

Four prison guards accused of setting up rape of inmate

By Kiley Russell
The Associated Press

HANFORD, Calif. — Four guards at one of the nation's toughest prisons went on trial Monday for allegedly setting up a prison-cell rape to punish an inmate.

The alleged incident took place at the notorious Corcoran State Prison, where eight other officers are accused of setting up gladiator-style battles among inmates for the guards' entertainment. They will be tried later.

"No one is above the law," prosecutor Vernon Pierson told the jury as the four guards sat expressionless.

The guards are accused of putting Eddie Dillard, a 118-pound first-time offender, in the cell of Wayne Jerome Robertson, a 6-foot-3, 230-pound sexual predator known as the "Booty Bandit," to punish Dillard for kicking a fe-

male guard.

Robertson, a lifer, admitted to a grand jury that he sodomized Dillard and threatened to kill him if he put up a fight during the three days in 1993 when guards left the smaller man in the cell.

Dillard, in prison for assault with a deadly weapon, had just been transferred from another prison, in part because he had kicked the female guard.

The prosecutor said the guards knew Robertson was Dillard's enemy — Dillard had said so, in prison paperwork, because of a fight the two had at another prison. Prison policy forbids putting such inmates in the same cell.

"Dillard should have never been put in the cell with me, period," Robertson testified to a grand jury. "I mean, my background is no secret. ... The Corrections Department used me as a pawn to

get inmate Dillard."

The criminal trial in state court is the first in nearly a decade for guards at Corcoran, a maximum-security prison in the San Joaquin Valley. The prison was the nation's most deadly from 1989 to 1995, when 43 inmates were wounded and seven shot to death by guards.

Two state investigations into abuses at Corcoran and alleged cover-ups by prison officials ended without criminal charges in 1997.

Civil rights groups claimed the investigations were shams, citing the \$1 million in campaign donations the guards' union gave to Gov. Pete Wilson and Attorney General Dan Lungren. The union and both politicians denied they blocked the probes.

A special grand jury last year finally indicted the four guards — Sgts. Robert Decker, 41, and Dale

Brakebill, 34, and Officers Anthony Sylva, 36, and Joe Sanchez, 38 — on charges of aiding and abetting the rape after a former prison guard broke ranks and supported Dillard's account.

The former guard, Roscoe "Bonecrusher" Pondexter, has admitted brutalizing inmates. "It's never easy to break the code of silence. It took me five years," Pondexter told the Los Angeles Times.

All four guards, who face 5 to 9 years in prison if convicted, are on administrative leave with pay. None of their superiors have been subjected to any disciplinary actions as a result of the Dillard case, said Curtis Fisk, the lawyer for Decker, who supervised the other guards as well as more than 400 inmates.

In his opening statement, Fisk sought to put the blame on Robertson, and on poor paper-

work. He said the files that the accused guards were given on the prisoners didn't include Dillard's enemies list or mention his attack on the female guard. The files also showed that Robertson was classified as being allowed to have cell mates, he said.

"Our clients had no motive to punish inmate Dillard," Fisk said. "At the time these two inmates were put together, there was no particular reason for these inmates not to be celled together."

"I agree that Wayne Robertson is a rapist and a thug, but that fact was not known to the floor staff," Fisk said.

As a result of an FBI investigation, eight other guards face federal charges of staging gladiator-style fights by putting rival gang members in the exercise yard at the same time.

Graffiti analyzed in search for boy missing since Christmas tree hunt

By Jeff Barnard
The Associated Press

GRANTS PASS — Graffiti on a bathroom wall at a rest stop in the remote Oregon desert may hold a clue to what happened to an 8-year-old boy who vanished last December while looking for a Christmas tree.

It could also just be a cruel joke.

But detectives — looking for any possible clue to the disappearance of Derrick Engebretson — removed part of the wall last week and sent it to the state crime lab to check for fingerprints or anything else that might shed light on the graffiti.

Investigators refused to say what was written on the wall, but

Derrick's mother said Monday it suggested her son may have been abducted.

"At first you think, 'Oh my God, he might be alive and somebody is actually going to give him back,'" Lori Engebretson said.

"All I can say is I hope if Derrick did die, I hope he died on that mountain and not at the hands of some sick person. If he died on the mountain, he just closed his eyes and went to sleep. There would have been no pain or anything."

On Saturday, she and her husband, mill worker Robert Engebretson, drove the 250 miles from their home in the small farming community of Bonanza, near the California line, to the rest stop to

have a look for themselves. But they left unconvinced that the message was significant.

"I think it's just a big, sick joke," Mrs. Engebretson said. "I thought, if somebody would have had Derrick, if they put this on the wall, they were wanting to be caught. If they were wanting to be caught, why didn't they leave something of Derrick's there?"

Not a trace of Derrick — not one of his gloves bearing the logo of the Goosebumps books he loved to read, the jacket he hated to wear, or even the hatchet he carried — has turned up since he disappeared Dec. 5 on the east side of the Cascade Range.

The boy had been out with his father and grandfather. He had

been sent up a hill with a hatchet to cut down a tree. After he disappeared, a snowstorm blew in. Helicopters with heat sensors, tracking dogs and hundreds of volunteers all combed the woods for more than a week.

Since then, Derrick's family has spent nearly every weekend on the mountain looking for him. They have found someone's glasses, shoestrings, and the tag out of a T-shirt. But no sign of Derrick.

The remote-controlled Big Foot truck and laser-sighted BB gun Mrs. Engebretson bought her son for Christmas are still wrapped and underneath the artificial tree in the family room.

"There's clothing I can't imagine would fit him now, even if he

does come home," she said. "The presents, the paper is starting to come off because it's so old."

But yeah, it's still there. The tree is not lit any more. But it is still put up."

"At first, it was tough, but now it's just a permanent fixture in the house. Nobody says anything about it any more. Every once in a while we just stare at it. But nobody talks about it any more."

On Derrick's ninth birthday, July 5, they took a bunch of balloons up to the mountain and left them on a tree.

"I haven't given up on him being alive," his mother said. "I pray ever single night for him to be alive in somebody's safe hands."

Sierra Club gives praise to Oregon for limiting sprawl

By Bart Jansen
The Associated Press

WASHINGTON — Oregon is one of the best states in the nation at fighting urban sprawl, according to a Sierra Club report released Monday.

Oregon ranked first among the 50 states in terms of land-use planning and ranked in the top five in the other three categories — open space protection, transportation planning and community revitalization.

"Oregon remains a beacon for how to manage growth and a best-case example of how to tame sprawl," according to the report, "Solving Sprawl."

The Sierra Club pointed out that Oregon in 1973 required communities to map out development within clearly drawn boundaries. The state also created an elected, regional planning commission in 1978 to coordinate development around Portland.

While Oregon once lost 30,000 acres of farmland a year, the figure has fallen to 2,000 acres a year. "Twenty minutes from the heart of downtown (Portland), green space and natural beauty are abundant," the report said.

Washington state also ranked highly in two categories. It was fourth in transportation planning and fifth in land-use planning.

But Washington state ranked 29th and 31st, respectively, in open space protection and community revitalization.

The report found that many states are coming up with innovative programs for easing urban sprawl. They are being spurred by

citizens fed up with clogged highways and dirty air.

"People are clearly getting more and more angry about sprawl," said Carl Pope, the Sierra Club's executive director.

Half the states have taken steps to protect farms and 20 have easement programs to prevent development of agricultural land, according to the Sierra Club.

Maryland rated tops for protecting open space, with \$140 million earmarked for buying rural land during the next five years. Already the state protected 300,000 acres of farmland and other undeveloped areas under programs since 1969.

Eleven states have approved statewide growth management plans, the Sierra Club said.

Twenty-one states spent more than half their federal transportation funding on new roads, which the Sierra Club criticized as a magnet for sprawl.

Rhode Island ranked first in transportation planning by expanding its rail, ferry and bus systems. Last year, voters approved bonds to build 50 miles of new bike paths.

Milwaukee Mayor John Norquist shifted funding away from an elevated freeway called Park East Freeway and redeveloped the vacant land in the road's path.

"Widening roads to solve traffic congestion is like loosening your belt to solve a weight problem," Norquist said. "Big roads fill with traffic to the point of gridlock, and when you widen them, they fill with more traffic congestion."

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