

2d Uprising Flares Briefly at D.C. Jail

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Inmate rebellion flared up briefly again yesterday at the troubled D.C. jail, even as the city's top officials were publicly pledging drastic penal reforms and Washington's federal judges collectively sought to have all felons sentenced here to be incarcerated in federal prisons outside control of the city government.

The new jail disturbance, which followed by two days a drama at the jail in which 11 guards and corrections chief Kenneth L. Hardy were held hostage, lasted about three hours and was ended by a police show of force without any hostages being taken.

There were no serious injuries and no use of force by the approximately 75 riot-equipped policemen sent into

the century-old jail as a precaution.

The uprising occurred in a dormitory to which prison officials had sent 88 inmates involved in the Wednesday rebellion in Cellblock 1, where Hardy and the guards were held in a desperate bid for freedom by prisoners.

Jail officials said 77 men were in the dormitory when trouble broke out shortly before 2 p.m. yesterday. The inmates, reportedly led by several of the ringleaders of Wednesday's disturbance, barricaded themselves in the high-ceiling, crowded dormitory and began smashing furniture and windows.

As police gathered inside the jail complex ready to

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forcibly enter the dormitory, the inmates hastily drafted a list of grievances and handed it to officials outside.

The grievances included complaints of food, jail authorities said.

The 77 prisoners who had voluntarily left the dormitory by 5 p.m. were men who had asked to be allowed to stay together after the Cellblock 1 rebellion. That cellblock is being kept vacant while workmen repair damage resulting from Wednesday's incident.

Charles M. Rodgers, deputy director of the corrections department, told the prisoners through a bullhorn, "We're going to take you out of here."

The men filed out one by one and were placed in plastic handcuffs and searched. They were removed to another section of the jail, but were to have been returned to the dormitory later in the evening.

The judges of the U.S. District Court, meanwhile, had sent a letter to Attorney General Richard Kleindienst asking that he designate institutions other than facilities under the control of the D.C. corrections department for the incarceration of all defendants here after sentenced in fed-

eral court here.

Exceptions would be made when requested by individual judges.

The letter, signed by Chief Judge John J. Sirica and resulting from a meeting on Thursday by the full U.S. District Court bench, said that D.C. prison facilities are overcrowded, lacking in discipline and inadequate for the carrying out of sentences imposed by the court.

Additionally, Sirica's letter said, prisoners are not protected from sexual assault and beatings by other inmates. He also cited a growing number of escapes from the jail and Lorton Reformatory in suburban Fairfax County.

The judges' request was not the first time that the court had expressed concern about overcrowding of prisons here and the management of the corrections facilities.

In September, 1971, District Judge George L. Hart criticized security at the Lorton reformatory and ordered that two defendants be sent to federal prison instead.

Three months later, Judge Gerhard A. Gesell ordered the mayor, the U.S. Attorney General and the head of the U.S. Bureau of Prisons to come up

with space for 300 additional youthful offenders. In an opinion, he severely criticized overcrowding in the city's prisons and suggested the federal system would have to be utilized.

Corrections officials later won the judge's approval of a plan to house 300 offenders in a converted alcoholic rehabilitation center at Occoquan, Va.

In both cases, the federal Bureau of Prisons said that it did not have the space in its institutions to take large numbers of inmates from the Washington penal system.

As the latest disturbance at the jail was occurring yesterday afternoon, Mayor Walter E. Washington was holding a press conference at the District Building, in which he praised corrections officials from averting "another Attica bloodbath."

Promising high-priority attention to the local prison system, the mayor said he was pushing forward the expected construction date of a new detention center, previously set for 1975.

"If there is anyone who believes that this matter (of prison disturbances) is over, they are deluding themselves," said the mayor. "We cannot stop where we are; we've got to move forward," he added.

Minutes later, Ben Gilbert, a District Building consultant and one of the mayor's confidants, rushed into the conference room with a handwritten note, which was read by other officials and quickly handed to the mayor.

"I have just been handed a note informing me there is a minor disturbance in a dormitory at the jail," the mayor announced.

As reporters and cameramen began to rush from the room, the mayor was asked what he was going to do.

"I think we ought to conclude this press conference," he said.

After the inmates had ended their brief uprising without any violence, Sam Eastman, a spokesman for Mayor Washington, said "they came out peacefully."

Among those who were at the jail during the outbreak were Police Chief Jerry V. Wilson; Julian Dugas, an aide to Mayor Washington; Charles Duncan, a former D.C. corporation counsel who is a close adviser to the mayor; Joseph P. Yeldell, director of the department of human resources, Eastman, and other officials.

At a press conference at which other officials also appeared, Yeldell gave this account of the incident:

When the protest began, a signal was flashed in the office of Anderson McGruder, jail superintendent.

Squads of police were dispatched to the jail to back up the guard force, and they were visible to the protesters. Meanwhile, the prisoners overturned a number of beds in the dormitory and placed mattresses and other material across the door to the room. They also tried to break through a window to the roof.

After corrections official Rodgers told the men through a bullhorn: "We're going to take you out of here," the men filed out one by one.

As each came out, he was put in plastic handcuffs and searched. They were later divided into three groups and placed in different parts of the jail.

"It was done peacefully and there was no use of force," Yeldell said. "Everything is under control."

Yeldell and Eastman, the mayor's spokesman, both said there had been no injuries and that no serious damage had been done to the dormitory. They emphasized that no tear gas or other forms of force had been employed against the prisoners.

Reporters noted that the 88 prisoners removed from Cell-block 1 Thursday night had asked to be kept together. Asked why only 77 had been removed from the dormitory, Eastman said he believed the other 11 were elsewhere in the jail, perhaps in the recreation

area.

When word of yesterday's protest was broadcast, several persons who had been involved in the negotiations that led to the end of Wednesday's disturbance went to the jail.

Among them was Julian Tepper, a member of the negotiating team Wednesday and a veteran of the negotiations at the Attica State Prison in New York a year ago. Tepper was not admitted to the jail.

Tepper told reporters that he and other lawyers wished to see the prisoners "to see that nothing has happened other than what we've been told, and to continue our obligation we made when we promised the inmates we'd be back every day. If we don't we're betraying a trust the inmates exhibited when they released the hostages."

In Sirica's letter to Kleindienst, the chief judge said that "it is the opinion of the judges of this court that the prison facilities of the District of Columbia department of corrections are overcrowded, that discipline is lax or nonexistent and that sentences imposed by judges of this court have frequently not been carried out as intended by the sentencing judge."

In addition, Sirica said, prisoners in the District correction facilities "are not protected from sexual assault and bodily harm at the hands of other prisoners and that there are frequent escapes and release from the department's custody of prisoners deemed to be highly dangerous to the law-abiding citizens of this area."

"Moreover," Sirica continued, "the services, facilities, personnel and programs are totally inadequate insofar as sentencing objectives are concerned."

For these reasons, Sirica said, the judges of the U.S. District Court here "after full consideration at an executive session of the court held on Thursday, Oct. 12, 1972, are urgently requesting that you, as

the Attorney General of the United States, designate institutions other than the facilities under the supervision or control of the District of Columbia Department of Corrections for incarceration of all defendants hereafter convicted in the United States District Court... unless an individual judge of this court shall otherwise affirmatively request at the time of commitment."

Persons convicted in the District Court normally are committed to the custody of the Attorney General for incarceration. Except in unusual circumstances, these convicted persons are incarcerated at Lorton or in the other penal institutions of the District of Columbia.

A Justice Department spokesman said last night that the letter had been received. "We will give it our utmost consideration and reply as soon as possible," the spokesman said.

Sirica released his letter after sending it to Kleindienst. He declined to comment on it, saying, "The letter speaks for itself."

Sirica was not present when the judges met Thursday for their monthly meeting to discuss court problems. The meeting was presided over by acting Chief Judge George L. Hart Jr., second to Sirica in seniority in the District Court.

According to an informed source, the vote on the request to Kleindienst was unanimous. The source also said, and Hart acknowledged, that Hart was the moving force behind the request.

One judge, who asked not to be identified, denied that the request was an attempt to have control over District correctional facilities transferred from the District of Columbia to the federal government, a move advocated by Rep. Joel Broyhill (R-Va.) and others.

"Our concern," the judge said, "is that when we sentence a man to prison, he should be protected against assaults—sexual and otherwise."

"Our concern is that when we sentence a man to prison that he not be allowed to escape, that he not be allowed to roam freely if he's a dangerous criminal." The judge was critical of D.C. correction department policies that allow prisoners to leave Lorton on furloughs.

In addition, he specifically was critical of policies that resulted in the Sept. 25 escape of Walter Lee Parman, a convicted murderer. Parman escaped from a Lorton guard who had escorted him to George Washington University where Parman was supposedly scheduled to speak to a meeting of the Government Information Organization. The group had no meeting scheduled at that time or location.

Referring to assaults on prisoners in jail, the judge said, "We have a hard time sleeping at night if you sent a man to prison knowing he's going to go down there and be raped or stabbed."

In his press conference yesterday afternoon, Mayor Washington gave corrections director Hardy an unequivocal expression of endorsement, saying he expected the corrections chief back at his job Monday and that the city government would give Hardy its full support.

The mayor said he was going to give Hardy the city's distinguished public service award, the highest honor that can be bestowed to a public official.

The award, according to the mayor, is intended to recognize Hardy's "courage and devotion to duty . . . (and) his distinguished career in the corrections field."

The mayor's also explained his role in Wednesday's jail crisis, saying he felt that his presence was needed more urgently in coordinating all government efforts in freeing the hostages, rather than talking with the inmates in the besieged cellblock.

Contributing to today's articles on D.C. Jail were Eugene L. Meyer, Lawrence Meyer, Margaret Pala, Kirk Scharfenberg, J. Y. Smith, and Ed Walsh.