

### **ALLEGATIONS OF ILL-TREATMENT IN FIVE PRISONS IN TEXAS**

*Amnesty International is concerned that prisoners in five prisons in Texas may have been subject to cruel, inhuman or degrading treatment and is calling on the Texas authorities to take steps to protect prisoners from such treatment.*

*In December 1994, it was reported that the Texas prison authorities were investigating allegations that some 30 prison guards had systematically ill-treated inmates in four Texas prisons. An internal prison memorandum, the contents of which were revealed in the Houston Chronicle and the Dallas Morning News on 20 and 21 December 1994, reportedly stated that cases of excessive force had quadrupled in the past year, and that this was partly due to the doubling of the state's prison population in two years from 50,000 to 100,000 prisoners, and the recruitment of young, inexperienced guards. The allegations, based on press reports and other sources, include the following:*

*In McConnell Unit (in Bee county), an organized gang of ten guards (identified by blue bandanas "to let inmates know they had unity") allegedly targeted inmates for abuse. Two guards were charged on 16 December 1994 with aggravated assault and tampering with witnesses for allegedly kicking in the head and punching of inmate, Willie Jones, in November 1994, and then getting other guards to falsify reports about the incident. One of the officers has been fired and the other has resigned.*

*Michael McCoy, an inmate in Terrell Unit (in Livingston County), was reportedly beaten to death by guards on 7 November 1994. Amnesty International has received a letter from three prisoners of Ramsey 1 Unit (in Rosharon County), dated 11 November 1994 alleging that two guards entered Mc Coy's cell, beat him to the floor and stamped and kicked him to death in retaliation for his spitting at a female guard earlier in the day. No-one intervened and his body was reportedly not found until the next shift of guards came on duty. Two guards were subsequently charged with Michael McCoy's murder. Their trial is still pending. Four other guards were charged with assaulting another prisoner in the same unit on the same date.*

*According to reports in the Texas press, three other prisoners in the same wing of Terrell Unit, Randy Payne, Anthony Thibodeaux and Paul Hernandez, were murdered by other inmates between July and October 1994 and prison guards took no action to prevent the attacks. One of the prisoners, Randy Payne, died on 12 August 1994 allegedly after repeated attacks on him by two inmate gangs after he had refused to pay protection money; according to some reports, he was fighting for his life all day while guards stood by and did nothing. No officers were charged as a result of the incidents, although the prisoner deaths are now being investigated. Terrell Unit is a modern unit which opened in late 1993 and cells and other areas are equipped with electronic listening devices operated by guards; however, according to reports, these devices were often not switched on.*

*The other incidents referred to in the Texas prison memorandum, some of which were also under investigation by the US Justice Department, took place in Michael Unit (Anderson county) and Robertson Unit (Jones county). In Michael Unit, the US Department of Justice was investigating six separate cases of alleged beatings by ten guards between November 1993 and*

December 1994. A grand Jury<sup>1</sup> was expected to hear evidence on these cases in January or February 1995.

*As of December 1994, an internal prison investigation was being carried out into four incidents involving eleven guards and seven prisoners at Robertson Unit. A grand jury was due to hear evidence on these incidents in February 1995.*

*The Texas authorities have reported that the cases were "isolated" and that strong measures were being taken in response. However, Amnesty International has received allegations of ill-treatment from prisoners in Texas over a number of years, suggesting that this is not a recent, or isolated problem.*

*In 1988, Amnesty International wrote to the Texas authorities about allegations of prisoners in Michael Unit being beaten by groups of guards while handcuffed and in leg-irons. In their reply, the prison authorities denied that ill-treatment had taken place but provided no information on the incidents in question. Amnesty International has received further complaints of ill-treatment of prisoners in Michael Unit since then.*

*Amnesty International has recently received information from three prisoners at Ramsey 1 Unit (Rosharon County) which alleges that prisoners there have died because of lack of, or delay in medical care; that it is normal practice at the Unit to deny prisoners medical treatment, and that five nurses including the Director of Nurses and the Charge Nurse have resigned because of general conditions regarding medical treatment at the Unit. Particular reference is made to two inmates - Bobby Felder, who died during the night of 17/ 18 March 1994, and Walter Newsome, who died on 29 August 1994. It is alleged that Bobby Felder submitted a number of written requests about pain in his abdomen over several months prior to his death, but that medical care had been refused or delayed, and that Walter Newsome had complained to medical and custody staff about "unbearable pain in the abdomen" for two years prior to his death.*

*Other allegations from the three prisoners about conditions at the Unit include lack of psychiatric care, and delays in receiving life sustaining medicines in cases of AIDS sufferers; that prisoners are hand-cuffed and shackled for long periods causing pain and suffering; that handicapped prisoners are made to do hard labour or work beyond their capacity; that prison officials deliberately place incompatible prisoners together; and that rapes, sexual assaults and physical assaults occur among inmates without intervention from prison officials. It is also alleged that on or about 15 April 1994, while the entire unit was placed on "lock-down" (confinement to cells), 1,100 prisoners were taken to the gym and stripped naked by female guards, while male guards and supervisors stood by, laughing.*

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<sup>1</sup>A grand jury is a body of citizens which sits to examine whether or not there is sufficient evidence to indict (charge) someone with a criminal offence. In some US jurisdictions, grand juries are no longer routinely used and the prosecutor decides whether or not to bring criminal charges. However, many jurisdictions still refer police abuse or police killings to the grand jury for review.

