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## State Calls Gunfire Against Inmates At Susanville Excessive, Unjustified

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Prison staff at the California Correctional Center in Susanville used "unjustified" force and "unnecessary" gunfire against inmates involved in a peaceful work stoppage Feb. 12, according to an official state report released today.

The 22-page report, by a 13-member investigative team appointed by state corrections director Jerry Enomoto last month, states that some prison administrators and guards acted improperly in their handling of the incident. Corrections officials say disciplinary actions — including possible firings — are planned against some prison staff.

"I can't tell you we will fire anyone," Enomoto said, "but I can't say we won't."

Ten inmates were injured — three by gunfire and one of those seriously — when guards at the remote medium-security prison fired as many as 117 shots at dormitories. The gunfire occurred during a staff maneuver to clear the dorms and halt a work stoppage called by inmates to protest prison "cleanliness" policies in the dorms.

"The preponderance of testimony indicates that the inmate body adhered to their resolve to remain nonviolent throughout the incident," the report states, "and that no major effort was made by them to either

leave the dormitories or to attack staff.

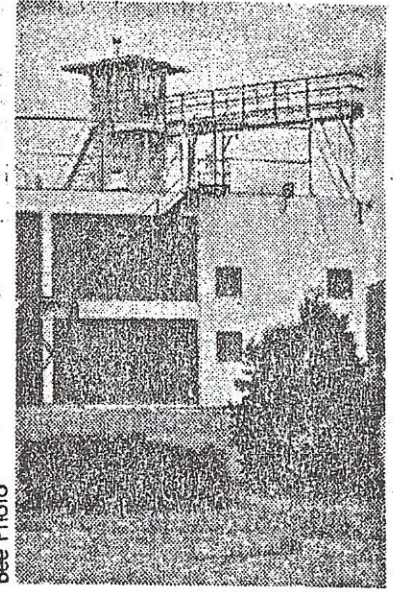
"Clearly, it appears that the firing in the direction of the housing units was both unauthorized and unnecessary."

Most seriously injured during the volleys of gunfire into the two major housing units — Cascade and Sierra, where 46 bullets were found lodged in the buildings, 12 of them inside — was 25-year-old Glynn Walker, a first-terminer from Orange County serving time for second degree robbery.

Ironically, according to officials, Walker apparently was not involved in the work stoppage. He reportedly was standing in his dorm when a bullet from a rooftop guard's Ruger Mini-14 rifle slammed into his right hip.

Walker has a metal plate and pin in his hip as a result and is receiving physical therapy at Washoe County Medical Center in Reno, Nev., where he was sent by prison authorities.

Two other inmates were less seriously injured by gunfire — one from shrapnel-type wounds in his neck and chest — when a bullet struck a television set in his dorm, and another whose head was grazed by a bullet. Both were treated at the prison hospital and released.



Bee Photo

Susanville prison: the tower

Seven other inmates were injured, according to the report, possibly by baton-wielding guards. Those injuries included one smashed finger which required amputation of the fingertip, three swollen shins, one broken hand bone, one swollen jaw and a swollen wrist. See Back Page, A14, Col. 1

# Susanville

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Before making the report public this morning, Enomoto met with officials of the three employe groups representing prison staff — the California Correctional Officers Association (CCOA), California State Employees Association (CSEA) and the Teamsters Union. Employe groups have said the Susanville officers acted properly in a potentially volatile situation.

Representatives of the three groups generally reserved comment on the report until they meet with attorneys and Susanville employes. They and corrections officials plan to go to the prison today to meet with prison staff.

Employe representatives said disciplinary actions will be taken by the department. "They cover the whole range," a Teamsters spokesman said, "from reprimands to terminations." Employe representatives said a large portion of the disciplinary actions are against administrators.

Enomoto involved more than a dozen of his top aides in the 13-day on-site investigation, which was begun after reports from prisoner groups and anonymous prison staff members that unnecessary force and gunfire were used. Heading the investigation was deputy director Walter Craven, former warden at Folsom Prison.

"The investigation was conducted in a professional and thorough manner," Enomoto said. "There was some poor judgment. We're damn lucky an inmate was not killed . . .

"When things like this happen, responsibility rests at all levels — from the man at the head of the line on down."

The "man at the head" in Susanville, superintendent Senon Palacios, was on vacation in Mexico when the incident occurred.

In charge during Palacios' absence was associate superintendent Clem Rice.

Before he went on vacation, Palacios told his staff he wanted the prison narcotics traffic — reportedly an increasing problem in the past year — stopped, and the dorms cleaned up.

The staff, in what Enomoto's investigators termed an "over-zealous" fashion, began to follow up on Palacios' suggestions. In nearly 300 interviews with inmates and staff, investigators found a "generalized feeling" among prisoners that "some personnel were too stringent and . . . standards were inconsistent, thus leaving the inmate body confused."

Assistant state corrections director Phil Guthrie, a member of the investigative team, said inmates complained that they were sometimes

awakened in the middle of the night for searches, or that some guards would enforce only minimal "dorm cleanliness" standards while others would be "G.I. Joe's" about keeping the place neat.

By Feb. 9, inmates were talking about going on a work strike to protest what they saw as unfair harassment by prison staff. Guthrie says the decision was pretty much unanimous and cut across racial lines.

That evening, the third, and final, shift of inmates assigned to training programs or work projects — less than a third of the inmate population — did not report for its assignments. Before it could be determined how many inmates would actually fail to report for work, the prison administration locked the institution down, officials said.

In retrospect, Enomoto says Sacramento administrators were not getting all the facts — although he says it is departmental policy to resolve problems at the institutional level whenever possible.

On Feb. 10 extra guards were added to the complement of four armed guards on the rooftops of the sprawling institution. Eventually, there would be 17 armed guards on the roofs. They were told to fire "as a last resort," and were given pre-arranged targets on the buildings.

On Feb. 11, inmates were allowed to meet again. That evening, they presented a 23-page list of grievances to Susanville staff. With the exception of a noisy but apparently uneventful disturbance surrounding the issuance of the evening sack meal — which the

investigators say may have contributed to the guards' general uncasiness — the situation remained calm.

On Feb. 12, acting superintendent Rice issued a brief memo to inmates which said efforts to resolve the situation "have not been completely successful." He said administrators would respond to the grievances in writing.

"At this time," Rice wrote, "it is necessary that the institution begin a return to normal operation. It is hoped you will give careful consideration to your personal goals in arriving at your decision. Your efforts to keep this work and program stoppage orderly are recognized. It is our hope that reason and good judgment will continue on both sides."

Investigators later termed the memo "ambiguous" and "confusing." In it, Rice said nothing about plans to send 10-man "tactical" squads in riot gear (helmets and batons) into the dorms to escort inmates to "classification" process/ings in which they would be given an opportunity to return to work or be transferred (97 were eventually transferred to other prisons).

About mid-day Feb. 12, the report continues, inmates were ordered by public address system and verbal commands to stay in their dorms and close the doors. The tactical squads assembled to clear the dorms. The armed guards watched from the roof.

Just before 1 p.m., the squads prepared to move first into the Cascade dormitories which housed more than 500 prisoners.

"Some confusion then developed," the report states. "The order to close the doors, which heretofore had been allowed open for ventilation purposes, coupled with the appearance of the two squads, understandably developed a curiosity among the inmate population which caused them to congregate in the doorways as a means of seeing what was going on."

"The preponderance of testimony from the staff and inmates indicates no large-scale exodus from the dorms occurred at this time; however, staff on the ground and on the rooftops, in their anxious state, interpreted this congregation and the attendant

movement, to be the prelude to such an exodus.

"Consequently, one of the gun officers . . . fired a warning shot. This was followed by a volley of gunfire which lasted approximately five minutes . . ."

After the gunfire, the squads continued moving prisoners into the classification area. "In the early stages," according to the report, "because the inmates were confused by the lack of forewarning and the abruptness of the action, their slow response evoked an unusual amount of physical force being exerted by staff to evacuate the dormitories."

In all of this, the report notes, "no incident was revealed wherein an inmate destroyed property or committed an overt act of violence against personnel. There were, however, several instances where members of the squads applied physical force in what the team considers an extreme and unjustified manner."

Any inmate resistance, according to the report, was in the form of verbal abuse against guards.

Around 2 p.m., the report continues, the squads moved into the Sierra dormitories, which housed about 400 men. "The same confusion set in," the report states, "and the questionable firing which had occurred just one hour before was replicated."

Investigators emphasized in the report that it is not "a general indictment" of Susanville staff, which they said largely demonstrated "efficient and proper" conduct. But, they added, "some mistakes were made . . . and these must be dealt with."

Enomoto said the report should not be interpreted as "lack of support" by corrections officials for line officers.

"The prison business is such that at times the shooting of weapons is necessary to prevent the loss of human life," he said. "This situation did not justify the use of deadly force, and directing weapons fire against inhabited buildings is deadly force."

"My concern is that the damn thing teaches us something."