

PRISONERS' STRUGGLES

The ACA Accreditation Fraud *Dan Cahill, Muldoon, James Pryor, and Robert Woodman*

For more than five years, prisoners in Ohio and throughout the U.S.A. have been condemning the American Correctional Association (ACA) accreditation program as a sham and a fraud. In 1993, prisoners at the Madison prison in London, Ohio, issued the Ohio Prisoners Rights' Union (OPRU) position paper on the accreditation program. It stated:

ACA accreditation lends credibility to fraudulent claims by prison officials, and is used as a defence against lawsuits through false documentation. Prison officials claim that accreditation demonstrates a 'good faith' effort to improve prison conditions. In reality it's an attempt to mislead the public into thinking prisons have better living conditions than they really have.

Prisoners don't have access to the ACA accreditation standards and aren't involved in the accreditation process, and have no way to compel prison officials to comply with those standards.

Until prisoners are actively involved in the ACA accreditation process and have access to the ACA standards - the accreditation program must be recognized for the sham that it is. Prisoners and their outside support groups must fight the ACA accreditation program.

The OPRU position paper was distributed to all of the Citizens United for Rehabilitation of Errants (CURE) State chapters by Eunice McAllister of South Carolina. [CURE has recently become the Prisoner Advocacy Network (PAN)]. Ms McAllister also sent evidence and reports from prisoners across the nation to National CURE exposing the accreditation program as a fraud. The evidence compiled was presented at a workshop at CURE's national convention. Indeed, Little Rock Reed

and Ivan Denisovich had condemned the ACA accreditation in “the American Correctional Association: A Conspiracy of Silence” (JPP, 1995, Vol. 6: 2, pp. 21-40) as fraudulent and malevolent.

However, in National CURE’s Fall 1998 newsletter, CURE clearly supports and promotes the accreditation program. Dianne Tramutol-Lawson, Chair of Colorado CURE has even gone so far as to accent an ACA invitation to be Vice-Chair of the Volunteer Partnerships Subcommittee. Kay Perry, Chair of National CURE, is proposing ACA standards. CURE’s continued support of the ACA lends credibility to the entire fraud prisoners have been attempting to expose for years. On this issue, CURE is out of touch with the movement and much worse, is working against the prisoners they claim to be helping.

Prisoners who litigate on prison issues know first-hand how detrimental fraudulent ACA accreditation can be. When a prisoner sues an accredited institution, they are faced with a mountain of documentation as counterevidence in the court. To win, the prisoner must prove that the documentation and accreditation is false or irrelevant. If he/she fails to do so, the prisoner loses the case, and the conditions which led to the lawsuit remain unrepaired.

In *Reception Perceptions* (July/August 1998) a newsletter for the Correctional Reception Center, there was an article titled “What Is ACA?”. The article said accreditation is “... a defence against law suits through documentation of a ‘good faith’ effort to improve conditions of confinement, ... and enhanced public credibility for administration and line staff” It does not seem to matter that the entire process is a sham, or that the documentation is false.

The current president of the ACA is also the Director of the Department Of Rehabilitation and Correction (DORC), Reginald A. Wilkinson. Considering how much of the taxpayers’ money DORC spends with the ACA each year through the accreditation program, and the purchase of ACA literature, this appears to be a serious conflict of interest. The ACA is a special-interest group which represents those whose livelihoods depend on Federal, State and County prisons and jails. Is it any wonder that they lobby legislators for larger prison budgets to continue expanding the prison systems?

During October 5-7, 1998, the Orient Correctional Institution (OCI) commenced an ACA audit for accreditation. Prior to the ACA inspection, prison officials had more than 60 dump-truck loads of what

they called “junk and clutter” taken to the dump and thrown away. This “junk” consisted of hundreds of chairs, couches, filing cabinets, wooden and steel desks, unused office supplies and cleaning supplies, computers, keyboards, tape players, TV’s, unused medical supplies and wheelchair padding, walking canes, crutches, file card boxes, typewriters, bookcases and shelves. Some of this “junk” was brand new and still in the original boxes. Now prison officials are in the process of purchasing supplies and equipment to replace what was just recently thrown out!

The audit team consisted of three individuals, who spent 21 ½ days at this prison. Most of their time here was spent reviewing policies and procedures to ensure compliance with ACA standards. No effort was made to verify that policies and procedures were actually carried out! They ignored broken windows which were covered with plastic, and made no effort to determine if showers, toilets, sink fixtures, fire alarms, or lights really worked. They ignored sewage dripping from pipes in a dorm set aside for disabled prisoners, lack of ventilation and smoke evacuation systems, an inadequate water sprinkler system (in one dorm there is no sprinkler system), and extreme overcrowding. They ignored the condemned dorms with their crumbling foundations, cracking and buckling floors, and leaking roofs. They brought no instruments to check noise levels, and in many dormitories, they did not even enter the bed areas. In 2E dormitory, only one auditor inspected, spending less than five minutes in the dorm and checking nothing. He did not even have a clipboard to take notes! Moreover, several prisoners who had previously filed complaints with the ACA had an opportunity to speak to the auditors about specific problems. All the prisoners who talked to us about their interviews with the ACA reported that the entire affair was pro forma. In effect, the auditors were talking to the prisoners because the rules said they had to. The auditors really did not care at all what the prisoners with complaints had to say.

It was predetermined months before this audit that OCI would be accredited. For months guards and prison staff spoke openly in front of prisoners saying “The fix is in; we’ll pass the ACA inspection.” This was not hard to figure out since the DORC director is also the ACA president. But were problems actually addressed? No! Problems were plastered up and painted over, but not really fixed. So called “junk” (paid for by taxpayers or purchased by prisoners’ families) was confiscated and destroyed in order to meet ACA standards. However,

when prisoners tried to research what those standards were, they were denied access to ACA's published guidelines and standards.

One problem in 6E dorm was (and is) water leakage. A week after the auditors left OCI, part of the roof and ceiling in B-Bay of 6E collapsed from age, rot, and water damage. Only one auditor came in 6E and never checked (much less noticed) the conditions of the roof and ceilings of 6E. Yet OCI was accredited.

The purpose of this audit was to ensure that necessary documentation is in order. The ACA was not concerned about the fact that OCI does not actually comply with the ACA standards, so long as there is plenty of documentation which SAYS they are in compliance. Moreover, just to give one example, how did the paperwork, demonstrate the Quartermaster in compliance? OCI's Quartermaster does not furnish prisoners with adequate winter clothing (long johns, wool socks, water-proof boots, rain coats, adequate winter coats), and not infrequently runs out of socks and underwear. Yet the Quartermaster, like the rest of OCI, passed the accreditation. Did someone cook the books or were the auditors just not looking? This is the documentation prisoners must disprove in court if they attempt to bring about any improvements through litigation. Legislators will not force any reforms on a prison system that is ACA accredited. That is the enhanced public credibility the DORC refers to!

A prisoner who once possessed a copy of the OPRU position paper on the ACA accreditation program was charged with possession of contraband and gang activity, placed in isolation for almost two months in 1993, and has suffered many forms of reprisals over the past five years. Exposing this fraud is necessary if we ever hope to see any positive changes made in the prison system.

We know that by writing this article we may be subjected to reprisals. That fear keeps most prisoners from speaking out. Our efforts to expose this fraud, and to educate the public about intolerable living conditions are crippled so long as CURE, and people like them, buy into the ACA's lies and cooperate in perpetuating the accreditation deceit. Can we ever hope to convince the public? CURE is the nation's largest prison reform organization, and part of their mission is educating the general public and legislators about the inhumane conditions and corruption which is inherent in the prison system. In supporting and promoting the ACA accreditation program, CURE participates in the

oppression of more than 1.8 million people. CURE is out of touch with the prison reform movement and should give some serious thought to the concept of "solidarity." CURE needs to condemn the ACA accreditation program for the fraud it is, help expose such activities, and stop working against prisoners.

OCI will be accredited, along with all Ohio prisons. We stand by what we have written and challenge the ACA to prove otherwise! We also ask all thoughtful people on the outside of the fences to contact their legislators and ask them to stop accepting the accreditation lies from the ACA. Are your tax dollars well-spent by letting prisons and the ACA cover up serious problems with a blizzard of fraudulent paperwork?