

Public Service Award

Presented to:

**Honorable
Kathy Patterson**

**Remarks by Douglas R. Sparks, Esquire
Board of Directors
DC Prisoners' Legal Services Project
June 17, 2004**

Why is the DC Prisoners' Legal Services Project and its Board of Directors honoring Kathy Patterson today with our Public Service Award? To answer that question, I think it is important first to identify some of the highest and noblest qualities possessed by public servants whom we as a society most admire. A number of scholars and statesmen have addressed this issue at length. While reading through their thoughts, I encountered several recurring themes, and I have taken the liberty of distilling them into four key qualities. Many of these traits also are characteristic of great leaders from across a wide range of professions.

- 1) Great public service must be borne from an understanding of the needs of those who are affected by public policies;
- 2) Admirable actions of public servants must come from the heart, and they require public servants who approach their activities with humility and a concern for humanity;

- 3) Our best public servants lead by defining and facing reality as it is, rather than running from the facts or denying the existence of problems when faced with evidence to the contrary; and
- 4) In order to be effective, a public servant must take **actions**, not just **positions**, and those actions must be open to public scrutiny. Or, in the words of one of my good friends, she must "make it happen."

Now, let's measure Kathy Patterson's public service over the course of the last year or so against these principles.

In December 2002, the DC Jail experienced the bloodiest and most violent four days in memory:

- On December 11th, Givon Pendleton, a pretrial detainee, was brutally stabbed to death at the DC Jail by an inmate awaiting trial on two first degree murder charges. No guard saw it and no guard heard it. (By the way, Givon's mother, Pearl Beale, is here today to show her appreciation for Kathy's leadership in reforming DC correctional policy).
- Two days later on December 13th, Bradley Autman, a pretrial detainee, was stabbed in the face and neck by an inmate at the DC Jail. No guard saw it and no guard heard it.
- The next day, December 14th, Mikal Gaither, a pretrial detainee, was stabbed to death at the DC Jail by an inmate awaiting trial on a first degree murder charge in which Mr. Gaither was to be a prosecution witness. Again, no guard saw it and no guard heard it.

As Chair of the DC Council Judiciary Committee, the committee charged with oversight of the Department of Corrections, Kathy took swift action. Along with her staff and other Council members, she toured the jail, consulted with experts and others knowledgeable in the field of corrections,

and introduced legislation designed to remedy a number of the most urgent and dangerous conditions at the jail. A series of public hearings was held during which Kathy Patterson and her staff looked behind conclusory assertions of correctional officials that jail administrators were providing sufficient security for pretrial detainees. Kathy reviewed hundreds of individual assault reports and concluded that incidents of jail violence were being dramatically underreported by jail authorities. And she made her findings public. Despite persistent and vocal resistance from the executive branch, Kathy shepherded the Jail Improvement Act of 2003 through the Council and eventually it was signed into law by the Mayor, with certain modifications.

Today, while much work remains, I believe it is important for us to focus on some concrete, positive improvements at the jail that have resulted from Kathy's leadership.

- 1) In December 2002, there was no classification system at the DC Jail. An axe-murderer could be housed in a cell with a shoplifter, and nobody seemed to care. And indeed, accused murderers ordered held on preventive detention by various judges were housed by jail authorities in cells and housing units with nonviolent offenders. Today, the DC Jail finally has a classification system in place, which, if followed by jail officials, will prevent the commingling of violent, predatory prisoners with vulnerable, lower security detainees.
- 2) In December 2002, staffing in the housing units was so pathetic that prisoners constantly lived in fear for their lives. Indeed, as I mentioned earlier, none of the

three major stabbings in December 2002 was heard, seen, or deterred by jail guards. Nor did the guards even find the weapons after the stabbings (except in one case where an inmate pointed out where he had seen it hidden by the assailant). I understand that just recently, however, jail administrators added an additional guard to each of the housing units as well as an additional supervisor to each of the floors at the jail. For many years, prisoner advocates have begged jail authorities to provide better staffing in the housing units so that sight and sound supervision continually would be exercised over the inmate population. The recent staffing changes hold great promise for deterring the most serious assaults that occur at the jail.

- 3) In December 2002, contraband control at the DC Jail was miserable. Officers would shake down housing units two or three times a month and often find, at most, one or two weapons. Guards regularly would find and confiscate items such as blankets, extra food and clothing, soap, etc. But these are not the contraband weapons used by predatory inmates to attack their prey. Today, I hear the jail is installing closed circuit surveillance cameras to observe blind spots, such as the gym where Givon Pendleton was murdered. Again, prisoner advocates have pleaded with correctional authorities for years to utilize video surveillance to help identify and prevent assaults and the trafficking of contraband. Additionally, the jail recently purchased a number of more sophisticated contraband detection devices and the results thus far have been dramatic. In the same maximum security cell block that was searched several times before the December 2003 shooting there, subsequent more thorough shakedowns assisted by modernized equipment have uncovered literally dozens of lethal weapons which previously had gone undetected.

These are a few of the important changes resulting from recent legislative initiatives, monitoring and oversight by the DC Council Judiciary Committee. Kathy Patterson has led these efforts.

As noted earlier, there still is much work to be done, particularly with respect to reducing dangerous overcrowding at the jail. A major component of the DC Jail Improvement Act of 2003 called for a consultant, hired by the Mayor and paid for by the city, to study the jail population and to issue a report identifying the maximum number of inmates that safely could be housed at the jail. And guess what? The consultants concluded what we already knew: the jail is overcrowded; overcrowding means increased violence, and the prisoner population must be reduced.

I am disturbed to hear that the Mayor's office already may be waffling on enforcing the consultant's population ceiling. It has been reported that the Department of Corrections believes that the consultant hired by the city and the legislation passed by the Council, and signed by the Mayor, does not require the city to reduce of the jail population to the numbers identified by the consultant. This position is contrary to the plain language of the bill.

Kathy, rest assured that the DC Prisoners' Legal Services Project and others of good conscience will stand with you as the City Council grapples with executive resistance in the months to come. We know you will urge the Council to do whatever it takes to help the Mayor understand that the law he signed is the law he must follow, even if the Department of Corrections now is

getting cold feet. Pretrial detainees in our nation's capital must not continue to live each day in fear for their lives.

Finally, I wanted to share some of your words with those gathered here today. I think they best illustrate why you richly deserve this award. I have excerpted the words to which I am referring from your comments during public hearings on the DC Jail Improvement Act of 2003, and they speak to corrections policy in the District of Columbia.

This is what we know today: The jail is overcrowded. We do not meet national standards. The important question for this Council is what kind of corrections policy do we want in the District of Columbia? Do we want to be at the very edge of what is humane and legal? For the jail to be operated safely and humanely in the face of dramatic increases in the number of inmates housed there, I believe it requires a different kind of management. It requires programming for inmates which we do not have. It requires staffing that is adequate, consistent, and well managed. **And most importantly, it requires a government that is engaged in, and does not turn away from, the facts before us.**

Congratulations. There is nobody else to whom I would rather have the honor of presenting this award for Outstanding Public Service.