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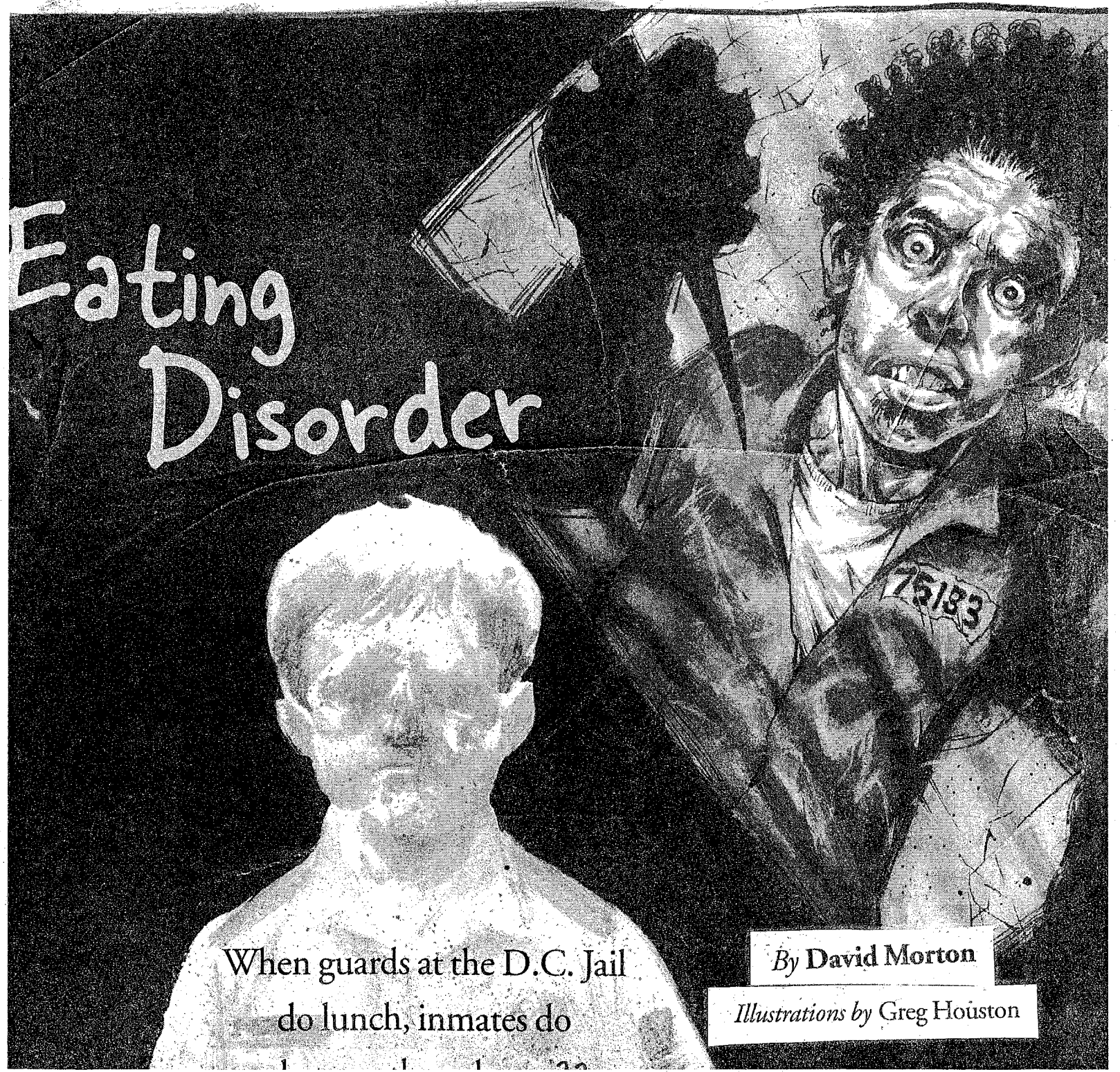


When guards at the D.C. Jail do lunch, inmates do

By **David Morton**

Illustrations by Greg Houston

Eating Disorder

Bread and circus at the D.C. Jail

Dumb jailhouse predators will strike when the mood suits them. Smart ones will wait 'til a guard takes a break.

Eating Disorder

The Southwest 1 cellblock of the D.C. Jail had a microwave oven in the unit's day room, so inmates could make instant noodles. Inmate Marquee Venable, though, allegedly had another end in mind. On March 2, Venable used the oven to heat up a cup of water. He then walked up to one of the tiers of cells, cup in hand, and hurled the scalding liquid into the face of an inmate confined in Cell 78, a witness told guards.

Ammo spent, Venable then tried to spear the inmate through the cell-door slot with a modified broomstick.

If the inmate in Cell 78 screamed in agony, no guard heard it. Another inmate alerted a sergeant to the incident, who arrived to find a dripping-wet man in need of immediate medical attention. The victim of Venable's alleged attack was removed from the locked cell, escorted to the jail's medical unit, and then rushed to the Washington Hospital Center emergency room. He sustained first- and second-degree burns to his face and chest.

It was an encore performance for Venable. In October, the 18-year-old murder defendant allegedly burned the neck and scalp of an inmate on Northwest 2, also with the aid of a cellblock microwave.

Anyone who can turn water into a weapon is the type of guy you want to keep close tabs on—or at least keep away from appliances. That sort of control, however, requires vigilance.

And vigilance, in turn, requires a minimum of three jail guards per cellblock, each of which houses a maximum of 160 inmates. In D.C. corrections parlance, the three-guard standard in most cellblocks has been called the "critical staffing complement."

At the time of Venable's alleged attack at Cell 78, there were two correctional officers on duty in Southwest 1. Other than the sergeant, the only guard was a corporal manning the "bubble," the security station at the cellblock's entrance. You can't see much from the bubble.

When Venable heated up his water, the scene at Southwest 1 was likely busy. Half of the inmates were probably locked in their cells, the other half out for recreation—wandering the tiers, taking showers, lounging in the TV room, or playing basketball in the cellblock gym. A lot of bodies were likely in circulation, and it would have helped to have had another set of eyes on the cellblock when Venable made his move. But according to the incident reports, the third officer assigned to the unit wasn't around: He was on his lunch break.

By the end of the week, inmate Larry Covington would be stabbed from behind while in one of the jail's TV rooms, according to his attorney. Doctors would later staple closed two lacerations in the back of his head.

By David Morton

ILLUSTRATIONS BY GREG HOUSTON

According to incident reports, the two guards on the unit at the time first noticed something was amiss when one of them spotted inmates gathered in front of a cell. Covington was then seen chasing after his two alleged attackers with a broken broomstick. All of this happened in the protective-custody unit, while the third guard was at lunch.

In December, in one of the jail's most unusual incidents, gunfire wounded four inmates in a maximum-security unit, Southwest 3, while the third guard was at lunch.

In at least five fights or assaults reported throughout the jail in the seven weeks before, the third guard was at lunch.

And in December 2002, in Southeast 2, an inmate with a prosthetic leg was stabbed in his neck while the third guard was at lunch.

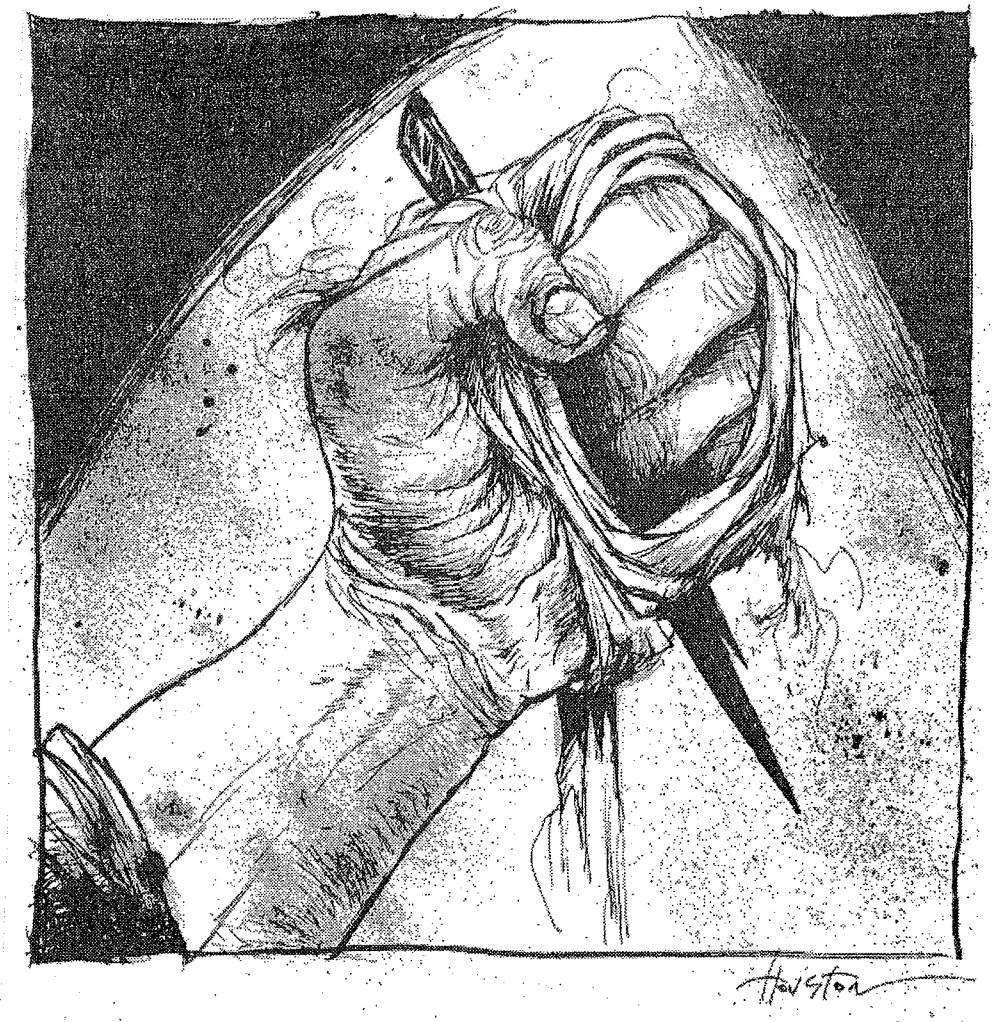
At the D.C. Jail, the stubborn appetites of correctional officers cut into manpower levels as many as three times per shift. Jail officials have modernized the records office, overhauled the ventilation system, and updated the laundry facilities. But as for jail security, not much changed until the number of cellblock staff was boosted last month; finally, officials had addressed one of the facility's longtime vulnerabilities: chow break.

For jail guards, lunch is a chore. They can saunter down to the recently reopened officers' mess, but that's hardly an appealing option; the meals there are served by inmates.

Trips to McDonald's and KFC become mad-dash affairs. Guards get 40 minutes for their lunch break. That means 10 minutes to get out of the jail; 30 minutes to get to the drive-through, order food, and park in the jail lot; and 10 minutes to get through the metal detectors at the staff entrance and then back to the unit. "You can't *burp* in 30 minutes," says Allan Lucas, a veteran correctional officer.

At the staff entrance, officers have to submit their Value Meals and homemade bagged lunches to searches. Only a single serving—one sandwich, one soda, one fruit, one bag of chips—of each lunch item is permitted. Anything more raises suspicions of collusion with inmates. One officer on a takeout run was recently held up at the search station with his bucket of fried chicken, until his fellow guards could be summoned from their units. The drumsticks and chicken breasts were then apportioned onto napkins in each officer's outstretched hands.

But the rigors of chow break hardly compare to the stress of working the cellblocks, which have lately become more crowded than they've been in decades. A brief escape from the unit isn't just a right of employment—it's a balm for frazzled nerves.



Incidents of violence at the jail doubled in 2003 over 2002. In 18 of the 35 most serious incidents from October 2002 through December 2003—when a weapon was involved or an inmate was hospitalized—the third officer was either out to lunch or otherwise occupied outside the cellblock.

"Out on the street, you run into an asshole three minutes out of eight hours," says Lucas, a former beat cop who is safety chair of the Fraternal Order of Police/Department of Corrections Labor Committee, the correctional officers' union. "But imagine you have that asshole in your face eight hours. Where you going to walk to?"

On a three-person team, one guard mans the security bubble and two guards on the floor make a daily check of each of the 80 cells on a cellblock. They press flush buttons to make sure the toilets work right, switch lights on and off, inspect the windows and ventilation ducts for burns and marks, and check each cell for contraband. The two guards on the floor then patrol the cellblock, on the lookout for suspicious activity. They also filter the dozens of requests for assistance back to the bubble and escort inmates to other parts of the jail when necessary.

The cellblock beat gets a bit more complicated with each new inmate added to the population count. For 17 years, the jail operated under a strict inmate cap that kept chaos in check. In 2002, though, a simple judicial move tipped the balance of power in the cellblock: A federal judge lifted the cap. The average number of inmates has jumped by nearly half since early 2002.

Until this May, though, guard strength barely budged. There used to be about 50 correctional officers guarding no more than 1,674 inmates. Over the past two years, there were about 50 guards watching over 2,400. Conditions in the jail's 17 cellblocks were clearly trending in the jailhouse predator's favor.

The number of violent incidents reported at the jail almost doubled in 2003 over the year before, according to jail statistics.

A three-guard contingent can hardly manage the job on most cellblocks. And anything goes when the number drops to two. In January 2003, corrections consultant Eugene Miller

The lunch-break problem "has existed at the D.C. Jail for a number of years," corrections expert Eugene Miller warned the D.C. Council in 2003.

informed the D.C. Council Judiciary Committee that "when these officers take their meal break, the facility does not provide a 'relief' officer to fill in for them." The result, he explained in written remarks, is that "instead of two officers being on the floor supervising inmates, for approximately one hour and a half each shift, there is only one officer."

"This problem has existed at the D.C. Jail for a number of years," Miller warned.

Lunch breaks are a scheduled activity, but there are also dozens of unplanned reasons a third guard might not be on the block: Officers escort inmates to and from the infirmary and the jail intake area, they use the restroom, they meet with commanding officers, and they respond to emergency "all-available" calls to other cellblocks—known as Code Blues. Last year, one violent incident broke out in a cellblock when an officer left the unit to respond to a Code Blue elsewhere in the jail.

A fourth officer has been added to many cellblock contingents. Until last month, though, units were below the three-officer standard "more often than not," claims Pamela Chase, head of the correctional officers' union.

D.C. Councilmember Kathy Patterson pressed Odie Washington, director of the Department of Corrections, on the lunch-break issue at a March 1 hearing. "We do have a policy and practice of assigning three officers to a unit," replied Washington. "Keep in mind that we manage inmates 24 hours a day, seven days a week, 365 days a year," he explained. "And it's not unusual for an officer to leave a unit for a period of time. That doesn't necessarily lead to an incident when that happens."

Washington's disavowal of cause and effect fails to persuade attorney Douglas Sparks, a board member of the D.C. Prisoners' Legal Services Project, who has litigated dozens of D.C. Jail stabbing cases. "It's not a coincidence," says Sparks, who is handling a case on behalf of Covington. He also represents the estate of Givon Pendleton, who on Dec. 11, 2002, was fatally stabbed while the third guard was retrieving trays for his cellblock in the culinary unit. The incident kicked off the bloodiest four-day span at the jail in memory. On Dec. 13, the inmate with the prosthetic limb was stabbed. A day later, inmate Mikal Gaither was fatally stabbed while a third guard was escorting other inmates to the infirmary. The two murders were the first at the facility in almost five years.

The strategy of a jailhouse predator, says Sparks, is no different from that of a bank robber, who "robs the one without the guard sitting there, instead of the one with the guard sitting there."

A review of hundreds of jail incident reports from October 2002 through December 2003 revealed that lack of staffing did, in fact, appear to correspond to inmate violence for the period. In 18 of the 35 most serious cases—when a

weapon was involved or an inmate was hospitalized—the third officer was either out to lunch or otherwise occupied outside the unit. In six more of the serious cases, it is impossible to tell if the third guard was present, either because of incomplete documentation or because guards learned of an incident long after it occurred.

There were 185 violent incidents reported in the cellblocks during that period. In 54 of them, there were fewer than the minimum number of officers mandated by jail policy. In 82 instances, staffing met mandatory levels. And in 49 instances, it was impossible to tell from the record.

Washington doesn't appear concerned about the surge in jailhouse violence. He claims in a written statement that over the past two fiscal years, inmate-on-inmate assaults actually decreased "over 21 percent," helping to make the jail much safer than other jails of comparable size. And although more officers have been added to cellblocks, Washington says the action has little to do with any increased violence. Predatory inmates don't care if there are two guards or three, he says—"There's no research to support that."

Staffing, furthermore, is "only *one of many factors* that contribute to effective inmate control," Washington argues. Citing a recent population study, Washington notes that other factors include inmate classification, the amount of recreation time for inmates, and the configuration of the facility. "The agency has found, however, that most prevalent is the rivalry between groups in the community that correctional staff typically are unaware of until these incidents occur," he says.

"It's about time," says Chase, of the heightened guard presence.

The security bubble is the jailhouse equivalent of an air-traffic-control tower, but without the commanding views. From the cramped hexagonal compartment, located at the heart of the cellblock, an officer can see two tiers to his left and two tiers to his right. Before him are the 80 knobs that open the 80 cell doors. The officer also controls all movement into and out of the housing unit through the adjacent sallyport, keeps a log of all cellblock activities, and calls for help in emergencies.

Cellblock architecture ensures mutual isolation for guards and inmates. Daylight barely penetrates the windows of the cellblock, if at all, so the clock mounted on the inside of the bubble's inch-thick sheathing of plexiglass is the only way for inmates to track the passing day. From most cells, though, they can't see the clock.

And from the bubble, a guard can't see what's going on inside most cells. The day room, the unit's recreation and dining area, where inmates lounge at picnic tables bolted to the floor, is hard to miss—that's directly in front of the bubble officer. And he can see the entrance to the gym just beyond. But he's blind to most of what goes on inside the gym, and if inmates are milling about, he can't see the rear precincts of the cellblock without standing up. And even if he gets up and moves around the bubble, the guard can get only partial views of the showers.

The jail is currently installing closed-circuit surveillance equipment. But that's effective only if the bubble officer watches the screen, says attorney Sparks. "They got too much to do, and they don't give them enough people," he says.

The bubble is a sort of sensory-deprivation chamber, well insulated from the sights and sounds of the cellblock. Inmates say it's an excellent place for a guard to catnap. For the guard or guards patrolling the unit, it can be a daunting task to catch the bubble officer's attention. Not all of them carry walkie-talkies, and even if they do, the radios don't always work. A guard at the far end of a tier of cells may be 70 feet from the bubble, and if he requires assistance, his best bet may be to sprint for it.

"I've seen times where [inmates were] trying to get help at the bubble, and the officer didn't see the guy running towards them," says one former inmate, who has been transferred to federal prison. "They wouldn't hear 'em. The bubble is a sealed-up thing, with glass going all around—it goes straight to the ceiling."

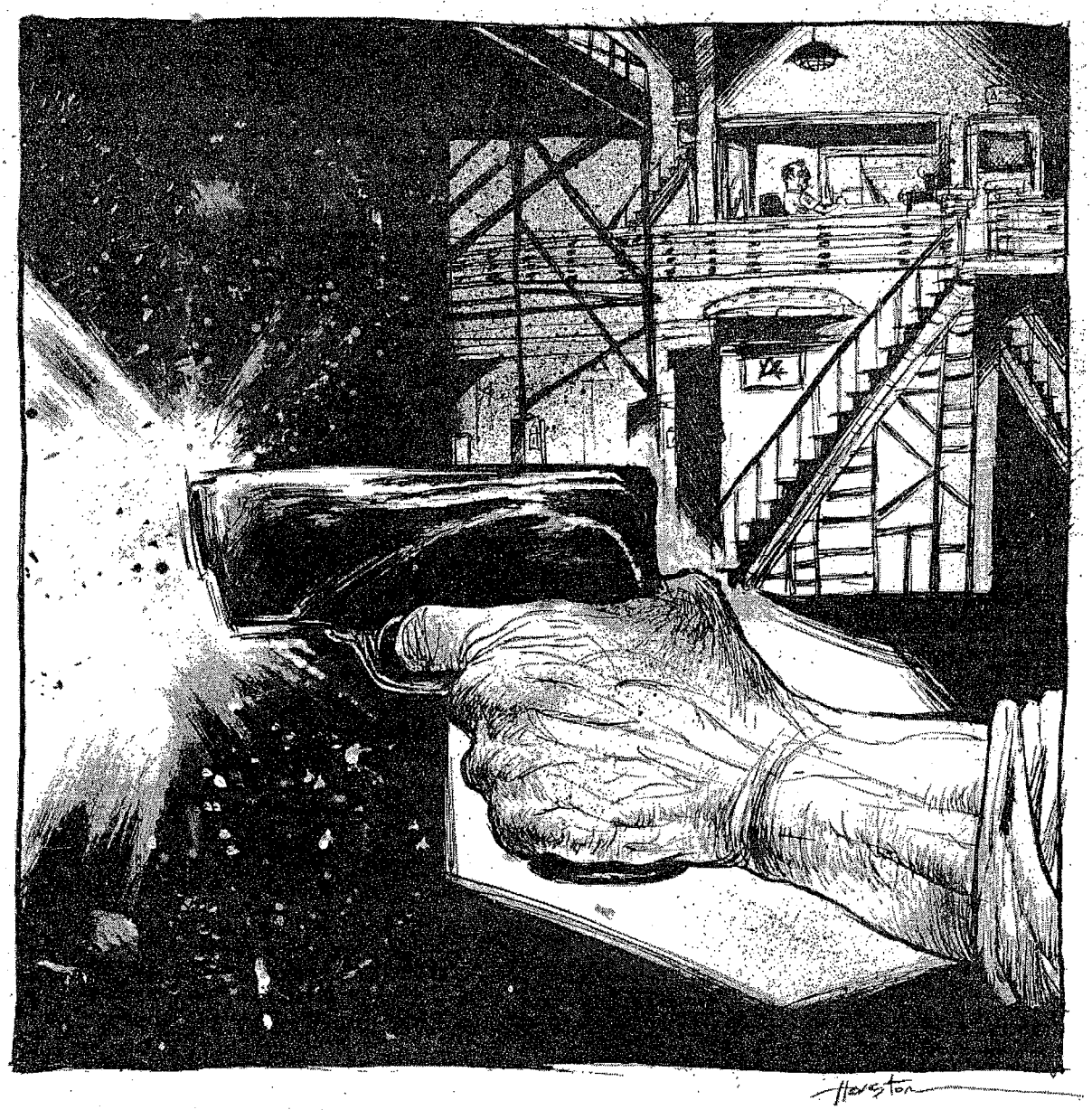
Tales of bubble-bound ignorance crop up with regularity in the incident reports:

- In December 2002, Pendleton was stabbed 10 times, including once in the heart, in the Southeast 1 gym. The guard manning the bubble didn't notice Pendleton, with his orange jumpsuit soaked in blood, until the inmate emerged from the gym and staggered across the day room. Nor did the guard see the murderer run from the gym and stash his shank. (By the time the only other officer on the cellblock saw him, Pendleton had collapsed beside the bubble.)
- In the words of a guard's report: "On April 10, 2002, approximately 2:11 p.m., while in the control bubble [in Southwest 3], conducting numerous task, writing call-out passes, answering phone calls, controlling access in and out of the unit, trying to observe the officers on the floor while also observing inmate activities...I heard a loud noise coming from the dining area." The bubble officer saw an inmate standing on a table, "stomping or kicking at something or someone" on the bench. But too many inmates crowded her view, and she couldn't make out the inmate doing the stomping.
- On Oct. 3, 2003, in Southwest 3, a bubble officer observed two inmates apparently horseplaying in the day room. One inmate ran up the stairs to a tier, returned to the day room to take a swing at the other inmate—"like they were playing again"—and then ran off. Some minutes later it was discovered that the inmate still in the day room had been stabbed twice in his midsection. The bubble officer couldn't identify who had done it.
- And on Dec. 20, in the early afternoon, an inmate was asleep in his cell on Southwest 3 when he awoke with a start. From just outside the cell door an inmate cried, "Someone's shooting!" and then took off. "Everybody started running," says the inmate, the one now in federal prison. He's not sure what woke him up, the gunfire or the shouting.

On Dec. 20, 2003, at least four shots rang out in Southwest 3. It appears the guard in the security bubble didn't hear the gunfire at all.

The one officer patrolling the cellblock later described the shots as a "slapping" noise. And according to incident reports, it appears the guard in the bubble didn't hear the gunfire at all. Her first clue to the situation was observing an inmate approach the officer on the floor, shouting, "I been shot!" The third officer assigned to the cellblock didn't hear anything, either. He was at lunch.

The bubble officer called a Code Blue and then opened the sallyport so the wounded inmate could be escorted out of the unit. She



then looked down the cellblock's lower left tier; there were two men down. It is unclear when she finally took notice of the fourth wounded inmate, Leonard Johnson.

The third officer arrived from lunch in time to see the four men being escorted to the infirmary. Within 15 minutes of the shooting, one of the officers who had responded to the emergency call fished a small, .25-caliber automatic pistol from the depths of a cellblock trash bin, where it had been wrapped in a soiled T-shirt.

A grand-jury indictment handed down in April alleges that the incident was a conspiracy hatched by the wounded inmates. Allegedly, the inmates planned the episode so they could win a large legal settlement from the city. After several aborted attempts, the four gathered in Jamal Jefferson's cell on Dec. 20, when Shawn Gray, also known as Weasel, pulled the gun from under the mattress and said, "Let's do it."

Gray allegedly shot Johnson in the shoulder and shot himself in his calf, but when he turned the gun on "Fat Fred" Robinson, Robinson told him to "hold up." Gray allegedly shot him anyway, in his right arm. Jefferson wanted out, too, but he got it in the knee. (Jefferson is not named in the indictment.) The gunman then crawled out of the cell on his stomach and dumped the weapon in the trash.

Following the shooting, the four men allegedly told police they'd been shot by a masked inmate.

The indictment tells a story of careful planning, going back as early as Dec. 1. Sometime in the next three weeks, the gun was supposedly tossed into the outside rec yard, smuggled into the cellblock, and then hidden in a mop closet. One attempt at launching the scheme was allegedly aborted, so that fellow inmates wouldn't be denied their scheduled canteen

delivery by the lockdown that would inevitably follow. There was a second cancellation because "certain trusted correctional officers were on duty that day."

Might the absence of the third guard have factored into the timing of hostilities? "They have 24 hours, seven days a week, to plan what they're going to do," says Chase. "They pinpoint."

Inmates generally spend all but six hours a day locked in their cells, where the basics of survival are barely met. Each cell contains a bunk bed, a combo sink/toilet, and a flat surface for storing toiletries and the few food items an inmate might have stashed. But there's no panic button. For inmates, getting a guard's attention often becomes a campaign, especially if there's only one officer on the floor—and he's at the other end of the unit. Or worse, watching TV. The more fellow inmates you can enlist in your cause, the better.

It starts with, say, an asthma attack. The suffering inmate pokes his arm out of the door slot and slams his hand against the door repeatedly. Other inmates won't generally lend an assist if the guy's being attacked by his cellmate and he's merely crying for help. That would be like snitching. But once the inmate makes it clear that his ailment doesn't involve a cellblock beef, his neighbors on the tier will take up his call and start hollering on his behalf.

Shouting, even in unison, is often not enough. While the hypothetical asthmatic struggles for breath, inmates amp the volume by kicking at the doors. Then they may remove their shoes and drum them against the ventilation units above the doors, producing metallic booms in a sealed, concrete cellblock that is loud under normal circumstances.

The ventilation drumming will usually do the trick. But if it doesn't, the inmates escalate. They aim garbage at the bubble. Then they trash the whole tier with anything at hand. As a final straw, they stop up their toilets, flooding the tier. Some may toss feces and urine they've collected in milk cartons out of their cells, or even at the guard when he comes by.

Inmates sometimes make a racket just for its own sake, to piss off a guard, a goal known to enjoy popular support.

But when your cellmate attacks you, you're on your own. You have to hope that an officer passes by soon on his rounds of the 80 cells—if he's doing rounds—or that the violent commotion rises above the baseline din.

"Sometimes, man, I've seen it take hours," says Dominique Lee, a federal prisoner who has spent several years in the jail over the past decade. "I've seen guys hit pretty bad—two cellmates fighting, one of them trying to get out. But [the guards] never came. So he went back to fighting. The officers never came 'til count time. That's when the officer seen all the blood. I've seen that quite a few times.

"I guess they feel there be so many guys banging for nothing," he adds. "They get tired of walking, I guess."

Late one morning last November, just a few weeks short of his release, an inmate named Kevin sat on his bunk in Northeast 2 reading the newspaper. Apparently, the bubble officer had unlocked his cell, because another inmate slid the door open, stepped inside, and then slid the door shut.

Kevin says he hardly knew the visitor, a convicted murderer awaiting transfer. But once the man started yelling at Kevin, it was clear it wasn't Kevin's tattoo service that had brought him to the cell. He blamed Kevin for throwing trash at his cell door. Kevin's denial failed to cool him down. The intruder unfolded a street knife. "It scared me, but I didn't have a choice," says Kevin. "If I don't defend myself, he's going to stab me."

"I've seen guys hit pretty bad—two cellmates fighting, one of them trying to get out," says Dominique Lee, a former jail inmate. "But [the guards] never came. So he went back to fighting. The officers never came 'til count time. That's when the officer seen all the blood. I've seen that quite a few times."

So the two went at it. Kevin kicked at the knife, and they tussled on the bed. Kevin's cellmate on the top bunk woke up, but he kept quiet and didn't interfere.

The wrestling match lasted for five or 10 minutes, Kevin estimates, without anyone—guard or inmate—coming by to break it up. While they tangled, Kevin tried to convince his attacker that there must be some misunderstanding, that someone had falsely fingered him for the trash-tossing.

The fight ended when the intruder suddenly raised himself from the bunk, slid the cell door open, and took off swiftly down the tier. Kevin followed him out, intending to flag a guard. None were in sight.

There were only two correctional officers on Northeast 2 at the time. According to their reports, it appears that both were huddled in the bubble, which is where Kevin says he found them.

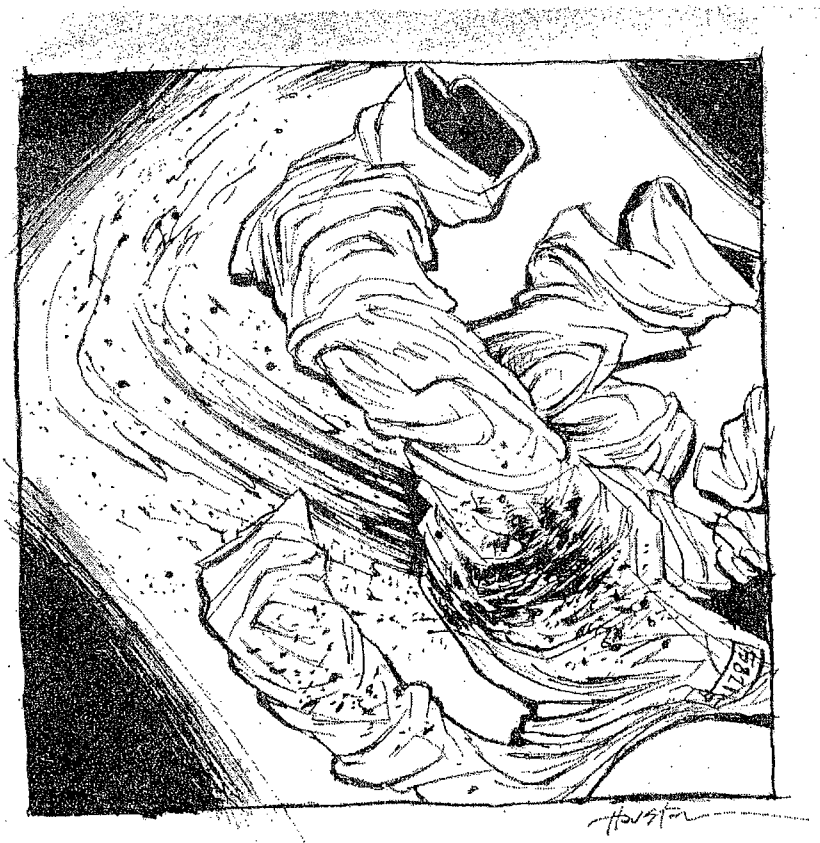
Kevin suffered a bad bruise below his right eye that later swelled to the size of a tennis ball—but he didn't get stabbed. "When you're locked up, things happen," Kevin says of the beef.

With cellblocks twice as dangerous as they were just two years ago, you would think officers would exploit every lunchtime opportunity to its fullest. After all, guards are targets, too. In 2003, the number of times an inmate assaulted an officer more than doubled, to 39 from 18 the year before. Fear of what might happen to their colleagues, says union head Chase, has some officers lunching in the cellblock. Some, like Chase herself, simply go without.

"Let me show you," she says, diving into her pocketbook. "This is what happens when you don't go out for lunch." She produces a small photo album and points to a picture of herself, a plump woman at a picnic table, feasting on chicken on the Fourth of July.

But that was Chase three years and 60 pounds ago. Chase is now slim. The flood of new inmates, she says, forced her onto the D.C. Jail diet.

"You're not eating, can't get out, skipping lunch, can't get anything to eat," says Chase. "I'm grateful, but that's not a way you should lose it." **CP**

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