Education and all have volunteered
21 these people on their own to come in there. I've got
22 a location right now, but I don't have the room. We
23 have tried to find space to set up vocational training
24 in welding, machine shop.

25 Q. Without going too far, what I am getting at, is

treatment

1 it necessary to have a riot or stabbing in order to
2 get some space?

3 A. I don't think you get anything by that. You
4 don't gain anything by stabbing people and you don't
5 gain anything by rioting.

6 Q. Evidently you are saying that you are trying--

7 MR. DORSEY: I think that we are
8 trying to gather evidence, and we can just stop
9 there. Are there any other questions?

10 MR. MILLER: Just one more on the
11 firearms.

12 BY MR. MILLER:

13 Q. You said that your people fire every year. But
14 do they meet a specific standard?

15 A. Well, no. But we are getting involved in that
16 right now. We are getting into the involvement now
17 of trying to do it on a Federal type standard due to
18 the fact that we are going to have a pistol chamber
19 at Sussex. There are certain procedures. It would
20 be on a national level when we get this thing going.
21 I am sure it is going to get started when the range
22 is done.

23 BY MR. DORSEY:

24 Q. On that question, do your tests include drills
25 on the gas guns or the tear gas gun?

*Security &
Supervision
of
Firing
Firearms*



1 A. Yes.

2 Q. You don't have any automatic firing weapons?

3 A. No.

4 BY MSGR. REESE:

5 Q. I was wondering if there is any special problem
6 associated with black militancy and white hippies?

7 A. The only problem is when they all go down to
8 the seashore.

9 BY MR. BROWN:

10 Q. How many black staff members do you have? What
11 is the makeup of the staff?

12 A. We put on two, and there was five last year.
13 I think two of them were black. And I've got a black
14 secretary that works in the office. We have two other
15 black correctional people that has a little time in
16 now on the shift.

17 I am sure your next question is going
18 to be how come they don't advance up to the supervisory.
19 There hasn't been that many openings. I talked to
20 Officer Williams and asked him why he didn't advance,
21 and he said the area hadn't opened up that he wanted
22 to get into.

23 BY MR. DORSEY:

24 Q. There was discrimination years ago, so, therefore
25 there is just nobody in the ranks long enough?

*Staffing
Patterns*

1 A. Well, I don't like to think--well, I can't
2 say. You have asked me years ago; I don't know. I
3 don't know whether there was discrimination or not.
4 Officer Williams was there a number of years, and
5 there wasn't any discrimination. We have had a couple
6 quit that is black. I mean, we can't stop them from
7 quitting.

8 BY MR. MILLER:

9 Q. One question: What are you doing--do you have
10 Spanish speaking inmates?

11 A. Very few. We may pop up with one now and then.
12 We have an interpreter that we get through the council
13 that is cooperative in coming over. Then in several
14 cases we had Spanish people from the school on a
15 private tutoring thing. We don't have very many.

16 BY MS. COOPER:

17 Q. I have a question to ask about the budget
18 process: You make a request for the needs that you
19 have. Do you have a hearing with the Director of
20 Prisons on your budget? Once you submit your budget,
21 do you talk to someone in charge as to why you have
22 asked for increases in the area and then do you document
23 these increases? Do you have a hearing with the person
24 about your line items in your budget?

25 A. No. I submit them to them in writing. We have

*Spanish
Speaking*

Budget

1 to explain why we need these things.

2 Q. But you do not in any way come before any
3 administrators and have--

4 A. No.

5 Q. --consultation about your budget and the
6 possibilities of what you can expect and then you take
7 the budget back and reassess it?

8 A. Right.

9 Q. You just submit it, and that is it?

10 A. Yes.

11 Q. When do you know what is going to happen with
12 your budget? Do you appear before, say, the Secretary
13 of Health and Social Services at budget time when they
14 are considering the budget of all the agencies which
15 come under that department?

16 A. Well, it is all compiled into different
17 categories like so much for salaries, so much for
18 overtime.

19 Q. But you never have an opportunity to really
20 show by slide presentation or statistical information
21 why you need the things that you say you need?

22 A. Right. We just hope we get them.

23 MR. DORSEY: Okay. Mr. Ellingsworth,
24 we have heard what we have been interested in.
25 Would you like to make any additional comments

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or remarks?

THE WITNESS: Not on the record. I would like to say you are welcome to come down and help us this afternoon. Bring all of these people with you, if you like.

MR. DORSEY: Okay. Thank you very much.

(Witness excused).
