

Dungeon Marion: An Instrument of Oppression

Bill Dunne

PLOT AND PERPETRATION OF LOCKDOWN LABORATORY MARION

Maximum Restriction Mania

In 1978, the BOP [US Bureau of Prisons] began to implement a new, higher security classification system ... [I]n 1979, USP [United States Penitentiary] Marion became the Bureau's only 'level 6' penitentiary. Marion's new purpose was to provide long-term segregation within a highly controlled setting ... The decision [was] to establish USP Marion as a level 6 penitentiary and to convert the prison from an institution with only one Control Unit, with other [prisoners] congregating and moving in large groups, to a 'close, tightly-controlled, unitized' institution for all [prisoners] (Meyers 1985; Breed and Ward 1984; US Bureau of Prisons, *Policy Statement* 1979; cf. US Bureau of Prisons, *Policy Statement* 1973; Henderson 1979).

Thus is assassinated the main premise of BOP public disinformation that the rendering of all of USP Marion into a control unit in the wake of the killings of October 1983 was the unplanned and unintentional response to an emergency situation. Similarly fall other BOP justifications for the perpetual lockdown of the prison such as: it is 'humane incapacitation,' it improves safety and security in the system as a whole, and it allows other prisons to be operated more openly.

The beginning of the implementation of this 'new, higher security' only five years after the opening of the original control unit indicates official dissatisfaction with the scope of then maximum restriction repression and the intention to go beyond it. The original plan, allegedly aimed at modifying the behavior of miscreants into more socially acceptable forms, or at least into something that would make them more tractable captives, had itself been modified. Driving these changes were a more destructive brainwashing approach and changing perceptions about the needs of the class they serve on the part of prison authorities. The goal had become more to learn how to control and manipulate than to effect positive change. The cost to the community or to the experimental subjects was immaterial.

The falsity of administrative propaganda in light of that goal is revealed in its rhetoric. The 'long term segregation' of this 'new, higher security' implies exactly what the first control unit was and remains. The rest of Marion has changed from the open institution it was in 1979 to intentional, permanent lockdown – not emergency response. This

'new' purpose for Marion was decreed despite the existence, in all other prisons, of extensive segregation facilities where prisoners can be kept indefinitely. Such purpose indicates intentions that transcend mere incapacitation. Isolation facilitates the secrecy conducive to an experimental program and its ulterior motives. And the decision to convert Marion to a 'tightly-controlled, unitized' prison was nothing more than a thin rhetorical disguise for a plan to make it a prison composed completely of isolation units. Dungeon Marion was deliberate. Former BOP Director Carlson (March 29, 1984) has said that he has long wanted several such institutions.

A prison composed completely of control units is exactly what Marion has become. However, with an eye toward the sort of deniability and obfuscation in which it has been engaged, the BOP did not impose this condition all at once. It brought about the result by creating a steep slope several years long and greasing it with public relations ploys. What it blames on the depravity and depredations of prisoners was more the product and mischaracterization of increasingly more repressive conditions administratively imposed on prisoners.

These impositions were movements toward the stated (but publicly denied and distorted) BOP objective of a control unit prison and efforts to instigate actions that would justify more such movements. Former USP Marion Warden Harold Miller himself admitted that conditions at Marion had deteriorated in the months after his arrival, hardly a circumstance that he did not control. In testimony before the US House of Representatives, Professor David Fogel (March, 29, 1984), Director of Graduate Studies of the Department of Criminal Justice of the University of Illinois, characterized that deterioration as 'not an abnormal outcome' of policies then in effect; making the prison more and more restrictive made it a tougher and tougher place to be. Each major, calculated step toward the administrative end, such as the elimination of prisoner work, intensified pressures on both prisoners and guards and accelerated the descent into lockdown.

Each step escalated the pressure on prisoners in particular. The deliberate nature of the pressure was revealed by its continual increase, despite its visibility and inconsistency with any rational BOP mission. Prisoners had to exist within the prison, not just spend 40 hours a week in it. They had no options such as quitting or transfer to another prison, Marion having already been designated an 'end of the line' (US Bureau of Prisons, *Policy Statement* 1979). Prisoners had no outlet for the stresses, tensions, and frustrations engendered by the gratuitous abuse, diminishing opportunities, and concomitant decline in their standard of living. Nor did they have any power to resist their victimization via credible, real time appeals, administrative, or otherwise. All the problems of this drawn-out attack were added to and aggravated the usual rigors of maximum security subsistence. Their minds and their bodies

were all that prisoners had at their disposal to consciously contest the injustice of their metastasizing oppression and the deliberate provocation of staff.

Guards, too, were subject to manipulation to the point of expendability in the administrative quest to implement its totalitarian design. Labor-management relations between the American Federation of Government Employees (AFGE) locals, representing guards, and the BOP were at a very low ebb. A statement by Kenneth T. Blaylock (1984), national president of the AFGE, describes the conditions faced by guards as a crisis. Blaylock also cites work details two or three times over quotas, short staff, and inadequate training. He complains of top management, some of whom 'view us [guards] as merely tools and stepping stones,' that is detached, distant, and more concerned with image than employee welfare. The statement goes on to lament the absence of an effective working relationship with management on local, regional, or national levels. It decries bad faith in negotiations and the vindictive downgrading of 1100 union members. Another report complains about 'worsening' conditions for guards, low pay, 'take back' demands in negotiations, and 'harsh, arbitrary, and over-reactionary' disciplinary procedures for staff (American Federation of Government Employees et al. 1984). Many other sources attest to the facts that health and safety and security warnings by guards at Marion, and elsewhere, were ignored; that union activism was harassed; that treatment was unfair; that morale was low; and that the rank and file was permitted no input (Blaylock 1984; Fogel 1984; *San Antonio Light* February 5, 1984; *The Southern Illinoisian* April 8, 1984).

These conditions applied at Marion and were compounded by arbitrary demands on guards to treat prisoners more stringently in the name of security. In short, guards, too, were manipulated as ingredients in the Marion experimental chemistry. Unfortunately, they succumbed to ignorance, reaction, and the 'just followin' orders' syndrome. They fell for their masters' tricks and transferred blame for their plight to nasty prisoners, even though they knew, or should have known, better. Marion (and other federal) guards, like the prisoners, tried to resist their oppression through their labor. Unlike prisoners, however, they were not condemned and vilified for it.

Open Prison to Semi-Lockdown

In the months following the installation of Harold Miller as warden in 1979, conditions at USP Marion were made harsher. The prison was still open with functioning work; educational, vocational, and recreational programs; and a degree of free movement, despite its maximum-security character. But the decision had been made that those days were done, and the slide had already begun. Miller was gruff and uncommunicative and possessed of an attitude amenable to the task of instituting

a needlessly more authoritarian regime, an attitude that was transmitted to staff despite the schisms. When the phasing out of the industries program began, it eliminated many jobs for prisoners and caused a contraction in the prison economy. Working conditions were worsened. Pay was decreased. Harassment was escalated, including increasingly more abusive and disrespectful personal and cell searches, and more infraction reports that carried more severe punishments for frequently petty incidents. Arbitrary exercise of authority (something especially capable of inducing tension due to its unexpectedness) also became more common. Unnecessary limitations were placed on cultural pursuits. Active physical abuse (as in beatings) and passive physical abuse (as in denying adequate medical care) were also included in the administrative assault.

Presented to Warden Miller by a group of prisoners in August of 1980, the following list of concerns illustrates some of the problems:

- Allow Native Americans to practice purification rites.
- Allow religious services in segregation and the control unit.
- Allow Muslims to wear the fez and turban.
- Stop the use of boxcar cells.
- Stop guards from harassing and beating prisoners.
- Extend visiting and make the visiting room more comfortable.
- Improve medical care.
- Improve diet by using real meat (Susler et al. 1984).

In the midst of this expanding instigation, provocation, and repression, the attendant stress expressed itself in predictably various ways. There were a number of prisoner on prisoner assaults between the accession of Warden Miller and February, 1980, and two prisoners died. However, the actual number of assaults will never be known, given the variability of what officialdom reports as an assault, and it will never be surely known whether the deaths were the product of negligence or deliberate indifference. As deplorable and indicative of ignorance and lack of consciousness as these attacks might be, they did not occur in a vacuum and should not be seen solely as evidence for general prisoner depravity or justification for further repression.

The largest expression of prisoner resistance to the stress-inducing oppression, however, was in work strikes. In January 1980, the first work strike occurred. Work stopped for a time, but nothing was fixed. Another strike lasted for three weeks in March and April. Participation was virtually total. Officials accused prisoners of threatening others to get that degree of solidarity and launched a press offensive to make the strikes appear to be a product of coercion.¹ However, that very premise contradicts the administrative painting of prisoners as violence-prone predators not amenable to intimidation or outside influence of any sort. Assuming that the wages of scabdom and collaboration in the prison

are similar to those outside (and they are), any significant non-participation in the strike would have caused a lot more mayhem if the anti-prisoner propaganda were true. Widespread coercion is also inconsistent with the staff charge that prisoners had 'well-organized resistance:' one would have canceled the other. And the organization charge as a justification for harsher repression was inconsistent with the fact that the strikes were peaceful. Any such organization should thus have been seen as a positive development.

In September 1980, a third work strike was launched. The grievances of prisoners were starting to gain some currency in the world beyond the walls. Until then, the administration had a virtual monopoly on access to the press, and thus enjoyed almost total freedom to ply its disinformation campaign against prisoners. There were incentives to do so: according to at least one report, only one prisoner was working. The action continued despite the threats and coercion of administrators and guards. People had to be brought in to perform essential tasks that were formerly done by prisoners. It was a substantial drawing back of the veil behind which prisoncrats could get away with just about anything; it could not be hidden or covered up.

Lawyers, particularly those of the Marion Prisoners Rights Project (MPRP) who had long been associated with the struggle against repression at Marion, helped break the prisoners' isolation resulting in their greater reach and credibility. When official actions, including court proceedings, are taken into consideration under the scrutiny of outside lawyers and the public, they must be carried out at least a little more correctly. Hence, Warden Miller took steps to deprive the prisoners of their legal assistance and support. If Marion had really fit the propaganda picture and had not been proceeding pursuant to counterproductive ulterior motives, Miller would have welcomed the attention as vindicating. Instead, on October 15, 1980, he wrote a letter illegally banning Martha Easter-Wells, Jaqueline Abel, and Elizabeth Mitchell, two lawyers and a paralegal of the MPRP, from the prison for the duration of the work strike then in progress. With respect to the lawyers, the justifying charge was that they had allegedly helped a prisoner formulate a list of strike demands, and, regarding the paralegal, that she had made comments to the press favoring the strike after a legal visit. In a society purportedly predicated on freedom of expression and legal access for all, the ban could only be a contrary demonstration of desire to further shroud in secrecy the destructive consequences of what was being done at Marion.

On December 22, 1980, the banning order was extended beyond the duration of the work strike to everyone associated with the MPRP. By this time, officials knew that the semi-lockdown of the work strike would be permanent. The ban was expanded on the pretext that having prisoners on the organization's board amounted to their conducting a

business, a violation of BOP rules. At that time, the ban against Attorney Abel and Paralegal Mitchell was further justified with the assertion that they had sent contraband to prisoners, horrible things: self-addressed, stamped envelopes from the MPRP for replies and some blank watercolor paper. Even the US Seventh Circuit Court of Appeals, no friend of prisoners, later acknowledged the ridiculousness of these rationales. Apparently, the Marion administration recognized it, too, because contemporaneously with making those allegations it was inducing prisoner Jack Abbot to make other vague, uncorroborated, and unfounded allegations against Project personnel. Several days later, this opportunist was transferred to Utah from whence he was shortly sent to a New York halfway house. These allegations were also billed as incredible by the Court of Appeals (*Abel, et al. v. Miller* 1982).

All of this not only demonstrates the double standard applied against prisoners and the willingness of the Marion and BOP administrations to use dishonesty in furtherance of their goals, particularly the reduction of Marion to a locked down lab. It is also indicative of the extent to which prisoners generally (who have much less visibility and power than free legal professionals) are victimized by the lies of 'confidential informants' and by the exaggeration of trivial incidents into major infractions with serious consequences. The local federal district court further revealed the problems of bias and apparent predetermination faced by prisoners in its handling of the banning matter. It upheld all of the contentions of Marion officials in the case and it contributed a few of its own machinations in support of the prison and BOP, notwithstanding that its position was predicated on what was facially ridiculous and incredible to the Appellate Court. Prison officials were able to wreak considerable damage, deprivation, and expense before the ban – in a case that was adjudicated unusually swiftly and successfully – was overturned.

While the work strike continued, the Marion administration took a further step towards transforming the prison into a set of control units. The industrial work program was removed and the equipment sent elsewhere. Nearly all non-industrial jobs were eliminated. There has been no work for any but a few USP Marion prisoners since. The academic program was shut down in almost all but name. The vocational program was also terminated. All of the training equipment was removed, the building was gutted, and the resulting space was turned into a recreation area. Access to recreation was curtailed. Out-of-unit recreation was reduced to approximately every other day in a highly-controlled movement. The only times prisoners were allowed out of the cell block were for visits and to go to the chow hall, in small groups without contact with prisoners from other units. Prisoners were allowed out of their cells during the day, but they were restricted to the

long, narrow tiers in front of the cells with very little to do and the only contact allowed was with others in their part of the block.

Marion staff billed the evolving 'stringent environment' as allowing the prison to operate in a much more secure and effective fashion than prior to the semi-lockdown. In November 1981, the administration contended that prisoners and staff were safer as a result.² This is what the BOP always claims in order to justify increased oppression; it has learned that the courts have essentially made it sole proprietor of 'safety and security,' despite its record of failure. The BOP always insists its measures are effective and that trouble only increases because the prisoners get nastier. If that were true, it would be an indictment of the measures as ineffective, but the inherent characters of prisoners entering the system remains the same. Congressional and State legislative testimony shows that, over many years, the increasing depravity excuse has been repeated endlessly: our failures are due to the nastier and nastier people sent to us (Fogel 1989). In light of those failures, though, the contention of improved safety is evidence of either malfeasance or incompetence. Former BOP Director Norman Carlson (March 9, 1984) himself supplied to US Representative, Patricia Schroeder, statistics that indicated that assaults with weapons on staff at Marion more than doubled in 1981 over 1980 and were only one fewer than in 1979. Verily, that fact indicates that the work strikes provided an outlet that decreased deadly violence.

Semi-Lockdown To Lockdown

The 'stringent environment' and its adversarial atmosphere in which idleness, particularly intellectual idleness, aggravated other pernicious factors, was a recipe for disaster. Prisoners were left with no constructive pursuits and only limited recreation – a few games like dominoes and cards, a TV for each 35 prisoners, and whatever they could do on their own in the way of self-education. They were thrust into enforced contact with people from different cultures, backgrounds, educational levels, and future prospects given their time structures. There was exceedingly little through which to feel or demonstrate personal competence or value or connect with the *de facto* community in which prisoners were compelled to live, let alone any other. Ascribed characteristics such as race and geographical origin as well as achieved characteristics such as group affiliation, the things of "jailin'," and the criminal element assumed magnified and disproportionate importance. The constant actual and implied denigration by the authorities, intrinsic to a locked down situation, plus prisoners' powerlessness to do anything to alleviate it, contributed to the impetus to competition on the basis of what seemed immediately relevant. Nor did prisoners have any opportunity to change their situation in any certain, real-time way:

they were forced to play the game and could not concede, withdraw, choose a different game, or lose, except self-destructively.

These pressures, along with the stress bred by indefinite subjection to rigorously maximum security conditions, could not help but breed conflict and behavior officialdom could hawk as atrocious. They could not help but create a social microcosm divergent from the norms of the larger society. Only the existence of some consciousness and some recent experience of collective action on the basis of commonalty and in resistance to shared adversity (i.e. the work strikes) among Marion prisoners prevented the result from being much worse than it was.

Officialdom is fond of separating the period from February 1980, through June 1983, as especially characteristic of something that it has never fully explained. Presumably, it is to indicate the depravity of Marion prisoners during an 'open' period before the current lockdown was imposed in 1983. However, it must be remembered that February 1980 was just after Warden Miller's pushing of the 'evolution of a more stringent environment' had already precipitated one work strike. In addition, the regimen initiated subsequent to the physical removal of the industries program in January of 1981 was actually in effect from September of 1980 when the last work strike began. Hence, the behavior during this 40 month period, with which the BOP seeks to vilify prisoners, did not occur under open conditions and is more the product of provocation and repression than any asserted inherent knavery of prisoners.

Cited as demonstrative of prisoner rascality are 14 attempted escapes, 10 group disturbances, 28 assaults on staff by prisoners, and 54 assaults on prisoners by other prisoners in which eight prisoners died (Breed and Ward, 1984). First, the 14 attempted escapes must be discounted as evidence of anything bad. It would be completely unreasonable to expect people to voluntarily submit to draconian punishment and retribution with no redeeming social value for the generally very long sentences with which most Marion prisoners were afflicted. Verily, willingness to so submit could only be seen as pathology. The very walls, fences, bars, and gun towers at even medium security prisons acknowledge the normalcy of thoughts of escape. The only justification for making escape from oppression a crime is that the oppression is only incidental to and no more than is necessary for community protection while the real protection of habilitative programs that facilitate an offender's reintegration into normal life is allowed to work. Marion makes no pretense of doing that and, in fact, insists on doing the contrary.³

Responsibility for the extent the alleged violence did occur beyond what would be expected lies at least as much with administrative practices as with the actual perpetrators. What is reasonable in such an

irrational environment as USP Marion may not be readily discernible as such outside. Individuals may take violently exploitive and oppressive actions on the basis of ignorance, unconsciousness, indiscipline, thoughtlessness, opportunism, and/or as the result of psychological injury. They are accountable and responsible for those actions to the extent that they could have but did not rid themselves of or avoid those actions. Nevertheless, responsibility also accrues to a variety of contributing factors, not all of them under the control of the immediate actors. It is a given that the mentally impaired are responsible for their actions only in inverse proportion to their disability. The stick does not make them better or more responsible; it exacerbates the problem. So it goes with victims of psychological attack like prisoners, especially when they are placed in circumstances where their ability to improve is severely circumscribed. Moreover, oppressed people tend to be impelled to attack each other as a reaction to and expression of the stresses of oppression before turning against the oppressor (Fanon 1963).

In any event, in these incidents are represented only the small minority of Marion prisoners whose victimization forced them to act out in ways the BOP felt it could mischaracterize to its advantage. Prisoner violence is only one of many expressions of the larger violence the BOP perpetrates with weapon Marion.

In assessing this period, another consideration is that statistics are generated by the BOP, which has complete definitional control over what constitutes an assault, an escape attempt, or a 'group disturbance.' It can vary the criteria in order to come up with the desired numbers. The statistics must also be considered in light of demonstrated BOP willingness to lie in furtherance of its interests. Further undermining government credibility, none of the statistics even acknowledges, let alone lists assaults on prisoners by staff; feats of penmanship rendered them all an acceptable something else. Misleading, too, are across-the-board negative characterizations of prisoner violence. What is unreasonable outside might not be unreasonable in an environment irrational as USP Marion. A fight, for example (always considered a 'bad' statistic, and frequently reported as assault), may be the proper response to exploitation and oppression where the alternative is becoming a collaborator (snitch, rat, informant) and/or spending the rest of a long sentence in the segregative conditions of protective custody. And if the antagonist with which one is confronted is bigger, stronger, tougher, or has help, rationality may dictate an equalizer. The BOP also inflates the statistics with hyperbole about the events from which they derive, creating the impression of continual mass misbehavior. In reality, the relatively few people involved in the 1980-83 incidents (virtually all of whom were quickly identified and segregated), coupled with consideration of the incidents and statistics in their proper per-

spective, rob them of force as justification for action so extreme as lockdown Marion.

Events subsequent to the February 1980 to June 1983 period are often, albeit arbitrarily, cited generally as 'leading' to the October 28, 1983 lockdown (Breed and Ward 1984; Meyers 1985). The BOP seeks to justify its victimization of not only all then Marion prisoners, but of all present and future consignees as well, with sensational descriptions of incidents somehow even more threatening than those of the preceding period. The apparent intent is to create the impression of a substantive destabilization. The charges from this period involved only some 24 perpetrators – some of whom were also victims and not all of whom were assigned to 'general population' units – or about 7% of the approximately 350 prisoners at USP Marion at the time. And again, no information is given about the conditions, instigation, or provocation that precipitated the incidents, most likely because that would seriously undermine their justification value for the BOP.

Take, for instance, the first incident mentioned in this July-October 1983 period. Two prisoners in segregation took two guards hostage. Escape, even to the 'mainline,' was not even an issue. Knowing the likely consequences of beatings, long sentences, and a lot of 'hole' and control unit time, did these prisoners act just because that was in their nasty natures? Or was it a desperate last resort after repeated, unheeded complaints about gratuitous abuse, insufferable conditions, complaints made in the face of the bankruptcy of appeals procedures, or even passive resistance? Was it better explained as the stresses born of conditions over which the prisoners had no control needing and finding an outlet? Were these people who felt obligated by their principles to resist injustice inflicted upon them? Though some of the cited incidents may be seen as efforts to harass back, act out, or opportunistic misbehavior, and while some of the acts may constitute truly corrupt iniquities, again, they must be considered in light of the circumstances.

Precipitation of Lockdown

The specific incidents that are alleged to have precipitated the lockdown of October 27, 1983 – the killing of two guards in the control unit – are even more egregiously lacking as justification for slamming down the whole prison permanently. The circumstances surrounding the killings also provide further evidence that the making of Marion into a Control Unit prison was pre-planned. On the morning of October 22, 1983, on B range of the Control Unit, guard Merle Clutts was stabbed repeatedly and later died. The two other guards with him were not injured. A shakedown of that range was ordered, and normal activities for the rest of the unit were resumed. That evening, on C range of the Control Unit, guard Robert Hoffman was fatally stabbed in a struggle

between three guards and a handcuffed prisoner in which the other two guards were also stabbed. The assailants were immediately identified. Prisoners expected retaliation: that would be normal. Despite its autonomy from the Control Unit, some activities for prisoners in general population were, indeed, cancelled the next day. But they were restored the following day. The event seemed closed. Eventually, Thomas Silverstein was convicted of stabbing Clutts, and Randy Gometz of giving him the knife and unlocking his handcuffs. Clayton Fountain was convicted in the death of Hoffman.

The theory for the incidents advanced by prison authorities was that the prisoners had a murder competition going just for something to do or in pursuit of some arcane vision of status – an obvious absurdity (*The Southern Illinoisian* May 25, 1984). If that were so and assuming, *ad arguendo*, the veracity of contentions made in calls for harsher punishments and the death penalty for prisoners that these prisoners had ‘nothing to lose’ due to already having life plus sentences (see, e.g., State of Illinois 1983) why, then, would they stop at one guard each? According to witnesses, neither of the two other guards with Clutts was stabbed despite ample opportunity for the assailant to do so, and those with Hoffman were stabbed only when they interfered and apparently only to the extent required to discourage them. Magistrate Kenneth Meyers (1985) wrote with respect to the possibility that all six guards could have been slaughtered: ‘The two assaults upon the officers in the control unit had demonstrated that one [prisoner], physically powerful from the use of weight lifting and body building equipment, could take down three employees, even when they were fighting for their lives.’ Both prisoners surrendered their weapons and returned to their cells without further resistance after the attacks, hardly consistent with maximizing the score in some macabre competition.

There is a much more realistic explanation for the prisoners’ actions. Clutts and Hoffman were long time guards who had failed to climb the promotion ladder, were known for their atavistic attitude toward prisoners, and were seemingly possessed of some mystical nostalgia for a mythical way it never really was. They went out of their way to harass and be uncivil to prisoners, particularly singling out Silverstein and Fountain due to their reputations. These guards apparently thought that *they* could gain status in *their* gang by targeting prisoners they felt were among the toughest. Numerous complaints had been made about abuse by guards over the preceding 16 months, and about Clutts and Hoffman in particular, and warnings about the likelihood of trouble were given. Those complaints and warnings were in addition to the extreme potential for trouble facially evident to correctional professionals and, presumably, also apparent to Marion administrators (Fogel 1984; Rundle 1984; Haney; Rubin 1973).

Extremes of tension can be easily generated by endless repetitions of

even petty abuses, and all of those perpetrated on Control Unit prisoners are not petty. Given the lack of any adequate outlet for this tension for these prisoners, such as: viable administrative appeals, litigation, obtaining a transfer to another unit or institution, or in constructive, rewarding endeavors like work or school, it would have been surprising had there *not* been some kind of explosion. The pressure of wrong heaped upon injustice, piled on injury and affront with no prospect of relief continually mounted until it made Clutts' and Hoffman's killers unable to acquiesce to their oppression. The extraordinary load of stress finally impelled them to accept the dire consequences of the only action available to them, to take some control over their totally dominated lives, even if momentary, whatever the consequences. And those consequences *were* dire: beatings, digital rapes, strip cell isolation conditions, less likelihood of freedom – even that of a more open prison – legal and illegal vengeance by guards, and the possibility of death, all for an indefinite period. Silverstein and Fountain are still in solitary isolation. For people whose lives are under the total control of others who deliberately set themselves up as adversaries, there are always consequences, deterrents, preventions, retributions, and so forth, contrary to the assertions of those calling for killing to show that killing is wrong.

Regardless of what one may think of the appropriateness of the reactionary deeds for which Silverstein and Fountain were convicted, the genesis of the deeds must be understood if conclusions are to be drawn that may help prevent such events as well as less serious misbehavior in the future. As Silverstein noted at his sentencing in the killing of Clutts, life is different at Marion, especially after one has been subjected to Control Unit rigors for five years (*The Southern Illinoisian* May 25, 1984). But it is not so different that cause and effect do not operate; the BOP seeks to deny the causes (and its responsibility for them) and treats the effects as if they did not happen in a situation where appropriate and healthy responses had been eliminated as options. Moreover, both Silverstein and Fountain were legally competent and no claim to the contrary has ever been made. Hence, they were able to appreciate the enormity of their actions. Silverstein made that point, too, at sentencing, at a time when there was nothing he could say that would make a difference to him. Further, to kill merely for 'bragging rights,' as one guards union official put it, is, by definition, insanity, even without consideration of the consequences.⁴

The fact that the deaths of Clutts and Hoffman occurred in the Control Unit, a unit completely divorced from the rest of the population to the extent of being virtually another prison, also reveals that they were not the actual reason for the permanent lockdown of all of Marion. Unlike with segregation, from which prisoners come and go to general population on a frequent basis – even though some spend years there

– there was extremely limited contact between the mainline and Control Unit. Occasionally, prisoners were sent there from mainline Marion, but only through segregation in a process that could take more than a year. Infrequently, prisoners were released to the Marion mainline after their control unit sentences. Physically, the Control Unit is situated in an isolated end of the prison where no communication is possible by sight or sound; Control Unit prisoners, and those in ‘population’ used no common facilities and did not so much as pass each other in hallways. Pains are taken to maintain that separation. The administration acknowledged that the Control Unit was essentially another prison by allowing what was then normal operation of the mainline *after* the killings.

Thus, the use of the guard deaths can only be construed as something that was determined after the resolution of the incidents to constitute an excuse sufficient to justify an ‘emergency response.’ The excuse had to be a good one considering the magnitude and permanence of the planned change of regime. The implementation of the pending plan ‘to convert the prison from an institution with only one control unit..., to a “close, tightly controlled, unitized” institution for all prisoners’ needed only its Arch-Duke Ferdinand to be set in motion.

To the guard deaths, the administration added the death of prisoner Jack Callison, who was found stabbed to death in his cell on C range of D block on October 27. Officialdom needed a bridge, both between the time of their excuse and the lockdown, and between the Control Unit and the mainline. Many prisoners had been killed previously without much official concern at all, let alone the creation of a long or permanent lockdown. And even this death was not considered serious enough at the time of its discovery to justify any lockdown of the prison. But it was a convenient addition to the justification being assembled for the imminent permanent lockdown.

Prisoncrats multiplied these two ‘main events’ of murder by exaggerations of relatively few and minor incidents occurring in the time between them, and they came up with an explosive atmosphere of impending riot and incipient takeover of the prison. This fantastic drawing is implausible considering the limited movement of only small groups of prisoners at any given time, and their willingness to lock up when instructed to do so. They had been doing that every evening and for two daily counts without even the allegation of a problem.

An immediate excuse for drastic action was still lacking; however, no lockdown was in effect late on October 27, 1983. Perhaps staff members only felt compelled to display their machismo that evening after the insult to the guard ‘us’ by the prisoner ‘them’ via the Control Unit killings. More plausible is that the BOP hierarchy had that day instructed the prison that the time was ripe for the final step, that the

decision had been made to realize the control unit prison. Provocation of some kind of group disturbance that could span the distance between the isolated, individual depredations and the evening of October 27, when nothing warranting lockdown was happening, was apparently thought to be necessary. An incident was instigated. The administrative story about it is that when C unit was released for evening chow, four prisoners ran down the main corridor and attacked several staff members for no reason other than their inherent rascality.

The factual explanation of the event exposes its character as provocation. C unit was not let out for chow that evening until unusually late, approximately 7:00 pm, after the rest of the population had been locked in their cells. At the release, Executive Assistant Dean Leech and a large squad of club-toting guards were on hand, purportedly to search the prisoners. This is the same Dean Leech who, two days earlier, stated with respect to Marion prisoners: 'You have to consider the kind of men imprisoned here. They're here because they're vicious; they're here because they're savage' despite knowing that was not true (unknown title 1983; Ralston 1984; Carlson May 2, 1984). Warden Miller was also present. It was unusual for either administrator to be around at that time, and security matters like shaking down prisoners are not the province of the Executive Assistant. Nevertheless, Leech insisted on personally participating in the shakedowns, verbally abusing prisoners and treating them roughly as he did so. He subjected some prisoners to a second search. One prisoner, Joe James, having already been shaken down, was blocked by Leech as he walked past. James informed him that he had already been searched, the guard who had searched him acknowledged this, and James proceeded. Nevertheless, Leech suddenly grabbed the surprised and unsuspecting James by the shirt. In the tense and confrontational atmosphere of USP Marion where sudden personal attacks elicited reflexive defensive responses, it is not surprising that James reacted. He knocked Leech down. A brief skirmish ensued – but only brief due to the number of guards present. The prisoners retired to the unit and were locked up. No one was injured. The only running was Leech running away, pursued only briefly by James.

Later that night, some prisoners were brutalized, one at a time, in what was termed a 'security shakedown.' Apparently, the action was more to ensure an attitude of resistance among prisoners and to stimulate activities like throwing trash on the range and shouting threats and insults to make the incident look like a continuing one and to help justify what was to come.

The Lockdown

The next day, Warden Miller imposed an official 'state of emergency.' No prisoners were let out of their cells for so much as a shower. They were put on sack lunches (usually a bare slice of bologna between two

pieces of dry bread, a like sandwich with cheese, and a piece of fruit, or something similar) for all three meals. Guards began roving about and searching, verbally and physically abusing selected prisoners in the process. Writers of the official propaganda that masquerades as history describe the reactions of prisoners, the vast majority of whom had done nothing wrong, as some sort of continuing riot, even though all it ever amounted to was a few small fires and minor damage, throwing of trash out of the cells, and verbal abuse – and not even that in the first few days. Discretion dictated that prisoners locked in single cells could not have even that small venting of frustration face to face with gangs of guards. The propagandists also advanced the finding of several prison-made knives in different parts of the prison as if that somehow proved the nastiness of prisoners, and that there was some still imminent threat with them all locked in cells. On the contrary, those discoveries indicated rationality: if even just a few of the prisoners consigned to Marion were the rapacious predators alleged by staff, reason and prudence would demand having access to some sort of defensive instrument. And such finds are made in every prison. In the several days following the declaration of the state of emergency, prisoners remained in their cells amidst this random abuse, on sack lunches, with garbage and dirt accumulating on the tiers; guards continued these and other preparations for even worse depredations.

Goon squads of guards began to arrive from all over the federal BOP on October 30. Five guards and a lieutenant had already arrived from Leavenworth on October 25 – apparently on speculation, if the lockdown was not pre-planned. Many more were rotated in over time (*Fortune News Spring, 1984; Peltier 1984*). All guards were issued three foot long riot batons with metal balls affixed to the ends. Some of the imported guards were special attack squads, and other such squads were formed at Marion. The one from Leavenworth called itself the ‘A-team,’ and the Marion version billed itself as ‘Blue Thunder,’ both after kill-em-up cop shows on TV. The goon squads were outfitted with helmets, jump suits, flak jackets(!), gloves and boots, riot gear, and face shields to obscure their identities. All of the guards took off the name tags they are required to wear. Some of the arriving guards were taken to the Control Unit where blood from the killing of the guards was still on the floor and incited against prisoners with comments like: ‘See that? See? That’s your brother’s blood on the floor there. Your brother! Could be yours. That’s what they do, the animals! We’ve gotta show ‘em!’ Obviously more than merely carrying out the dictates of security was intended. Nor was this system-wide effort something that could be mobilized on short notice.

The reign of terror to usher in the ‘new, higher security’ started in earnest in the Control Unit on November 2. Every prisoner’s cell was ransacked in the name of search, and all the men were pushed and

shoved around, some being beaten more severely. A number of prisoners were taken to the hospital for forcible searches of the rectum and while there they were poked, hit, tripped, slammed into walls, etc., and subjected to multiple X-rays.

Illustrative of this brutal treatment are the experiences of Garvin Dale White and Michael Geoghegan. On November 4, White was taken from his Control Unit cell to the hospital where he was beaten with clubs and forced down when he refused to consent to a rectal search. While held down, a person unknown forced a finger repeatedly into his rectum. He was then subjected to numerous X-rays against his will. After that, he was thrown into a strip cell with no water and no heat, clad only in underwear and still handcuffed behind his back. He was supposedly to be 'dry celled' until he had a bowel movement, but was kept there for three days after he did so, four days altogether, handcuffed behind his back all the while. No contraband was found. All of this was justified on the alleged rumor that there might be a piece of hacksaw blade somewhere in the Control Unit. The court said about this that there was no credible evidence demonstrating a pattern and practice of abuse (Cunningham et al. 1984).

Also on November 4, Michael Geoghegan was beaten for allegedly having a milk carton in his cell. About eight guards rushed into the cell, threw Geoghegan to the floor, and stomped on his left hip and thigh. One guard hit him in the face while another admonished, 'Not in the face!' Others hit him in the throat and beat on his torso. As he was dragged from the cell in leg irons, chains, and handcuffs, guards thought it was great fun to step on the chain between the leg irons, which caused deep cuts in Geoghegan's ankles. Geoghegan is a 5 foot, six inches, 140 pound male. Public Defender David Freeman was able to photograph Geoghegan weeks after the incident, and the damage was still clearly visible. The court 'found' that Geoghegan was only handcuffed for 'refusing' to return a milk carton and that there was no credible evidence of anything else (Cunningham et al. 1984; Meyers 1985; Kolb et al. 1984).

Over the next few days, between approximately November 3 and 8, police terrorism was visited upon the rest of the prison. All of it far exceeded anything that could be considered usual or normal in response to emergencies or rationally related to security. Every prisoner was individually taken out of his cell by a gang of club-wielding, riot-suited guards with no name tags. Each was pulled out of the cell either naked or in underwear, and was at least pushed around or jerked about by the handcuffs and verbally abused. At the same time, prisoners were being taken to other units or held in front of the unit while the cells were ransacked. Many were given more serious beatings. They were subject to attack anywhere – in cells, stairways, hallways. They were punched; kicked; hit with clubs; and run into walls, bars, and gates, with the

genitals being common targets. All of this was accompanied by threats, sexual and racial slurs, and demands that prisoners make demeaning statements. Comments were made about the brutality being revenge for the two dead guards. Perhaps some of the rank and file tools of administrative policy, unaware of their true function in the conversion of Marion, really believed that.

Representative of the brutalization of the mainline prisoners were the cases of Hanif Shabazz (S/N Beaumont Gereau-Bey), William Omar McCoy, Michael Sizemore, and Frank Segarra. On November 7, in I unit, a group of guards accused Shabazz of being an influential prisoner and stated that they intended to beat him as an example. They handcuffed him behind his back and did as they had threatened, targeting his joints particularly with their clubs. Later the same day, the guards returned and struck him with their clubs while he lay on the bunk. They returned yet a third time that day, removed Shabazz from his cell, and clubbed him on the knees. Guard Lt. Booker denied that there had been any abuse on that date and the court found that there was no credible evidence to the contrary (Kolb et al. 1984).

On November 7, four guards came to the cell of William Omar McCoy. They strip searched him, handcuffed him behind his back, and carried him down the tier with clubs stuck under his arms. He was jabbed in the stomach and beaten on the knees with the riot batons. Guards demanded to be called 'sir' and to be told who was running the prison while voicing a variety of threats. After 15 minutes of this maltreatment, McCoy was returned to the cell and he was pinned face down on the steel bunk while more threats were made. The court said that the credible evidence failed to support the allegations (ibid.).

Also on November 7, about seven guards took Michael Sizemore, unhandcuffed, from his cell and off the tier to where he was thrown into a wall and knocked to the floor. He was then choked and pulled off the floor by the hair with his arms twisted behind him. All the way down the corridors to I block, he was beaten with clubs, his bare feet were stomped on, he was kicked, and repeatedly rammed into walls. In I block, he was pinned with clubs and boots to a steel bunk, beaten on the legs, and punched several times in the face. The guards attempted to get information from him and to make him say 'sir.' He was further abused for refusing to comply with these demands. He was then warned not to complain about this treatment. The court said that Sizemore was only pushed, which it did not consider excessive, and that the evidence of prisoner witnesses was not credible (ibid.).

On November 4, a group of guards had Frank Segarra strip searched, cuffed behind his back, and taken out of F-unit. A guard pressed Segarra's face against a wall with baton pressure to the spine for 15 to 20 minutes. He was then lifted by the handcuffs and genitals and

dropped to the floor where guards clubbed, punched, and kicked him. Guards taunted him and ordered him to get up, only to be beaten again when he managed to comply. He was dragged to I unit and beaten more upon arrival. He was threatened and told not to look at the guards' faces, which were obscured behind dark visors, anyway. He was strip searched and left in an empty, cold cell. The court said that there was no credible evidence that any beating occurred (*ibid.*).

So it went in approximately 110 *reported* instances of physical abuse of prisoners by guards. And these are all beyond the routine pushes, shoves, slaps, jerking around by handcuffs, and prodding with clubs. Virtually everyone was subjected to verbal abuse, threats, and intimidation as well. Many other instances went unreported out of fear of retaliation, out of belief that complaining would be futile and inappropriate (i.e. 'sniveling'), or out of desire to keep the humiliation as secret as possible. The guards and administration insisted that no brutality or abuse ever occurred and that any force that was used was reasonable. The court found that none of what was testified to by so many prisoners, at least one guard, and others (supported further by the circumstances) happened at all (Meyers 1985).

These denials were contradicted by not only a preponderance but by an avalanche of evidence. From October 27, 1983, the prisoners were all confined in separate cells between which there was virtually no possibility for unmonitored communication. Even after the isolation of prisoners generally was no longer total, such communication was impossible for most. It still is. There was no communication at all between the units. Conspiracy was impossible for those as well as interpersonal reasons. There was no forewarning that would have permitted a conspiracy in advance. No prisoner or staff member testified about any specific details showing any conspiracy by prisoners to lie. Such a wide-ranging conspiracy would be impossible to conceal not only due to the circumstances, but also due to all the confidential informing in the hope of transfer going on at the time. There were *no* prosecutions for perjury, demonstrating a lack of evidence to support that all of the prisoners were 'not credible.'

The details of the brutality, corroborated in the testimony of diverse and unconnected prisoners, were not of the sort likely to be fabricated. They left out much that could have made things look worse and included unusual details. Also, conviction of a crime does not necessarily make one a liar. Moreover, lawyers, and at least one corrections professional, the only non-BOP people with any short-term access to the prison – though officials kept them out as long as possible – saw evidence of the needless brutality and excessive repression. These people recognized this as evidence that it was the administration that was not credible. Dr. David Fogel pointed out in his congressional testimony that BOP administrators routinely base extreme actions like

rectal probes and confinement to administrative and disciplinary segregation not on the sworn testimony of prisoners, but on their mere tips. Administrators are backed by the courts in such credibility assessments. Magistrate Meyers himself acknowledges prisoner credibility – albeit only when they say bad things about themselves (Fogel 1984). Fogel also raised questions about administrative credibility that could have been readily answered by examination of the sort of routine bureaucratic documentation with which he was intimately familiar (Meyers 1985). But the material was never brought out or examined and possibly never kept to avoid incrimination. These facts are in addition to the lawyers having heard the same things repeatedly from prisoners who could not possibly have concocted a consistent, false story. Together with other factors, the foregoing tends to shift the lack of credibility to the guards, administration, and court, despite their use of formal procedures and position to make themselves appear otherwise.

The court did accept as fact, despite evidence to the contrary, ‘the inherently violent, aggressive nature’ of Marion prisoners, and opined that: ‘The severity of the injuries were [sic] proportionate to the resistance offered by the [prisoner].’ This was consistent with the image of Marion as a program of experimentation, proportionate force and injury being substantially different than necessary force and unavoidable injury. The court justified everything with the assertion that: ‘USP Marion is USP Marion’ (ibid.). In other words, insistence on its constitutionality aside, it is a constitution free zone.

The official attack was not limited to physical assault but also extended to prisoners’ property. After prisoners were removed from their cells, they were returned to empty cells that had been stripped of everything – personal property, lockers, clothes, shelves, clothes pegs, legal material, sheets, and blankets – everything. All of it that was not destroyed or discarded on the spot was dragged haphazardly to the gymnasium where it was dumped on the floor. Much was ‘lost,’ ‘converted’ by guards, or destroyed. Some was sent out without notice to prisoners or explanation to surprised and apprehensive relatives. No property inventory receipts were issued, contrary to regulations.

Summary

During the two weeks immediately following the initial lockdown, the reign of terror continued, albeit in diminished active intensity after the first wave of brutality. There was no sick call until November 7, and prisoners were discouraged from seeking medical attention for injuries on pain of physical mistreatment for the request. Prisoners were kept in intentionally frigid cells on filthy tiers without hot meals. It was not until the last week of November that three hot – microwaved – meals per day were restored, and those were often delivered to the cells cold and/or contaminated. On November 14, prisoners began to be allowed

30 minutes of recreation per day on the tier in front of the cells, although they often did not get it. Eventually, this was raised to an hour in March of 1984. No outside recreation was permitted until June. Lawyers with the Marion Prisoners Rights Project were prevented from seeing prisoners until late on November 15, and were then only reluctantly accorded limited visits under threat of a court order. Officialdom apparently felt that its conversion of Marion was sufficiently *a fait accompli* by then. Starting on November 16, an exceedingly limited amount of personal property was again permitted. What was allowed had to be kept in one paper bag despite the presence of a lot of rodents. Prisoners were told to file a tort claim over the large part of what had been confiscated that had been 'lost.' Beatings, 'goonings,' and chainings to bunks continued, but with less frequency.

The goon squads from other prisons began to withdraw in January of 1984, their function being taken over by Marion squads. A few privileges were introduced over the year after the imposition of the lockdown. These included a total of 11 hours out of the cells per week (an hour per day on the tier and two hours in the yard with another two hours in either the gym or former TV building), some commissary (but no work to earn money for it), and somewhat more property plus cardboard boxes to keep it in. TVs were installed in July of 1984, and visiting time in the glass and phone visiting booths was extended. The official name for the lockdown was changed to 'high security operation.' But the atmosphere of fear and intimidation remained, compounded by endless petty harassment and restriction.

It was not possible to explore here or even point out every BOP action demonstrative of the Marion lockdown's true intent, the real character of its implementation, or to expose every official lie and malfeasance. Nor was it possible to rebut, or put into proper perspective, each of the allegations of prisoner depravity that are individually and collectively used to justify mass punishment, counter-productive repression, or to disguise officialdom's ulterior motives in applying it. It has, however, been possible to provide a clear outline of the reality of the government's conversion of USP Marion into a particular tool of oppression that is qualitatively different than what it was. It has been possible through revelation of that situation to show a face of the apparatus that the government has gone to great lengths to hide.

RAMIFICATIONS OF LOCKDOWN LABORATORY MARION

Current Reality

USP Marion is still a locked down prison. On average, prisoners are forced to spend almost 22 hours per day locked in single cells. In groups of nine, they are allowed 1 hour and 45 minutes per day, five days per week, out on the long, narrow tier that runs in front of the cells.

Prisoners can only talk to those other prisoners in the 35 cells on the same side of the block during these times. Three-hour yard and gym periods are also provided each week, to and from which prisoners are taken with hands cuffed behind their backs by gangs of club-wielding guards. (This is changed to two hours in the winter, with an extra hour being given on the tier). The rest of the time is cell time. Education consists of rudimentary, basic education self-study courses. The library is a cardboard box of ragged paperbacks outside the bars at the end of the tier. There is no work available for any but a few prisoners.

Idleness and isolation are not, however, the full extent of Marion oppression. Manipulative harassment is carried right into the cells with endless petty rules, regulations, and requirements. These may be made up on the spot and are unevenly and selectively enforced. No one can even know, let alone comply with, all of them. The penalties for transgression of even the most insignificant of these edicts are severe: the slightest infraction is used as justification for up to another year of confinement at Marion (Bureau of Prisons 1985) in addition to other punishment. And the harassment is frequently tailored to individual prisoners by targeting the things of most apparent importance to the person under particular attack. Everything – education, medical treatment, personal property, food, and so forth – is a potential weapon of physical and psychological assault against prisoners.

The imported goon squads have long been returned to other prisons, and the rampant brutality that characterized the period in 1983 and 1984 following the initial lockdown is now more of a threat that needs only infrequent demonstration. Nevertheless, there are still more than occasional beatings, goonings, and chainings to concrete slabs. The total domination by the administration of all aspects of prisoners' lives is predicated down to the smallest detail on the always imminent and immediately available use of force. Nor is direct attack by guards the only form of physical abuse; food, medical neglect, segregation, and other methods may also be employed. But the primary vector of attack is now psychological.

There is effectively no appeal from any of the depredations of Marion. A prisoner may be transferred there 'for any reason or no reason at all.'⁵ Although there are almost always reasons for the transfer, many are not legitimate. And although there are vague guidelines for transfer out of Marion, none of them are binding on staff. They are sometimes merely ignored and often used to make prisoners feel as if they, the prisoners, are responsible for their continued confinement at Marion. There is no entitlement to transfer that can override staff decisions to deny it. Prisoners are frequently taken to segregation 'pending investigation' or they are punished in other ways that cannot be appealed. Often, prisoners are surprised by silly infractions, all of which are said to

require the victim to 'start over' on his indeterminate sentence to Marion. The hearing process is a joke that officials will sometimes verbally acknowledge, but which becomes very serious on paper. Appeals, be they administrative or judicial, are similarly bankrupt and may take years (Amnesty International 1986). Complaints to prison staff are perilous as they may elicit only accusation and punishment rather than relief.

Numerous authorities on the operation of correctional systems have testified and otherwise made known that arbitrary treatment and the absence of adequate grievance mechanisms are dangerous, particularly in combination. Such conditions accentuate rage, frustration, tension, and helplessness. These stimulate prisoners to take matters into their own hands – to take whatever momentary, minuscule control they can. Thus, the conditions at Marion serve to undermine safety and security and lead to violence (ACLU 1985; Haney). These contentions are corroborated by seven murders, two suicides, numerous fights, and untold assaults *since* the lockdown. Such events are especially indicative of the psychological extremities associated with Marion conditions.

Contact with the community is discouraged and virtually nonexistent. Prisoners have no contact with outside people such as health-care professionals, teachers, work supervisors, and providers of community services and activities. The only exception is minimal contact with two contracted chaplains. Should prisoners develop any other connections, such as with church groups or media, every effort is made to destroy them. Personal visits are needlessly restrictive. When permitted, visits are through glass partitions via phones, and prisoners are submitted to strip searches to and from the visits. No other state or federal prison adheres to such restrictive practices. Visitors are also subjected to unnecessary, inhibiting impediments. Combined with the remoteness of the area, the oppressive character of visiting makes for relatively few visits. Mail is closely censored and often rejected for inane reasons like merely mentioning a name the censor thinks is that of another prisoner; disappearance and delay of mail are not uncommon. This further impedes communication that may be all the community contact a prisoner has.

Marion and its program of repression are characterized by deception. Prisoners are not the only ones who are told lies incessantly. What is visible to the public is a gleaming, modern prison that conveys an impression of cool and deliberate efficiency in the discharge of some ordained task. The United States is a rich country with vast resources to spend on appearances. In the case of Marion, that translates into a good deal of monetary expenditures on disguising the violations of human rights (United Nations' Minimum Standard Rules for the Treatment of Prisoners) as 'humane incapacitation.' Tourists are shown

shining, empty corridors, electronic gates, TVs in cells, a seemingly well-appointed infirmary, and other show items that lead them to believe that prisoners have nothing about which to complain. The impression conveyed by the physical plant is that Marion is a professionally conducted, high-security operation of a concentration model and not destructive abuse. However, such images do not accurately portray the reality experienced by Marion's victims. And the difference between the material implications and the actuality of Marion subsistence is only part of the deceit. The BOP and Marion administrations try to use the picture reflected by these facilities to lend credibility to their disinformation about who is subjected to Marion, its intent, its effect, and its efficacy at achieving its alleged goals.

The BOP and Marion administrations claim that Marion is filled with violent and vicious predators who constitute 'the worst of the worst' in American prisons. Marion prisoners have been characterized as 'rotten apples' concentrated into one barrel. The fact, however, is that Marion prisoners are no different than prisoners in other maximum security prisons. They may even be less threatening. For example, most mass murderers, sex criminals, perpetrators of psychotic personal violence and the types of crime in which it is most likely to occur are in state, not federal, prisons. The most destructive criminals, such as those of the corporate class and its apparatus, are in country club prisons – if in prison at all – and certainly not in Marion. Third-world men comprise a disproportionately large segment of the Marion population. Not all Marion prisoners are men who have committed acts of violence in other prisons either, and many who have committed such acts are not here. There are many sent to Marion on vague allegations of plotting escape, for administrative reasons, to fill space, or for no specified reason. Others are sent directly from the streets. Many are people with strong belief systems upon which officialdom needs to experiment and to undermine. Some of these people are political prisoners sent here as part of the repression of their communities and their struggles.

Publicly, the administration tries to shift responsibility for prison problems onto their vision of nasty prisoners, and onto Marion prisoners especially, despite the complete control exercised over them by guards. As noted previously, this is nothing new; state and federal legislative records show that prisoncrats have been doing it for 150 years. The justification is necessary in order to belabor prisoners with a yet heavier club of class control in a constitution-free zone like Marion. But the fiction and the reality of who languishes under the lockdown demonstrates that it is the barrel and its managers that are rotten and not its victims.

That few prisoners at Marion actually fit the criteria the BOP claims to use for consignment has long been an indictment of the Marion operation. Long after the lockdown, 80% of prisoners were classified

below security level 6, the rating of the prison (Breed and Ward 1984). Tired of taking heat for that situation, the BOP did not eliminate the problem by transferring the lower security rated prisoners. Instead, it changed the classification system, supposedly the product of long labor by expensive experts, to allow almost anyone to be classified as level 6. It then issued an edict that prisoners could not have their custody levels lowered while at Marion, further limiting what incentive there might be to refrain from responding to the lack of options with misbehavior (*The Marionette* July, 1986).⁶

The Marion lockdown is not the last resort response to deprivations by prisoners that culminated in three deaths in October of 1983. Circumstances and documents discussed above as well as in a document cited on ABC national news magazine, *20/20*, show that it was being planned much earlier. Marion is not the 'humane incapacitation' that is claimed, as illustrated by the violation of many of the United Nations Standard Minimum Rules for the Treatment of Prisoners and the condemnation of its practices by Amnesty International. Marion is not simply a 'concentration model' either, although it does operate as such in some respects incidental to its *real* function. If people at Marion are not all the nasties alleged and there are nasties not at Marion, there is no concentration. It is not merely a 'high security operation' because the repression goes well beyond what could be reasonably related to security. It is not behavior modification because that term implies that objectionable behaviors are being replaced with more desirable ones. Marion is a fully destructive environment with no hint of something constructive. It is not only a 'mind control' prison, although developing the means of exercising psychological influence over people is part of its intent. The effect of Marion is mental impairment and a decrease in the stability of its victims that makes them more unpredictable and less controllable. They may then be akin to human mines that can be aimed, at least, and, perhaps, more than vaguely. In this way, they are useful for bureaucratic purposes such as increasing the probability of acts that will engender community revulsion, anti-crime hysteria, and political support for policies of repression. But specific control is undermined. Marion is a laboratory for experiments in social manipulation and control.

Political Rationale

The laboratory analogy serves to illustrate the rationale for the perpetual lockdown, and such an analogy is most strongly indicated by the evidence, incidental benefits to prisoncrats in other regards notwithstanding. Whether or not that was the original intention of all the engineers who crafted the lockdown, that is what officialdom ultimately implemented and that is the current reality. The US ruling class sees on the horizon increasing dislocation and discontent as the crisis of

capitalism deepens and its pains for the populace become sharper. It will need a larger apparatus of repression to deal with the resultant situation in the future as it increasingly fails to provide acceptable social conditions. That accounts in large part for the disproportionate anti-crime hysteria and expansion of the US Gulag Archipelago at present. It will need more police to serve as occupying armies in poor and working-class communities and to protect its institutions and privilege. As well, it will need more prisons with which to threaten and disorganize people resisting their exploitation, and courts with which to criminalize them and legitimize their suppression.

Fear of real and imagined crime provides the support for expansion of the direct, physical means of class domination. It is also instrumental in dividing people along race and class lines and fragmenting their communities. It engenders psychological acceptance of the continuing presence of the ruling class and its apparatus of control in communities in which they exploit and oppress but do not live. This acceptance is an illustration that the ruling class needs psychological control even more than physical control. No amount of physical repression can indefinitely sustain minority control without a well-developed system of psychological manipulation. Physical power alone cannot even always guarantee it temporarily (yet), as the 1988 uprisings in the Liberty City and Overtown sections of Miami demonstrated. And they were unorganized. People are increasingly seeing through the current American mythology of prosperity for all, belief in which has been maintaining the status quo. The ruling class sees them seeing. Hence, it is researching and developing not only the physical means of repression but the more crucial psychological ones as well, the software to go with the hardware.

Enter the Marion lockdown and other maximum restriction control units that incorporate similar experimental oppression. At these places, the people seemingly most immune to external programming are singled out for attention. Many are at least somewhat protected by what to them are clear, principled, and sustaining belief systems. Others are possessed of strong habits of resistance to mental pressure or are psychologically calloused. Being intractable, in the sense of resistive to authority, is the most relevant criterion. If such people can be induced to surrender tightly held sets of principles or who can be otherwise rendered malleable, that is valuable information to the agents of oppression – much more valuable than the maltreatment of a relatively few prisoners. These are the same types of attitudes from which community activists, guerrillas, union organizers, and other mobilizers and practitioners of resistance spring, attitudes that allow such people to persevere as economic and social conditions deteriorate and become more dangerous. Such attitudes are exceedingly threatening to the owning and exploiting class.

Political prisoners of the radical left make particularly good test subjects in this regard because their operating principles are less susceptible to attack due to their rationality. Those ideas are also most threatening to the hierarchy and are most likely to be either held by or seem attractive to the people who will increasingly populate the prisons. Prisoners belonging to other groups, that adhere to more or less consistent codes, also provide grist for the Marion mill because results with them are often similar and/or translatable. The same is true with respect to information garnered from other prisoners in neither category who frequently correspond in malleability, interests, outlook, and common types of rebellion to segments of the population the ruling class will need to control with new weapons in the future. These others can also serve as both experimental control subjects and as camouflage for the experiments.

While repressive models such as USP Marion and the control unit for women at Lexington, Kentucky (now closed with its 'mission' transferred to a new dungeon at Marianna, Florida), experiment directly on their victims, they are also working on their victims' communities. Deprivation of connection to the community can injure the community as well as those isolated from it. By allowing 'crime' to be handled by the removal of its members, the community becomes more dependent on outside authority to solve the problems of crime largely created by the social structure enforced by that authority. That contributes to polarization, isolation, and suspicion within the dependent community and it helps to create identification with the occupying forces. Thus the ability of the community to organize against its own exploitation and oppression is undermined. In addition, the community loses some of its members who demonstrate the attitudes and capacity for resistance to an unjust social reality through rebellion, even if the rebellion is not always conscious or appropriate. They are returned with attitudes divergent from those of the community further inculcated and/or reinforced. The experimenters then obtain information on the efficacy of the removal versus other controls. The removal also constitutes a warning and a threat to those remaining who would resist, be it conscious and overt political action against the status quo or in unconscious reaction to the social realities of oppression. Further, an established practice of removal allows control and criminalization of unrest directly via arrest and release without respect to actual criminal action. All this applies whether the community is on the streets or in another prison. And there is always the pain, discouragement, and demoralization inflicted by personal separation and the attendant economic loss. The apparatus is interested in these external effects of the enhanced isolation of prisoners in dungeons like Marion, too.

Psycho-Social Effects

The impact on prisoners of lockdown laboratory Marion most clearly reveals its experimental mission. Prisoners at Marion are first stripped of virtually all control over their lives. 'Taking all their decisions away' was specifically mentioned as official policy by Marion Warden Gary Henman in a BBC radio interview (Wheeler 1988). To this atmosphere of complete lack of control, the constant and visible threat of force is added to enhance the insecurity. That insecurity is further compounded by the complete uncertainty of existence. US prisoners possess many rights, but none of them are sure for any individual at Marion. No one knows when he will be accused of some real or imagined or fake rule violation or when any other aspect of his life will be suddenly attacked by official action. These attacks can range from minor irritants to beatings and chainings.

The stress can become so severe that prisoners have been known to fly into a rage over having an official merely standing in front of a cell and looking into it. Such responses to such seemingly little (i.e. being the object of unsolicited official scrutiny) are symptomatic of the extremity with which the threat is perceived by prisoners. One might endure such conditions by creating a psychologically separate and secure niche of, say, study or some other connection to reality beyond Marion in the seeming solitude of a cell; however, no one is permitted to escape from the insecurity in this way. Officialdom pursues prisoners into the very corners of their existence with myriad arbitrary demands that may be made at any time and have unknown consequences. Capricious orders to do (or not do) something inane can come to appear – even when they are not – as harassment or personal insult, intended only to be demeaning without purpose except as a gratuitous demonstration of power.

Most people are unaware of the character of these intrusions as direct or indirect experimental stimulation, but that only enhances their impact. With such basic needs as those for security and control of one's life going unmet, such invasions can break into a prisoner's consciousness with a stab of anger and resentment that can linger a long time after removal of the stimulus while disrupting constructive thought and action. These invasions are damaging. They can elicit a reaction that can only be self-destructive or they can force the prisoner to internalize the anger, frustration, and resentment for which there is no ameliorating release. The incessant repetitions of these intrusions – often made even when prisoners are asleep – are cumulative and escalate the level of tension both individually and collectively. Such conditions 'shape behavior toward violence by accentuating frustration, rage, and helplessness and the violence is either directed inwardly or outwardly' (Rubin 1973).

The effect is multiplied by the extent to which it prods prisoners into attempts at self-policing. In order to avoid the intrusion and its psychological and physical consequences, many prisoners try to figure out – not always consciously – what will attract official interference, reasonable or not, and to eliminate those things. This can be extremely stressful because it requires acceding to the unreasonable and bowing to adversarial pressure – doing ‘the man’s’ job – without being specifically required to do so. And it is often not possible due to contradictory and changing demands. Attempting to anticipate also means that invasions of official unreason can occur at any time, even when no staff member is present. The imposition of this pressure without any apparent behavioral goal, let alone one readily discernible to prisoners, is what robs the Marion regimen of a justification as behavior modification. When asked how to resolve the dilemmas or for explanations that would at least make the requirements understandable, staff members merely shrug and insist that the rules be obeyed or refer the person elsewhere. Constant confrontation with the double-wrong non-choices exacerbates the uncertainty, insecurity, and the stress that these engender.

Guards, too, are made the victims of similar manipulation as they are also subject to Marion experimentation. Supervisory staff, usually above the custodial level, pressures guards to pressure prisoners for frivolous reasons. Although many guards are conditioned to identification with the hierarchy and desire to climb, others are just in it for the money and security. Both try to eliminate cause for intrusion into *their* psychological comfort zones by trying to anticipate the whims of the hierarchy. The former try to be right with ‘massa’ and the latter try to avoid being wrong with ‘massa.’ But doing so constantly faces them with having to carry out unjust acts of repression with no reasonable relation to any legitimate penological objective in exchange for a salary, a sell-out to all but the most zealous. This pressure, the agent of oppression syndrome that stems from it, and the extent to which the deeds it demands undermine guard notions of their professionalism are much more the cause of the stress in guards than the administration attributes to the supposed dangerousness of prisoners. The experimentation on guards also seeks to determine how to counter these problems and their impairment of minions’ and henchperson’s zeal. Such knowledge will have even more application outside, when members of the same class and community are pitted against one another. The tactics tested on guards include anti-prisoner propaganda and agitation, identification with the guard/BOP gang, material incentive, and intimidation.

Whether for guards or prisoners, the least stressful response is to try to move through this situation so incapable of analytical rationalization without thinking about it and to depersonalize the class brethren

between whom the ruling class has chiseled a line that can only harden in the circumstances. But that is not always possible and certainly not desirable. Undoubtedly, staff members are aware that they are being manipulated, albeit in varying degrees according to their ignorance, unconsciousness, and programming. But that only enhances their perceptions of lack of control, their desire to show some, and the need to seek release, even at the expense of prisoners. That desire seems to increase with altitude in the hierarchy where it seems to become more and more important to appear to other climbers of the ladder to be running something, to be in control of as much as possible, to be operating more than operated.

The assault on prisoners of lockdown Marion continues with the deprivation of work, education, recreation. At USP Marion, there is no work for the vast majority of prisoners. Only a relative few in the pre-transfer unit have jobs – and even they are forced to work on military contracts rather than productive projects. Working prisoners are the victims of all of the exploitation suffered by outside workers subjected to unfettered capitalism: speed ups, poor and hazardous working conditions, threats of retaliation outside the job for job performance, forced overtime, low pay, insecurity, and so forth. Thus, the work experience is not what it could or should be, even where it is not completely withheld.

As mentioned above, there is no substantive education to fill the work gap because, claim staff members, there is no budget. Given the demonstrable benefits of education, at a prison that spends substantially more per prisoner than any other federal prison and over twice the federal average, that excuse is equine excrement. It is also contrary to the notions of security advanced by officialdom because prisoner intellects absorbed in educational pursuits are not being applied to endeavors that might undermine prison security and that of the communities into which they will eventually be released. Recreation is needlessly limited, too, and, in some instances, discouraged, diminishing the benefits prisoners can reap from the meager activities that are permitted.

It is through activity, primarily work, that people satisfy their need to feel some sense of self-worth, competence, and accomplishment. Occupational roles also provide for a sense of identity. Education is intimately tied to this equation. It adds to one's capacity to work, to accomplish, to contribute to the community, and it also provides the satisfaction of accomplishment and knowledge in itself. It allows a person to better understand and deal with his or her world outside of a narrow and parochial existence and to be more capable of making rational assessments of it. It helps to create a community consciousness, awareness, and appreciation of the knowledge and values that sustain a society. It breaks isolation and the errors of ignorance.

Nevertheless, both meaningful work and education are denied to USP Marion prisoners, allegedly due to the dictates of security and expense. It is said that Marion is not designed for and does not have the facilities to permit such opportunities; it would be too costly to change. The case is similar with recreation. Given the many work, educational, and recreational possibilities available (even within the context of the lockdown), the denial is an absurdity. Work, education, and recreation, however, are not compatible with Marion's mission of social experimentation. These activities might empower prisoners, making the desired results difficult or impossible to obtain.

The results that are obtained by the deprivation of work and education are another condemnation of Marion. Further negative socialization of prisoners is one such result. In the Congressional hearings on Marion, psychologist, Frank Rundle (1984), described this effect of long-term segregation as 'progressive desocialization.' The denial of a sense of self-worth, of productivity, of usefulness in some effort of value to the individual and the community creates a perception of personal valuelessness that encourages prisoners to view others similarly. People who feel themselves to be of little value and have no feeling of security of person or property (contributing to worthlessness in a property based society) are inclined to have fewer inhibitions in their treatment of other people and things. This amounts to one less social safeguard for members of the community against deliberate criminal victimization by someone in whom the legacy of Marion pressures contributes to unconsciousness, carelessness, or a psychotic incident.

Prisoners are also impelled to seek elsewhere the self-value and satisfaction of accomplishment they are denied through work, education, recreation, other constructive endeavors. This usually translates as developing the skills of 'jailin', developing knowledge or skill in the felonious arts, or developing associations with others who have value in the prison society, not always for laudable attributes. These things, as well as a frequently distorted sense of honor, become what are valued and pursued, also to the detriment of both prisoners and community. This is where desocialization becomes actively negative socialization.

At Marion, the extent to which the skills of prison society can be developed is limited in practice but exaggerated with respect to attitudes. Self-aggrandizement is forced to take on a more negative aspect. With very little a person can do to feel competent and valuable via dynamic accomplishment, there is an enhanced tendency to try to attain those feelings through static condition, as well as a heightened sensitivity to real and imagined affronts. That means the encouragement of stronger identification with people with similar inherent and artificial, pseudo-inherent characteristics (race, region, religion, gang, etc.), greater exaltation thereof, and harder lines drawn between people having different ones. Within these groupings, there is an increased impetus

to denigrate 'outsiders.' By attributing such faults, the social position of the denigrator (and/or those not sharing the characteristics being denigrated) is raised relative to the victim. This occurs with non-characteristic actions and attributes, such as ball-playing proficiency. Tolerance for diversity is crushed by Marion oppression. Thus Marion victims tend to develop a habit of looking at people generally in a negative manner instead of positively or neutrally. To be hard, tough, and unfeeling becomes a desirable goal and emotional response is impaired by pursuing it. This pushes prisoners further from desirable social norms and strengthens identification with 'the element.' All of this is in addition to the fact that the deprivation of work and education leaves prisoners without the social and occupational skills necessary to survive in a society where every aspect of existence is not controlled by someone else (Rundle 1984).

There is very little to counter the deleterious effects of this regimen of psychological assault, even to the limited extent that such counters are possible. Community involvement is one possibility. Although the BOP does acknowledge the importance of family and community ties, and while sometimes the BOP lives up to the paper policies designed to facilitate the maintenance of these ties, Marion practice is a deliberate impediment to them. Arbitrary harassment rules that change whimsically are imposed on both visitors and prisoners. Visiting conditions are made so artificially difficult that many prisoners do not want to subject themselves or their visitors to the humiliation and emotional trauma. Even for the few prisoners who have some skill at written communication, the non-visit contact with the outside is generally insufficient to maintain positive relationships over time. Access to the community more broadly is even more limited. There is no way for prisoners to be exposed to the elements of community life, let alone develop (or maintain) connections with a particular one.

Be they with an individual or a community, relationships are dynamic and not static. They are predicated on practice, on interaction. People and communities change over time. When they change in isolation from one another, they tend to diverge, to grow apart from previous points of sharing. This is not necessarily a negative fact, just a fact. Even in the case where a relationship does not deteriorate, it becomes a smaller and smaller part of the consciousness of the people involved. The passing years of non-contact contribute to total mental accumulation and the people are conditioned by their respective experience. For prisoners isolated at places like Marion, this means being increasingly divorced from their loved ones and communities beyond the walls. It also results in their being denied satisfaction of their human needs for affiliation with something outside the individual – identification, acceptance, and affection. But prisoners without the emotional and psychological support of outside connections tend to be easier to manipulate and better experimental subjects in the Marion laboratory.

This separation by itself is contrary to the goal of reintegrating prisoners into society. People are more willing to exploit and oppress where they feel no sense of identification or connection. But it is more than just that. People will seek to satisfy their needs to the extent possible in whatever circumstances they find themselves. For prisoners forcibly deprived of their families and friends and an outside community – especially but not only those in conditions as oppressive as Marion’s – this means satisfying social needs with other prisoners as much as possible. It is only from other prisoners that prisoners will get any mutual aid or understanding in real time. A kind word, a few cigarettes, some conversation, sympathy, support against threats – the range of human interaction possible under lockdown, magnified and intensified by those very conditions - all can be of the utmost importance. And these present only the most obvious aspects of prisoner association.

None of that personal support comes from prison staff, set up by the administration as adversaries that exist across a hard and fast line across which only enmity and distrust can fly. There are no teachers, social workers, work supervisors, paralegals, health professionals, and so forth, from outside that, in other situations, might help bridge that barrier as much as can be within one of the most repressive institutions of this society. The presence of such people – and others – can also diminish the negative socialization of prisoners, because they serve as representatives of society who are not solely agents of draconian repression and they offer some alternatives to a strictly prison existence. But such presence is inconsistent with laboratory Marion; it would introduce too many variables and, perhaps, skew the relationship between the stick and its victims while drawing back the veil of secrecy.

Among the many islands in the American Gulag Archipelago, the result of this isolation from the community is most pronounced at Marion and its clones. Prisoners, particularly the ignorant, insecure, and those lacking in consciousness, have no choice but to identify with and seek acceptance by other prisoners. Not only are they drawn in that direction, they are also pushed. Because at a place like Marion, there are no other social endeavors through which to interact, prisoners are impelled to affiliations on the basis of irrelevant factors that are frequently reactionary or unproductive. These include, but are not limited to, ‘manhood,’ race, region, gang, and more broadly, the criminal element. Insecurity exacerbates this identification, not only for the obvious reasons, but also because these are characteristics of which a prisoner cannot be deprived. Insecurity also makes prisoners more susceptible to reactions predicated on feeling that the basis for that identification has been impugned. The complete lack of security of location or individual, personal association further aggravates the problem of identification with simplistic and superficial notions, primarily, and people, secondarily.

Clinical Psychologist Arnold Abrams said in 1973 testimony about Control Unit Conditions, which were then similar to but less onerous than those of present day Marion:

I would say that if we want to produce, to make animals out of human beings, that this is a perfect procedure for doing it. And that humanizing [prisoners] means affording them some human contact with each other, and in a limited way with whatever the rules permit, with the world outside. The more limited they are, the more animal like they will become in their behavior ... I think these men would continue much of the same behavior that they have been exhibiting, in turning against themselves, turning against others, other [prisoners], and then turning against the institution. I think this is an inevitable consequence of the kind of conditions they are afforded (Abrams, n.d.).

This is almost exactly congruent with the reactions and rebellion path of colonially oppressed people in relation to their oppressors (Fanon 1963). Fanon's investigation and analysis in that regard are directly translatable to prisoners, especially prisoners at Marion. Former BOP Director Carlson has disparaged the number of psychological and sociological authorities that have testified against Marion conditions in a variety of legal and legislative proceedings.⁷ However, the BOP has been unable to advance any contrary expert analysis external to the BOP.

Of course, all prisoners subjected to Marion-style repression do not succumb to these negative pressures, and those who do, do so in differing degrees and manners. Ability to resist and the extent of the stress inflicted vary. If they did not, there would be no need for experimental station Marion. There is also a counter-current to Marion oppression that works to engender a consciousness among its victims of their commonalty, their shared adversity, their shared 'us' status versus the oppressor 'them.' This stimulates development of some awareness of Marion in the larger political context. But this is an unwanted imperfection or defect in the Marion model from the point of view of its owners, so the counter-current and its effects are actively discouraged. For these and other reasons, the experimental outcome varies among prisoners.

Many prisoners have their own more or less coherent belief systems and, good, bad, or indifferent, adhere to them in a manner that is principled according to those systems. Such beliefs contribute to the psychological strength to resist oppression. Indeed, it is people with identifiable belief systems that are the particular targets of Marion experimentation. It is they who will best yield the data desired by the experimenters on how to manipulate, undermine, and destroy attitudes that become threatening – and on what variations may exist among those they encounter. That is what will increasingly put political prisoners at particular risk of Marion abuse. Unprincipled

criminal opportunists more easily squirm through the Marion labyrinth – it is not designed to catch them except incidentally and as camouflage for its less legitimate aims.

Nevertheless, whatever integrity a prisoner is able to maintain, the tension, stress, anger, frustration, debilitation, resentment, and other emotional load factors artificially and deliberately created at Marion do accumulate and do exact their toll. No one is totally immune, contrary to the arcane assertions of former Marion Chief Psychologist, Dr. Richard Urbanik. Individuals may survive more or less intact, but not better for the experience. A very few may improve themselves. When they do it is in spite of Marion rather than because of it. Improvement comes at a price. Moreover, what constitutes improvement is a very subjective determination: what may be construed as visible manifestations of improvement may be outweighed by the less visible (or ignored) damage and deterioration. Any growth on such shifting psychological sands is subject to collapse and reversion. No one leaves Marion conditions unscathed after any length of time⁸

Psychological scars, separation from people and community, negative socialization, debilitation, and stress may express themselves in a variety of ways ranging from the very minor to major explosions. The result can be seen in the daily life at Marion: people are put 'on the grit' by inconsequential things, the accumulation of small (and large!) psycho-cuts is manifested in neighbors who are irascible or otherwise unpleasant, health problems emerge, and various forms of misbehavior and hostility erupt. Sometimes, in order to demonstrate their humanity and power over something, prisoners feel compelled to assert some control over their lives, even if only momentarily, over something minor, and in a manner destructive of self and other people or things. Other times, prisoners just lose control and 'go off,' frequently in reaction to a minor irritant that constitutes the final straw. The expressions of psychological injury may be grotesquely public, or they may be sufficiently private to escape official attention. But the potential for the damage done by Marion to emerge in explosive expression does not end when the prisoner leaves Marion.

The damage done by Marion does not always express itself in a highly visible manner – extremes like suicide, murder, extreme violence, and insanity occur more at the fringes. For the majority, it is often expressed as a decrease in the quality of their lives and that of any community of which they become a part, most probably due to increased crime, diminished productivity, disability, or merely disconnection. A community is diminished by the impairment of its members. Unfortunately, no tracking of prisoners exposed to the abuses of Marion is likely to be done to verify the observations of Marion prisoners and those who live in the other prison communities in which they are visible. The results would contradict official claims about the effect and efficacy of

Marion. There is no way to accurately measure the losses or the range of disability inflicted by Marion. Former Marion prisoners are not going to be visible as victims of Marion in the community, further disguising the problem. When the impact is small, it will be overlooked; when serious, up to the few deadly detonations that can be expected, it will be lost in the sensationalism and hysterical hyperbole surrounding the event.

Programmatic Exposure of Intent

Programmatic elements of USP Marion, and the apparent direction in which results are sought, serve to illustrate the true purpose of the lockdown. The experimental designs of the destructive practices of laboratory Marion are largely to see how and how far prisoners and, to a lesser extent, guards can be conditioned into an unthinking habit of knee-jerk compliance with not only the decrees but also the implied desires of any authority, no matter how unreasonable, without inducing reaction and defiance. Though such conditioning is obviously attractive to prisoncrats, the object is more the mechanism than the immediate result. One problem is that such conformity and dependence is not consistent with any progressive society that relies upon the initiative of its citizens. To the extent that people need some ability to be self-directing in order to get by in a free society – whether former prisoners or otherwise – they are not going to be able to do so according to its norms when conditioned to be unreasoning automatons.

Moreover, while this experiment in social programming intends to succeed in breaking some prisoners into thoughtless malleability, its more common result is more dangerous. Along with a partial breakdown of the person, it creates the awareness that power is the only reality. In the face of power, one grovels, however obsequiously; when power's eyes are averted, one follows whatever random impulses one may find attractive. It also creates an impetus to retrieve 'face' or self-status as an adherent to some principle. The possible detonation of the cargo of stress borne by Marion's victims makes this conditioning even more hazardous.

There is no other reason for the deliberate creation of uncertainty, insecurity, and disability among prisoners than that they are being made victims of some arcane experimentation in furtherance of counter-insurgency capability currently described as low intensity warfare. There is no other reason to exacerbate the very problems that are purportedly being resolved by the Marion lockdown. It would be no problem to give at least rudimentary hearings to prisoners prior to consignment to Marion and to establish specific duration for the 'program.' Existing rules would allow the lockdown (and/or the many other lockups) to fulfill its alleged functions without the indeterminacy feature. But establishing even such limited criteria would provide some

small amount of security and sense of control that would impede or prevent the desired test results. It would also inhibit the investigatory and undermining assaults on political prisoners and others with belief systems strong enough to require more time. And it would make the use of Marion as a warehouse, or as a weapon against specific people, more difficult to hide.

The value of education is so obvious that a reasonable person would expect it to be encouraged, even if, within the lockdown, it meant correspondence courses, closed circuit TV, and teachers who frequently walk the cell ranges. But that would allow the development of some self-sufficiency and confidence and a transport beyond the sick banality of Marion that would improve prisoners' ability to resist psychological encroachments. The same is true of expansion of opportunities for visiting and other contact with the community. All these things would increase community involvement and undermine the 'worst of the worst' propaganda. Such improvements would also enhance intellectual and emotional connection while facilitating identification beyond the individual and capability. The same applies to work, education, and even congregate activities between prisoners. But that makes mental infringement more difficult, leaving less to attack and more with which to resist.

All of the groundless deprivations reinforce objectionable attitudes by making them the only ones possible given the circumstances. The negative socialization inherent in an experimental program like Marion should be something that any prison administration would be desirous of avoiding, especially one with the resources of the BOP. But Marion deliberately encourages pernicious processes to the detriment of both the prison system and the society it supposedly serves. Doing so yields information about the dynamics of interaction in oppressed and exploited populations and how to thwart progressive motion therein. As former Marion warden, Jerry Williford, noted over five years ago, the costs are ones the BOP is willing to accept.

That there is some ulterior motive in maintaining the lockdown and its experimentation is further supported by the administrative denials and diversions of attention from these psychological and social ramifications of the perpetual lockdown of USP Marion. Other benefits to the repressive apparatus being incidental and secondary, the only reward that is capable of transcending the political, social, and economic costs of maintaining the façade is the acquisition of experimental data that will further ruling-class control inside and especially out.

Secondary Goals of Lockdown

A likely secondary goal of the Marion lockdown is the manipulation of prisoners through the conditions of their confinement . At the time the

Marion laboratory was being engineered, what later became the 'Omnibus Crime Control Act of 1984' was in its developmental stages. As originally envisioned, it included a 'Sentencing Reform Act' that would have drastically limited plea bargains, disparity in sentencing, parole, most good time, and the discretion in granting and denying remaining good time. It has not turned out to be the reform originally envisioned, the ilk of judges and prosecutors being loath to accept any such usurpation of their power. But when it appeared that the law might be enacted as planned, the apparatus needed some new mechanism to coerce accused persons into pleading guilty without time-consuming and expensive trials and appeals, to pressure people into informing, and to increase the penalties for crimes against the ruling class and its institutions. The US Supreme Court decision of January 1989 upheld the current version of the new sentencing law and the continuing authoritarian drift of the US government. However, it has left that need (albeit a reduced one) and desire intact. Coercive instruments, once fashioned, rarely go away by themselves.

Marion conditions help make the prison apparatus a more potent weapon from initial contact (arrest) by aiding in the attack on the individual presumption of evidence that supposedly exists under US law. The 1984 act allows indefinite pretrial detention without bail on the basis of the alleged dangerousness of the accused, the same rationale allegedly used for relegation of people to Marion since 1983. Coupled with legal doctrines such as that permitting the use of 'smuggler's profiles' that allow people who bear some resemblance to people who have been found smuggling over time to be detained and searched, this was another step toward legitimizing the handling of people according to group characteristics and stereotypes rather than as individuals. Marion sets precedents that allow prisoners to be punished individually because they are among the group prisoners. That group also includes – and will increasingly include – people who did something displeasing to authority but not criminal. The Seventh Circuit Court of Appeals decision of July 1988 in the Bruscano class-action lawsuit describes Marion conditions as 'sordid and horrible' and 'ghastly' but justifies them on the basis of bad acts allegedly perpetrated by a small minority of then Marion prisoners in 1983 (*Bruscano, et al., vs. Carlson, et al.* 1988). It goes on to say, again, that the BOP has complete freedom to send *any* prisoner to Marion, any time. And if prisoners can be abused for being part of a disfavored involuntary group, so can anyone.

Conditions of confinement also provide a vehicle for pretrial coercion of prisoners. There is a drastic difference between, for instance, the prison camp at Eglin Air Force Base in Florida and USP Marion – indeed, between USP Leavenworth and Marion. Nevertheless, the courts have held, in essence, that confinement is confinement and the

BOP can put its prisoners *anywhere*. The difference between a sentence to be served at Marion and the same sentence at another prison is substantial and can fulfill the desired functions of coercion and punishment. Marion has already been used in all these respects. These functions are also indicated by the many needless restrictions and harassment unrelated to any legitimate penological objective.

The BOP has also used conditions of confinement as a threat in order to induce conformity, informing, and collaboration among prisoners already committed to its custody. This appears to be more openly the case at minimum security prisons and camps. In maximum security prisons, it has also been used, though less overtly. In all cases, security or administrative reasons are generally, almost exclusively, what is cited on paper for transfer to worse conditions. In this context, in a speech at Southern Illinois University shortly before his retirement, former BOP director, Carlson, called Marion 'the ultimate sanction in the prison system' (Carlson 1987; The Marionette 1987; Kamka, et al.).

In co-operation with the Parole Commission, the BOP has been better able to manipulate prisoners through the use of 'clean time.' Most federal prisoners sentenced under the old sentencing law are accorded eight to ten days per month off their sentences in 'statutory' clean time that can be taken away for violations of prison rules. That gives prison authorities a powerful coercive instrument, especially as clean time accumulates. Moreover, whether to release a prisoner between her or his parole eligibility (after one third of sentence for most old-law prisoners) and the expiration of sentence (usually two thirds of sentence for most prisoners with old-law sentences plus whatever clean time has been taken) is up to the Parole Commission, a decision upon which prison authorities have substantial influence. With clean time cut under the reform to a maximum of 54 days per year that cannot be rescinded after being certified each year, and the abolition of parole, conditions of confinement become increasingly more important as a tool of control as prisoners with new-law sentences supplant those sentenced under the old.

The evidence, however, indicates that control through conditions of confinement has not been very effective and has entailed adverse consequences in maximum-security prisons. The same is likely true of lower-security prisons, although the effects are less visible owing to the different characteristics of the prisoners and different degrees of repression. Indeed, the ineffectiveness of conditions of confinement as a deterrent control mechanism, despite all the existing holes, segregation units, adjustment centers, intensive management units, and so forth *ad nauseam* is what supposedly led to the Marion lockdown and justifies its continuation.

Bureaucratic self-preservation is another consideration that undoubt-

edly entered the minds of prisoncrats in creating dungeon Marion. The more fiendish and nasty prisoners are purported to be, the more of them there will be, the longer their sentences are likely to be, and the larger and richer in employees (constituency) and money the American Gulag Archipelago will become. Lockdowns such as that of USP Marion have mysteriously metamorphosed into permanent 'high security operations' and have demonstrated a propensity to proliferate at an alarming rate. They are expensive, giving prison officials power over increased resources. They facilitate the exclusion of the community. They also raise the notion of security to the level of holy writ and lead courts to confer on prisoncrat unconscionably broad discretion to carry out destructive repression in virtual secrecy. Staff-to-prisoner ratios range from two to four times that of other prisons. More guards also means more administrators, and greater job security. In addition, creation of destructive models of imprisonment insures the expansion of behavior that will increase recidivism and justify yet more repression. That translates as increased security not only for the prison bureaucracy, but also for the rest of the civilian apparatus of repression, in this country called 'the criminal justice system,' more accurately the first line of ruling-class defense.

Summary

That these unstated functions of the Marion lockdown are, in fact, the real ones is borne out by the poverty of administrative claims regarding Marion. It is not only the 'violent and predatory worst of the worst' that are sent here, and prisoners are not being humanely incapacitated. Even if they were, while people locked away in almost complete isolation may be temporarily unable to do much contrary to 'security,' it is apparent that the longer-term costs for both security and the community, not to mention the prisoners, cannot be justified by that meager result. Nor do administrative contentions about how the lockdown has decreased violence in other prisons bear scrutiny as editions of 'Sourcebook on Criminal Justice Statistics' since the lockdown was imposed and other evidence attest (e.g., Horgan 1985).⁹ Verily, lockdown conditions tend to aggravate objectionable behavior. Instead of allowing other state and federal prisons to be operated in a more open manner, according to official mythology, circumstances indicate that Marion has been a ball and chain that drags them toward its repressive extreme. And the fact that Marion and its clones go beyond concentration, humane incapacitation, security, or even mere efforts at coercion or graft enhancement show that, despite official claims and denials about Marion's functions, it is the experimental function that is primary.

It is probable that there are no official documents that will ever become public that definitively discuss the creation of a laboratory for

experiment in social manipulation and control at USP Marion. It is also probable that no hard evidence will be revealed that can demonstrate an intent also to have it fulfill all of the secondary tasks discussed herein. Posterity will likely be left with only discredited disinformation from official sources. Indeed, it is hard to pinpoint exactly who the architects are and exactly where in the hierarchy awareness of the true realities of Marion begins. Only after the practical collusion of prisoncrats has rendered Marion-style oppression part of the culture of penology will any attempts to legislate for or against it be made.

In 1962, then BOP director, James V. Bennett, spoke following an address to prison wardens and sociologists about brainwashing. He described the BOP as a tremendous opportunity to carry out experimentation and research through the manipulation of the environment and culture and by implementing the techniques that had just been discussed. He said that there was a lot of research to do and exhorted his henchpeople and underlings to do it as individuals and report back the results (Marion Prisoners Rights Project).

These tasks were undertaken and are carried on today. The central authority acknowledges the minion experimenters' value with promotions (virtually all upper-echelon staff leave Marion with promotions, and turnover is rapid) and undoubtedly other bureaucratic signals the public never sees. It is in this way that the power of those who do what is desired is enhanced, their practices are set up as the ones to emulate, and they are given authority over the less zealous or otherwise divergent – bureaucratic darwinism.

Who of the agents of oppression deliberately follow the ordained path in full cognizance of, and belief in its true elements and intent; who conform to it, merely as career advancement; and who follow out of real acceptance of the official mythology remains largely a matter of conjecture. So will, for the most part, who among the denizens of the BOP are, on balance, manipulators or manipulated, and at what point they become one or the other. But it is not necessary to precisely finger all the individuals who are the sources of the theory in order to recognize the practice as an instrument of class control.

This analysis has been only a superficial survey of the present state of affairs at USP Marion. It has focused mostly on the more abstract elements of motivations, contradictions, and psychological consequences, because it is these that have assumed primary importance. Chief Judge James Foreman (1981) of the Southern District of Illinois noted in a Control Unit case that 'modern methods of penology make the rack and the thumbscrew obsolete,' and that all of Marion is now a Control Unit. Psychological manipulation is also key to controlling the political reality beyond prison walls, and to aid the ruling class in using the intangibles thereof. USP Marion is an instrument of oppression in

addition to its incidental, secondary functions. This brief survey of these ramifications of Marion for both prisoners and the larger society has been necessarily superficial: the topic could do with volumes of exploration. However, it has been possible to provide a glimpse of an official stick that can help we, the people, to dodge it in our pursuit of the most equitable social reality.

CONCLUSION

The lockdown of USP Marion was not a professional response to the killing of two guards in the Control Unit in October of 1983 or to an even less-articulated emergency situation. It had been planned long in advance of the imposition of the state of emergency on October 28, 1983. Documents and circumstances indicate that the BOP intent was to turn all of Marion into a control unit irrespective of other events. Steps in that direction were being taken as early as the 1979 accession to power of Warden Harold Miller. These included the beginning of elimination of work for prisoners and needlessly increased harassment and restriction that prisoners resisted peaceably. They proceeded with artificial deterioration of conditions that started with the complete elimination of work and most educational and other opportunities for prisoners and escalated into the imposition of an indefinite semi-lockdown. In the process, officialdom sought to cut prisoners off from legal and community support.

The pressure on prisoners induced by Marion and aggravated by these semi-lockdown conditions was intense. The BOP and Marion administrations escalated their public relations war of vilification against prisoners in an effort to blame them for the counter-productive policy of increasing oppression. They used selected facts, sensationalism, distortion, and disinformation to create an impression of incipient riot and takeover at Marion. Finally, the occurrence of incidents that could be advanced as justifying a 'state of emergency' – despite warnings that could have prevented them – was used to justify the imposition of the planned, permanent lockdown. A reign of terror replete with imported goon squads, massive brutality, intimidation, and destruction initiated the 'new higher security' control unitization of the prison. The terror only gradually tapered off in the following months. What was left was both qualitatively and quantitatively different than anything previous.

USP Marion is still a locked down prison where the United States uses expensive material facilities to cover up its deliberate abrogation of human rights. But it is not merely some atavistic, tough-guy approach to controlling recalcitrant prisoners through increased use of force, physical restraint, or psychological assault, all of which characterize USP Marion. It is a tool of political repression.

The repression is still carried out directly through infliction of severe

conditions on prisoners, some of whom are political, most of whom are third world, and all but a very few of whom are proletarian. It is also done less visibly but more dangerously through the use of Marion as a laboratory for social experimentation aimed at improving ruling-class ability to control the exploited and oppressed majority of people both within and outside prisons. Of that use and other secondary ones, the conditions are an element.

The BOP still denies the experimental use by insisting on other intentions and lying about the character and impact of Marion reality. Marion prisoners are not all 'the worst of the worst.' Conditions at Marion are more likely to reinforce and create objectionable attitudes and behavior than to have a positive effect. Marion practice also legitimizes draconian responses to exaggerated problems and the targeting of people according to group characteristics rather than individual actions. This is an outgrowth of experimental Marion.

USP Marion still poses a danger, not only for the prisoners, but for the communities upon which it feeds and into which debilitated and stressed-out prisoners with impaired social and job skills will be released – communities against which the information garnered in abusing them will be used. And the danger of this maximum restriction mania is rapidly expanding as new control units based on Marion-style repression are opened. 'Final solutions' always start with the use of special repression like 'concentration models' against small and particularly vilified minorities that are usually billed as something like 'useless eaters,' 'the worst of the worst,' or 'rotten apples.' But they never end there

NOTES

- 1 I read and made a few notes on *Southern Illinoisan* articles from 1980 and 1981, but I did not note the article titles or dates. [The reader is asked to allow for the incomplete citations, ed.]
- 2 Bureau Of Prisons (November 2-3, 1981) 'Program and Procedure Review, US Penitentiary, Marion, Illinois.'
- 3 Warden Jerry Williford (now Regional Director of BOP Western Region), 10 PM News, WSIL-TV, 26 February 1985: acknowledged mental deterioration of prisoners subjected to Marion conditions but said that was a cost the BOP was willing to accept.
- 4 'Memories Painful for Prison Guard' (April 8, 1984) *The Southern Illinoisan*. Fountain, C. (April 16, 1985) Letter to US Representative Robt. Kastenmeier.
- 5 US Court of Appeals for the Seventh Circuit Opinion in *Miller vs. Henman* [The reader is asked to allow for the incomplete citation, ed.]
- 6 On 31 January 1991, the six level system of custody and security classification was abolished and replaced by Program Statement 5100.3, *Security Designation and Classification Manual*. This reduces to four the number of security levels, emphasizes 'professional judgment,' and makes it easier for virtually anyone to be designated 'maximum,' the highest level. This action was obviously a further reaction to the bad press the BOP got as a result of having so few of Marion's victims classified high enough to require Marion by its own procedures.

- 7 Carlson, Testimony before Subcommittee..., 26 June 1985.
- 8 Rundle, Testimony before Subcommittee..., 26 June 1985.
- 9 Ms. Horgan calls Warden Williford to task for untrue statements and false conclusions on WSIU-TV program 'Inquiry' on 26 September 1985. Williford had claimed that assaults at other penitentiaries had dropped 44% in the 20 months after versus the 20 months before the lockdown; Horgan exposed the deliberate falsity of the claim with BOP statistics of which Williford presumably was aware.

REFERENCES

- Abel, et al. vs. Miller.* May 18, 1982. US Court of Appeals for the Seventh Circuit 'Unpublished Order.' Circuit Court Number 80-2848
- Abrams, A. Testimony in *Bono vs. Saxbe*, Southern District of Illinois number 74-81-E
- American Civil Liberties Union. June 26, 1985. 'Executive Summary of ACLU National Prison Project Testimony in the Sub-Committee on the Courts, Civil Liberties and the Administration of Justice,' Appendixes: Gordon Kamka
- American Federation of Government Employees, et al. March, 1984. 'A Report on the Worsening Day-to-Day Conditions Affecting Correctional Employees in the Federal Bureau of Prisons'
- Amnesty International. December 30, 1986. 'Report on the Prisoners' Lawsuit Against Marion Prison, Illinois, USA'
- Blaylock, K.T. March 29, 1984. Testimony before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the Committee on the Judiciary, US House of Representatives, Ninety-eighth Congress, second session.
- Breed A. and Ward D. October, 1984. 'The United States Penitentiary, Marion, Illinois: A Report to the Judiciary Committee, United States House of Representatives'
- Bruscino, et al., vs. Carlson, et al.* July 22, 1988. Seventh Circuit Court of Appeals Opinion, Seventh Circuit Numbers 87-1683, 87-1943
- Bureau Of Prisons. November 2-3, 1981. 'Program and Procedure Review, US Penitentiary, Marion, Illinois'
- March 5, 1985. 'Institution Supplement' (to Policy Statement) MAR-5220, 'Intermediate Unit Operations (C-Unit)'
- Carlson, N. March 9, 1984. Letter to US Representative Patricia Schroeder, Attachment A, 9
- March 29, 1984. Testimony before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the Committee on the Judiciary, US House of Representatives, Ninety-eighth Congress, second session
- May 2, 1984. Letter regarding Marion placement to build population
- April 15, 1987. Speech to 'The criminal justice community' at Southern Illinois University
- Cunningham, D., et al. January 17, 1984. 'A Public Report About a Violent Mass Assault Against Prisoners and Continuing Illegal Punishment and Torture of the Prison Population at The US Penitentiary at Marion, Illinois'
- Fanon, F. 1963. *Wretched of the Earth*. New York: Grove Press
- Fogel, D. March 29, 1984. Testimony before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the Committee on the Judiciary, US House of Representatives, Ninety-eighth Congress, second session
- Fogel, D. March 29, 1989. Subcommittee Testimony describing his research on history of corrections
- Foreman, J. September 30, 1981. Opinion in *Bono et al., vs. Saxbe et al.*, Southern District of Illinois District Court number 74-81-E, (Federal Supplement citation: 527 F. Supp. 1187 (1981))

- Fortune News*. 1984. 'Heavy Hand Comes Down in Marion,' Spring Fountain, C. April 16, 1985. Letter to US Representative Robt. Kastenmeier
- Haney, C. Testimony in *Bruscino, et al. vs. Carlson, et al*
- Haney, C. Expert Testimony in *Bruscino, et al., vs. Carlson, et al., #84-4320*
- Henderson, J.D. August, 1979. 'Marion Task Force Report'
- Horgan, N.E. October 4, 1985. Letter to Jerry Williford, Warden, USP Marion
- Kamka, et al. [The reader is asked to allow for the incomplete citation, ed.]
- Kolb, D.H., et al. June 29, 1984. 'Class Action Complaint for Declaratory Judgment, Injunctive Relief and for Damages, and Demand for Jury Trial,' in *Bruscino et al. vs. Carlson, et al.* Southern District of Illinois #CV84-4320
- Marion Prisoners Rights Project, 'Breaking Men's Minds' pamphlet
- Meyers, K. J. August 15, 1985. 'Magistrate's Report and Recommendation,' in *Bruscino, et al. vs. Carlson, et al.* (District Court for Southern District of Illinois number cv 48-4320)
- Peltier, L. April 25, 1984. Letter to US Representative William H. Gray III
- Ralston, G. January 23, 1984. Letter regarding Marion placement to build population
- Rubin, B. 1973. Testimony in *Adams vs. Carlson* (Federal Reporter citation 488 F. 2d 619, 7 Cir.
- Rundle, F. March 29, 1984. Testimony before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the Committee on the Judiciary, US House of Representatives, Ninety-eighth Congress, second session
- State of Illinois, 83rd General Assembly. November 4, 1983. 'Senate Resolution #384'
- Susler, J., et al. March 26, 1984. 'An Updated Public Report About the Continuing Lockdown and Torture of the Prisoners at US Penitentiary, Marion'
- The Marionette* . 1986. 'Custody Catch,' July: 5
- 1987. 'The Fat Lady Sings,' April: 24
- The Southern Illinoisan*. 1984. 'Memories Painful for Prison Guard,' April 8
- 1984. 'Most Dangerous Men, A Portrait of Inmates Who Kill,' May 25
- The San Antonio Light*. 1984. 'Prison Guard Union is Penned by Fear,' Feb. 5
- United Nations Minimum Standard Rules for the Treatment of Prisoners
- United States Bureau of Prisons Policy Statement 5212.1, June 1973
- United States Bureau of Prisons Policy Statement 5212.3, July 1979
- Unknown Title. 1983. *Chicago Tribune*, October 25
- Wheeler, D. 1988. 'Issues and Answers.' British Broadcasting Corporation, April 15