

Cancer Screams Lasted Until Death

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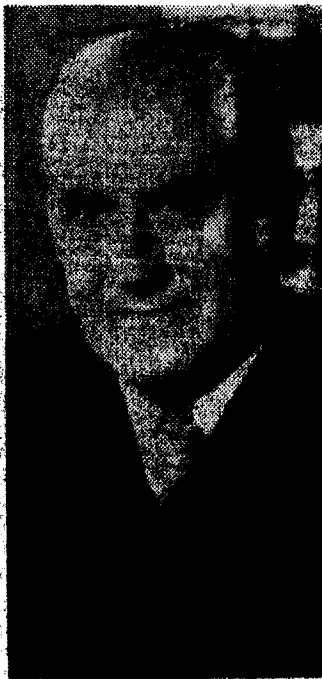
Philip Lassiter, an inmate at Virginia's prison farm in Goochland, screamed day and night for almost a full week during his stay in solitary confinement in August, 1970.

Lassiter screamed for help until he died on Aug. 31—of sickle cell anemia, a slow and painful death.

Lassiter's case was one of 19 cited in Saturday's ruling from U.S. District Court Judge Robert R. Merhige of Richmond that ordered an end to the frequently arbitrary and cruel disciplinary practices that the judge said are "representative of conditions existing generally throughout" the state penal system.

Lassiter was placed in solitary, Merhige wrote, because "he was mentally disturbed and his behavior was sometimes uncontrollable." The prisoner complained frequently to guards of his fears of other inmates, and on the day he began his screaming, plugged his cell toilet with a shirt to flood the cell.

Two other prisoners confined to solitary, Nathan Breeden and Bernard Bowsler, testified at a trial last December on prison disciplinary procedures that they secured Lassiter's psychiatric records through another inmate but were unsuccessful



ROBERT MERHIGE
... orders reforms

ful in bringing the attention of prison officials to the records before he died.

Their testimony, Merhige wrote, was of "significance to the court in that it corroborated the allegation brought out during the trial that it was common practice to place mentally ill inmates in solitary confinement" because of lack of space else-

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where while awaiting commitment hearings.

In his vignettes of the various prisoners and their testimony that led to his rulings, Merhige cites as findings of fact account after account in which prisoners were not afforded "even the rudimentary elements of a hearing or opportunity to be heard" before being punished.

One former prisoner, Robert J. Landman, for example, was punished 16 times, served a total of 266 days in solitary confinement and 743 days in "padlock," a process that confines a prisoner to his cell at all times.

In most of those incidents, Merhige found, no reason was given to the prisoner for the special confinement and no hearings were held. Merhige concluded that Landman's punishment resulted, as the prisoner contended, from his legal battle on behalf of himself and fellow inmates in which he filed about 2,000 petitions, 20 suits, and wrote numerous letters to lawyers and state officials.

In another instance, a prisoner lost more than a year of time off for good behavior after reading aloud to other inmates a letter he received from a state senator the inmate had previously written to about prison conditions.

In another case cited by Merhige, Edward B. Belvin, an inmate with a sixth-grade education, was confined in the prison hospital with a nervous disorder and threatened to scream if he

were not given the medication he wanted.

Belvin was summarily taken to a solitary cell where guards handcuffed him, chained his body to the cell bars and wrapped tape around his neck, thereby securing his head against the bars. He remained that way for 14 hours and then was kept nude in the cell for 17 days—still without a hearing. His clothing was taken because he refused to give a food tray to guards.

Although the policy of chaining prisoners has been changed since, Merhige said the treatment was "inexplicable," and amounted to a "brutal form of confinement."

In another instance, a prisoner who had written letters of complaint to the governor and his lawyer was taken to solitary where he was punched with a tear gas gun and chained to the bars for five days "in a manner in which he could just barely recline," Merhige wrote. The inmate was denied toilet privileges.

In February, 1970, inmate Wade E. Thompson refused to do road work because of the 11-degree temperature and was ordered to solitary confinement for 24 days, without a hearing, and lost two months of good behavior time.

At another time, Thompson requested a transfer to another road camp unit after watching a guard force a prisoner to eat a raw sweet potato. He was taken to solitary confinement again where he wrote a letter to his lawyer, the same day, he was promptly given a hearing at which he was charged with agitating the other inmate to "balk" at the raw food. "In fact," Merhige wrote, "Thompson never spoke to the man."

In another case, an inmate, who allegedly cursed a guard, was taken aside two days later by that guard, stripped naked and beaten with the guard's nightstick. He, too, had no hearing.

Another inmate spent 19 days in solitary when he refused to take some "medicine" a guard brought him. A fellow inmate had warned the sick prisoner that the

"medicine" was supposed to be taken orally.
Inmates Leroy Mason and Thomas C. Wansley, who successfully sued in 1968 for the desegregation of the state's prison system, were held in isolation cells for 30 days each and both lost 90 days of time off for good behavior following a nonviolent work stoppage by prisoners.
Merhige found that Mason knew nothing of the plans for the strike while Wansley did. The strike took place five months after they filed the desegregation suit.
The judge found that the punishment of the two — again without a hearing — was a direct result of their participation in the lawsuit.