

# Prisoners may be tough, but security is tougher

CRESCENT CITY, Calif. (AP) — It is the end of the line for California's toughest and most dangerous convicts — men who've killed, raped and robbed, men whose gangs have terrorized their prisoners.

But these felons say the security unit at Pelican Bay State Prison is too tough, even for them. They describe a bleak existence, locked in windowless cells 22-and-a-half hours a day. They allege that guards and their methods are brutal. And they've filed a class-action lawsuit.

The official response? Pelican Bay works.

"Very few come back to us once they have done a commitment here," says prison spokesman Lt. Al Deines.

The Security Housing Unit is no Alcatraz. There are no dungeons, no rat-infested cells, no half-starved prisoners shackled to stone walls. But being locked up here is probably the hardest time a con can do.

For all but an hour and a half each day, prisoners are locked up under the constant scrutiny of a guard in a control booth with video cameras, gas guns and other firearms.

SHU inmates eat in their cells. They can watch TV, read or listen to a radio. Some convicts are housed alone; others have cellmates. They can talk to each other through cell doors. Some light filters in through a common skylight. Prisoners with active litigation can use a law library.

Inmates shower alone in their cell block and may exercise once a day in a long narrow concrete exercise yard. There is no central mess hall or exercise yard where prisoners can congregate, and where most prison violence occurs.

Pelican Bay, which opened in 1989, is the state's most modern and automated maximum security prison. Nestled on

270 acres of forest land where redwoods once stood, it lies 20 miles south of the Oregon state line and about eight miles north of Crescent City.

The prison houses 3,800 inmates, with just over 1,500 of them in the SHU. Most are long-term residents; about 150 are here temporarily, for "administrative segregation." Most are Hispanics.

Prisoners wind up here after they've been identified as members or leaders of prison gangs or because they have attacked guards or other prisoners.

The walls are stark gray. No windows face out.

"I really don't think it's a dungeon," said Deines during a recent tour. "The facility was designed for the kind of inmate we are asked to house."

With at least 10 levels of security, including underground sensors and heavy metal "crash gates" that slam shut and close off a hallway when the guard views anything unusual on his monitor, it is virtually escape-proof.

"For once, I'll bet on us," Deines said.

But critics say conditions violate prisoners' rights. They say Pelican Bay's day-to-day practices, and the premise of its existence, are based on physical and psychological brutality against prisoners.

The lawsuit went to trial Sept. 17, and is expected to last several months. It seeks to address four areas of concern: alleged guard brutality, lack of proper medical care, general conditions and their impact on inmates' mental and physical condition, and inmate-on-inmate violence.

"Basically, what we're asking for is that law and order be restored to the prison itself," said Marci Brown of the San Quentin-based Prison Law Office.

Pelican Bay was "built to inspire terror, intimidation and dread ... designed to be a threat held over all prisoners in the

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state," Susan Creighton, another lawyer representing the inmates, said in opening arguments at the trial.

The lawsuit points to several instances of alleged abuse, including an allegation that excessive force is used systematically, especially with the "cell-extraction teams." Those are groups of four guards who forcibly remove prisoners from cells when they refuse to leave and pose a threat to themselves or others.

The extraction is quick and often violent.

Four guards rush the prisoner. The first pins him against a wall. A second disarms the prisoner if he has a weapon. The third handcuffs him and the fourth puts on leg shackles.

The technique is very effective. "Once you get him out and in restraints, the fight's gone out of him," Deines said.

Arturo Castillo, a convicted armed robber now at Folsom Prison, testified he was assaulted by guards in the SHU at Pelican Bay in January 1991 after repeatedly refusing to return a food tray. He said he was protesting a guard's references to prisoners as "wetbacks" and "punks."

During a cell extraction, he was shot with projectiles from a gas-powered gun,

beaten unconscious and dragged from his cell face-down, he said.

One incident mentioned in the lawsuit occurred in April 1992 when prisoner Vaughn Dortch was given a bath after repeatedly spreading himself with feces. He was scalded over part of his body.

"It was unfortunate. We're sorry it happened. There was an investigation. We fired someone as a result," Deines said.

Prison guards say the most unmanageable of the inmates often spit, kick, hit or throw urine or feces at them. Those prisoners are restrained with ankle shackles, handcuffs and plastic masks when they are moved.

Warden Charles D. Marshall, who has run Pelican Bay since it opened, declined comment. No current inmates were available for interview.

Deines and guards at Pelican Bay defend the role Pelican Bay plays in reducing overall prison violence, as well as the conditions inside the SHU. He and other officials believe the prison has gotten a bad rap.

"We feel this is a very safe and secure institution. We feel we are constitutional. The inmates are treated very well," Deines said.

Compared to conditions at other prisons, and prisons from the darker past of the penal system, Pelican Bay is not bad, prison officials say. And it is doing its job of deterring violence and gang organizations behind bars.

Officials here believe Pelican Bay's existence helps make the other 26 state prisons work as they should. And prisoners are getting the message that if they mess with the system too much, this is where they'll end up.

"It's the final step for these guys, to try to get their attention," Deines said. "And it seems to be working."

# Buttafuoco finally admits he slept with Amy Fisher

NEW YORK (AP) — After one-and-a-half years of denials — to his wife, to Howard Stern and Phil Donahue, to the producers of his made-for-TV movie — Joey Buttafuoco finally admitted it Tuesday: He slept with Amy Fisher.

Buttafuoco admitted it happened at a motel. He admitted knowing she was just 16 years old. And he admitted it all in court, where he pleaded guilty to third-degree rape and set himself up for a six-month jail term.

"On July 2, 1991, I had sexual relations with Amy Fisher at the Freeport Motel," Buttafuoco declared in a clear voice before a packed courtroom, acknowledging the affair for the first time. He appeared without his wife, Mary Jo, who is said to be standing by her man despite his confession.

Buttafuoco's plea was one of the final frames of the saga that began May 19, 1992, when Fisher shot Mary Jo Buttafuoco in the head to clear the way for her affair with Joey. Fisher is serving five to 15 years for the shooting.

The Joey and Amy story captured the public's imagination like few others. There was an instant book, and three made-for-TV movies. The Buttafuocos were guests on the *Donahue*

show, where Joey was vilified. Jokes proliferated: David Letterman drew laughs by simply saying "Buttafuoco," while Madonna tore Joey's picture up on *Saturday Night Live*.

"Let me tell you something. I don't cheat on my wife. No. Oh, no. Oh, no," Buttafuoco told radio host Stern last year.

Buttafuoco, who will be sentenced Nov. 15, had nothing to say after the 20-minute hearing before Nassau County Court Judge Jack Mackston. Under a plea bargain, Buttafuoco's sentence will be no more than six months in jail, five years' probation and a \$5,000 fine.

If he gets the maximum, Buttafuoco could be released after four months.

"It was a difficult and hard day. I thought he handled it well," said Buttafuoco's attorney, Dominic Barbara. "Joey Buttafuoco is prepared to do whatever he has to do for his children and his family."

What he wouldn't do, prosecutors said, was participate in a blood test and a physical examination.

Assistant District Attorney Fred Klein thought the blood test would confirm Fisher's story that Buttafuoco gave her herpes; the physical exam would

confirm her detailed description of Joey's physical attributes, including (but not exclusively) a mole on his inner thigh.

"I'm not surprised he took the deal," said Klein, who told Buttafuoco he would withdraw the offer after the Oct. 11 deadline for the test and exam.

The plea to the most serious count of a 19-count indictment resolves the whole case.

Fisher's lawyer, Philip Catapano, said of the plea that "at least the world will know Amy

Fisher was not lying."

Although Buttafuoco denied it, Fisher charged they had an affair that including trysts in four motels, Buttafuoco's auto body shop on New York's Long Island and aboard his boat, "Double Trouble." Fisher, now 19, was only 16 when the affair began, which is below the legal age of consent in New York state.

Buttafuoco's lawyer, Barbara, said the admission means nothing to Mrs. Buttafuoco: "That does not matter now. She loves him very much, and will continue to stand by him."

There may still be an explosive finale. Fisher, as the victim in the crime, has a right to speak at the sentencing — and she just might do that, said Matthew Rosenblum, another of her attorneys.

"Amy Fisher," he said in understatement, "has a tendency to want to speak."

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