

'Indicts' guards

The prisoner predicted his murder

By Jim Wood

An inmate leader who charged he was set up by prison staffers to be hurt or killed has been found stabbed to death in the "hole" at Deuel Vocational Institution.

The blood-spattered body of Rodney Seril, 24, lay inside his locked isolation cell.

No weapon was found.

A prison spokesman said he evidently was stabbed through the bars.

The killing occurred May 3.

Seril's attorneys learned of the slaying Wednesday and inquired at the prison near Tracy for details. They were told, according to Anthony Kline of Public Advocates, Inc. and B. E. Bergesen III of the Youth Law Center, that a coroner's report would be ready in about three weeks.

Seril, who was serving a term for armed robbery, was heavily involved with the two San Francisco attorneys in a legal campaign to end use of "the hole" in California prisons.

Inmates involved in the campaign received a protective order March 18 from U.S. District Judge Stanley Weigel, enjoining prison officials from "penalty, punishment or other reprisals."

Less than a week later, on March 23, Seril wrote his attorneys that he had been "set up" that morning by Deuel guards.

According to Seril's letter, his normal exercise period had been changed — prisoners in the hole are allowed out of their cells 30 minutes a day — and he, a reputed leader in the Chicano Nuestra Familia, had been left alone on the tier with three black inmates.

Prison officials said that there had simply been a mistake.

"I knew, and the inmates knew, why I was out — a setup," Seril wrote. "This is how it's done in K wing. But we all have an understanding and none of the four of us wanted trouble."

Seril was found on the cell floor, a 2½-inch stab wound in his right shoulder extending into the chest cavity. He was taken to the hospital but was dead within a few moments. Prison officials said the case is now in the hands of the San Joaquin district attorney, that there is a suspect, but no further details can be revealed.

But there's more to the story than that.

Seril had been in isolation since January, 1973, first at San Quentin and then at Deuel where he arrived Aug. 16.

When a prisoner is put in the hole for disciplinary reasons, he can be kept there only 10 days. A majority, however, are on the so-called director's list of inmates who the administration has decided are a threat to the peace of the prison.

"In August '73 I was transferred to DVI and taken straight to the hole, K-wing," Seril said in an affidavit.

"A few days later I went before the classification committee and was told I would have to stay in the hole because I was a director's case and suspected of being a leader in Nuestra Familia and a heavy activist. Again (as at San Quentin) I received no disciplinary write-up or hearing and no chance to disprove these charges."

Seril said he was suspected of being a Nuestra Familia leader because he was from Salinas, where many members of the group came from. He said he was a Filipino, not a Chicano.

"I asked the committee how I could get off the director's case load and was told I would have to prove that I was no longer a member of Nuestra Familia. The only way I can do this is to put myself under the prison's protective custody. I would then be labeled as an informer by the other prisoners and would be placing myself in jeopardy.

"The only other alternative is for the fighting between the Chicanos to stop, but how can I, a Filipino, possibly control the Chicano population?"