

INTERFAITH Prisoners Of Conscience Project

5/18/90



Steve:

Enclosed, my report  
& photos for your  
use.

607 Lake Street  
Evanston, IL 60201  
708/864-0102

Sponsored by:

Racial Justice Working Group,  
Division of Church and Society,  
National Council of the  
Churches of Christ, USA

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Director

The Rev. Seichi  
Michael Yasutake, Ph.D.,

The POC Board

- Rev. Joseph Agria
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- Rev. Jose de Jesus
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- Jose Lopez
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- Rev. Jorge Morales
- Viola Salgado
- Faith Smith
- Jan Sussler
- Betty Thompson
- Rev. S. Michael Yasutake

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The Rev. S. Michael Yasutake, Director  
Interfaith Prisoners of Conscience Project  
Racial Justice Working Group, Prophetic Justice Unit  
National Council of the Churches of Christ, USA  
607 Lake Street  
Evanston, IL 60201  
708/864-0102

April 19, 1990

Mr. J. Michael Quinlin  
U.S. Department of Justice  
Federal Bureau of Prisons  
320 First St. , N.W.  
Washington, D.C. 20534

Dear Mr. Quinlin:

Thank you for your letter dated April 12, 1990 in response to my letter of March 9, 1990 requesting an appointment with you on Friday May 4th, 1990.

Inasmuch as you are not available yourself to meet us, could you arrange to have one or two of your staff members meet us on Friday morning, May 4th at the offices there? We would appreciate an opportunity to discuss in person issues related to Marion penitentiary which we believe to be critical.

The following persons in Washington D.C. will be with me that morning:

Ms. Kathy Flewellen, Assoc. Director  
American Friends Service Committee  
Washington D.C. Office

Rev. Ernest Gibson, Pastor  
First Rising Mt. Zion Baptist Church

Rev. Dr. John F. Steinbruck, Pastor  
Luther Place Church, ELCA

The Rev. Canon Kwasi A. Thornell  
Canon Missioner  
Washington Cathedral.

Your response to our concerns about the water at the Marion Penitentiary appears to be disingenuous. The Center for Disease Control (CDC) was not called in to carry out a general epidemiological review of health problems of Marion, (I did talk directly with the director in charge of the investigation) but to investigate a gastro-intestinal epidemic at that institution.

No one, to our knowledge, has ever carried out a serious investigation of health issues at Marion. If there is any report available on the matter Dr. Steven Whitman indicated that he would be happy to examine it. Dr. Whitman, who works with the Committee to End the Marion Lockdown, has a Ph.D. in biostatistics and epidemiology from Yale University with some 20 years of experience in health research. We keep in close touch with him and other knowledgeable persons like him.

The claims made by prison officials that others use the same water from Crab Orchard lake are not helpful. Those claimed to be using the water do so for only days or even hours at a time, if at all. The prisoners have no other alternative but the water supply 24 hours per day for years on end.

As you know, but do not mention, the city of Marion stopped using Crab Orchard lake in 1982 when it discovered PCBs in that water source. As you also know, the Bureau of Prisons has consistently refused to allow the lawyers for the prisoners' class action lawsuit to have the water coming into the prison tested.

A recent analysis of documents about Crab Orchard Lake water by Alan Berkman, M.D. and Richard Clapp, Sc.D., reveals that levels of chloroform in Crab Orchard lake water, generated by super-chlorination of the water, is now 1000 times the allowable level. Chloroform is a proven carcinogen.

Given all of this information, we believe that no well-meaning person could suggest that the water from Crab Orchard Lake is an appropriate water supply. It must be conceded that there is a real health risk there. Thus, our demand that this water supply be changed seems eminently reasonable. We hope that you will act accordingly.

We cannot concur with you that Marion Penitentiary can provide adequate care for Dr. Alan Berkman, whose health is already in a precarious state. He was not receiving even the basic care when he was previously confined in Marion and there is no evidence to indicate that he will receive any better treatment there in the future. Our views are based on expert medical advice and documentation. We hope that you will respect them.

These are some of the issues which concern us greatly. We hope that your staff will provide us the opportunity to talk about them.

Sincerely,

The Rev. S. Michael Yasutake  
2744 Bryant Avenue  
Evanston, Illinois 60201  
phone: (708) 328-1543



## COMMITTEE TO END THE MARION LOCKDOWN

FOR IMMEDIATE RELEASE:  
For Information Contact:

May 1, 1990  
Steven Whitman (312) 663-5046  
Judy Greenspan (202) 331-0500

### RELIGIOUS DELEGATION TO MEET WITH BUREAU OF PRISON OFFICIALS TO PROTEST UNSAFE WATER AT FEDERAL PENITENTIARY IN MARION, ILLINOIS

On Friday, May 4, 1990 a religious delegation organized by Rev. Michael Yasutake, Director of the Prisoners of Conscience Project of the National Council of Churches of Christ USA, will meet with officials of the Bureau of Prisons (BOP) to deliver petitions containing thousands of signatures protesting the use of toxic water at the United States Penitentiary at Marion. The delegation will urge the BOP to change the water supply immediately. A press conference will be held here at noon in front of the Bureau of Prisons, 320 1st Street, N.W.

The religious delegation meeting with BOP officials will include: Reverend Ernest Gibson, Pastor, First Rising Mt. Zion Baptist Church; Ms. Kathy Flewellen, Associate Director, American Friends Service Committee of Washington, D.C.; Reverend John F. Steinbruck, Pastor, Luther Place Memorial Church ELCA; and Reverend Canon Kwasi A. Thornell, Canon Missioner of Washington Cathedral.

The water at USP Marion is drawn from Crab Orchard Lake in southern Illinois. This lake is located in the midst of a toxic waste dump so severe that it has been placed on the EPA's Superfund Priority Cleanup List. According to officials of the Marion, IL, they stopped using the water in 1982 when polychlorinated biphenyls (PCBs) were discovered in their

- more -

COMMITTEE TO END THE MARION LOCKDOWN  
343 S. DEARBORN, ROOM 1607, CHICAGO, IL 60604 (312) 663-5046

Page 2 of 4  
Unsafe Water

reservoir. Prisoners at Marion, however, are not provided an alternative water source and are forced to drink and shower in the water daily. Symptoms such as dizziness, fainting spells and rashes are common complaints made by prisoners after transfer to Marion.

The BOP claims that the water is safe, yet refuses to allow lawyers for prisoners filing a class action suit to have the water tested. They also refuse to have the prisoners examined by physicians to determine the reason for their physical complaints. They do not deny that Crab Orchard lake is contaminated. A recent analysis of the water (attached), written by Alan Berkman, a physician who has been incarcerated at Marion, and Richard Clapp, who holds a doctorate in environmental health, reveals a startling new hazard in the water at Crab Orchard Lake: the levels of chloroform, a carcinogen, are 1,000 times higher than allowable levels! This charge has not yet been responded to by the BOP.

USP Marion is the highest security prison in the United States. Since 1983 most prisoners have been "locked down" in their cells for more than 22 hours a day, seven days a week. Prisoners, therefore, eat, sleep, and defecate in their cells. Many have also been arbitrarily subjected to finger probes of the rectum. Prison officials maintain that the purpose of these probes is to search for contraband; prisoners maintain that they only degrade and humiliate them and consider the probes rape. Prisoners also assert they are restrained spread-eagle on concrete slab beds for hours or even days at a time, at the whim of prison officials.

- more -

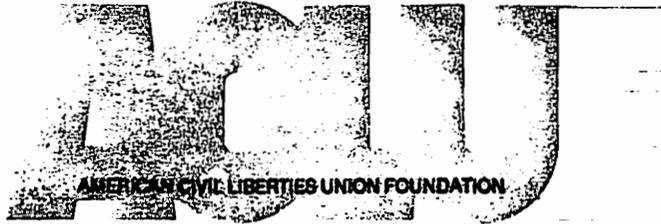
The BOP maintains that such conditions are necessary for security in this prison that allegedly houses "the worst of the worst," prisoners. However, a study conducted by two consultants appointed by Congress in 1984 revealed that 80% of the prisoners at Marion were not appropriately designated there. Indeed, evidence is clear that political prisoners are frequently assigned to Marion routinely. For example, Dr. Alan Berkman currently awaiting trial in the D.C. Jail as part of the "Resistance Conspiracy Case," was assigned to Marion after conviction. He has been designated to return to Marion after this trial. Sekou Odinga, another political prisoner, was assigned to Marion after conviction, for approximately two years. He was transferred to Leavenworth and then in September 1989, reassigned to Marion without any evidence of disruptive behavior at Leavenworth. Many human rights activists and organizations have charged the prison with human rights violations. Amnesty International, has charged Marion with violating virtually every one of the United Nations' Standard Minimum Rules for the Treatment of Prisoners.

Charles Smithson, a member of Committee to End the Marion Lockdown, states that: "The toxic water at USP Marion is just one more needless aspect of brutality in that Control Unit prison. The purpose of Marion is not to control violence but to control dissidence and the pursuit of human dignity in prisons throughout the U.S. It is incumbent upon people of good will to fight for the provision of a new, safe water supply, and then to assure that the lockdown and its associated brutality will be abolished forever".

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Unsafe Water

Demonstrations in support of prisoners' demand for an alternative, safe water supply will take place on the same weekend across the country: on Thursday May 3 in Chicago at the Federal Building; on Friday May 4 at Congressman Kastenmeier's office in Madison, Wisconsin and at the Federal Building in New York City; and on Saturday, May 5 in San Francisco at the ferry to Alcatraz and in Marion, Illinois at the prison itself. At each location, copies of the petitions will be presented to appropriate officials.

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THE NATIONAL PRISON PROJECT

Statement for Rally re: Federal Penitentiary  
Marion, Illinois

Date: May 4, 1990  
BOP  
Washington, D.C.

The National Prison Project joins with the religious delegation headed by Rev. Yasutake in calling upon the Bureau of Prisons to immediately develop a safe water supply for the Federal penitentiary at Marion, Illinois. The National Prison Project also urges the Bureau of Prisons to allow physicians to examine prisoners who have complaints of health problems, including dizziness and skin rashes, to determine the cause of these symptoms and order appropriate treatment.

The National Prison Project's involvement in advocating changes in the operation of the federal penitentiary in Marion, Illinois goes back to the 1970's when it participated in a lawsuit challenging the conditions at Marion, particularly in the control unit. We joined with others in 1984 and 1985 to protest the lockdown and the conditions of brutality and deprivation that the lockdown signified. The lockdown conditions continue for most of the prisoners in Marion and is viewed by the Project as an unnecessary, harmful,

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limitation on the ability of prisoners to engage in meaningful group activity. We also join with others in decriing the use of Marion to incarcerate prisoners based on their political affiliations, rather than their conduct and criminal record.

The water problem at Marion, therefore, is one of many problems that exist in this penitentiary. The serious health implications for the prisoners are clear when we discuss the use of water containing large amounts of cancer producing substances. The threats to health caused by unnecessary isolation and deprivation of meaningful human interaction may be less obvious but no less serious.

INTERFAITH

# Prisoners Of Conscience Project

May 4, 1990

Mr. J. Michael Quinlan, Director  
Federal Bureau of Prisons  
U.S. Department of Justice  
320 First St., N.W.  
Washington, D.C. 20534



Dear Mr. Quinlan:

We are leaving with you copies of the petitions "No More Poison Water at Marion Prison" with over 6,000 signatures.

We sincerely hope that you will end this hazard of health to which the prisoners of Marion penitentiary are subjected.

Sorry that we were not able to meet with you.

I did receive a letter from Dr. Kenneth Moritsugu, and I will be writing him for an appointment.

Sincerely yours,

The Rev. S. Michael Yasutake  
2744 Bryant Avenue  
Evanston, IL 60201  
phone: (708) 328-1543

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Evanston, IL 60201  
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A REPORT ON THE VISIT TO THE BUREAU OF PRISONS (BOP) AND THE WASHINGTON DC DETENTION CENTER, MAY 4-5, 1990 by the Rev. S. Michael Yasutake, Director, Interfaith Prisoners of Conscience Project, Racial Justice Working Group, National Council of the Churches of Christ, USA. 5/18/90

Coordinated by the Committee to End the Marion Lockdown, on the weekend of May 4-5, various events on the Marion prison issue was held were held in different parts of the nation, Washington DC, San Francisco, Madison, Portland, New York City, Boston, Philadelphia, Chicago, with the largest number of people demonstrating before the penitentiary in Marion, Illinois.

As a Director of Interfaith Prisoners of Conscience, I participated in visits to the Bureau of Prisons offices on Friday, May 4th and helped in coordinating the activities taking place in Washington DC that weekend.

After both J. Michael Quilan, Director, and Kenneth P. Moritsugu, M.D., M.P.H., Medical Director, Federal Bureau of Prisons (BOP), indicated by letters that they will not be in their offices that day, I made an appointment with a staff member of Dr. Moritsugu for 11 a.m. Friday morning, May 4th. Accompanying me were Judy Greenspan, who prepared the press packet and the press conference for that noon, Ms. Kathy Flewellen, Associate Director of the Washington DC American Friends Service Committee and the Rev. Canon Kwasi Thornell, Canon Missioner of Washington Cathedral.

Pastor John F. Steinbruck of Luther Place Church (located across from the White House), who had indicated his willingness to be with us could not come due to emergency situation in his congregation. Rev. Barbara Sand, United Methodist Church conference staff person, who had planned to be present with us by noon, was also not present.

We talked with a staff member of Dr. Moritsugu, Assistant Surgeon General and Medical Director of BOP, Mr. Jesse James, recently hired for his post from being a director of a prison north of New York City. We discussed with him about the poison water in Marion prison. When we indicated that the water inside the prison was not available to be tested, he replied that there is nothing to prevent anyone from testing the water source at Crab Orchard Lake in Marion. We pointed out to him that there is a difference between testing the water at the source and at the actual outlet in prison. He said that the BOP is relying on the report of the EPA which interpreted the data on the water as posing no health hazard. I countered by pointing out the availability now of a study by specialists which indicate otherwise. James said that the BOP would like to have such a study for consideration, although, he himself has no authority to act on it (an obvious point which he stated two or three times during the discussion).

As a result of this discussion, I've sent to both Michael Quinlan and Kenneth Moritsugu, MD, MPH, the article written by Drs. Alan Berkman and Richard Clapp (researcher in environmental

health). The article takes the same data that the EPA used, but reached different conclusions from the EPA apparently politically motivated conclusions that the water is safe. Berkman & Clapp conclude that the water in Marion prison is extremely dangerous.

The other point of discussion was on Dr. Alan Berkman's state of health and the denial of the BOP of adequate medical care. James said that for reasons of security, BOP cannot send him to either Rochester, Minnesota prison (with access to Mayo Clinic) or to Lombardi Cancer Center, Georgetown University in DC. When pointed out that Berkman has been a "model prisoner" all these years, James replied that serious crimes for which he is convicted enter into security considerations.

After concluding our discussion, close to noon, I asked whether he minds if we take a group photograph with him. He immediately said he does mind. There was no picture taking.

At noon we appeared at the press conference. No press appeared. About 12:30 p.m. accompanied by Judy Greenspan and Kathy Flewellen, I took a small box full of over 6,000 signed petition copies to the office of Director of BOP, Michael Quinlan. His secretary came out to the reception hall. I gave her the stack of petitions, which I took out of the corrugated box.

After giving the petition, I asked for a picture together with the BOP staff. She called the public relations officer named Jones. He entered the reception and said "no" to picture taking. When asked whether there was any policy on picture taking, he replied that he "just didn't want my picture taken with you".

All this refusal for picture taking seems symbolic of how the Bureau of Prisons rather operate in the shadow and darkness, rather than being in the light of day?

In the afternoon, Kathy Flewellan had arranged for visits to the Congressional offices. First Kathy and I met with Jayne A. Jerkins on Senator Paul Simon's staff (with another Senator's staff member). Ms. Jerkins promised to contact the BOP with our concerns about the Marion water and Dr. Alan Berkman. When back in Chicago, I took to Deidre Christenson, Simon's staff member in Chicago office, more information on Berkman's case.

Then we saw Elizabeth Fine, on Congressman Kastenmeier's staff, about the Marion prison water and Berkman. She said that the Congressman's office in Madison was visited by a delegation from the Committee to End the Marion Lockdown and that Kastenmeier responded with a written statement. The Congressman is feeling the pressure from his constituents in Wisconsin about the Marion lockdown and polluted water issue, said Fine. She also said that she wrote with the signature of Kastenmeier a letter to Quinlan about Berkman, although we did not get a copy of that letter.

She had not read the Yale Law Review article on Lexington Control Unit by Jan Sussler. Upon return to Chicago I sent the article to her.

From the House of Representatives, I called the Washington DC prison medical director's office for permission for pastoral visit with Berkman. After saying, that he usually make such arrangement for a special visit in a "more orderly way" the assistant to Rhoads, medical officer, James Riddick, made the necessary arrangements with the DC prison to allow me to see Berkman at his cell in the infirmary. The previous day, when I went through the usual procedure, on the day of the biopsy on Berkman, I got in as far as the visiting room, but got no farther.

When I saw Alan, he was up and around, sitting occasionally on his bed, feeling pain in his abdomen. He was looking o.k. The biopsy, performed the day before in DC Hospital across the prison, indicated definitely that his cancer (Hodgkin's disease) is malignant. He had correctly self-diagnosed his own case, before this confirmation. After a good conversation with Alan, I left his cell about 45 minutes or an hour later.

My appreciation goes to those who helped with this worthwhile weekend of activities and to the Committee to End the Marion Lockdown for taking the main responsibility of initiating and coordinating the events.

INTERFAITH

# Prisoners Of Conscience Project

May 17, 1990

Mr. Michael Quinlan, Director  
Dr. Kenneth P. Moritsugu, Medical Director  
Federal Bureau of Prisons  
320 First Street, NW  
Washington, DC 20534



Dear Mr. Quinlan and Dr. Moritsugu:

With a great sense of urgency, we appeal to you to have Dr. Alan Berkman, 233-315, in D.C. Detention Center treated either at the prison hospital in Rochester, Minnesota with access to Mayo Clinic, or the Lombardi Cancer Center at Georgetown University. I saw him on May 5th in my pastoral visit to the DC prison infirmary. It's obvious that he needs treatment right away. We oppose his being sent to the prison hospital in Springfield, Missouri, where the personnel and facilities are known to be inadequate for what Dr. Berkman needs.

Anthony Lewis, writing on Dr. Berkman, (NY Times, 5/15/90) quotes specialists indicating that "a recurrence of Hodgkin's disease is fatal unless treated promptly." Please do not delay.

I am enclosing for your information an article on the Marion prison water written by Drs. Alan Berkman and Richard Clapp. During our visit at your offices, we referred to this study that substantiates the view held by Marion prisoners and others of the hazard of the water at Marion penitentiary.

I thank Dr. Moritsugu for the letter of April 30, 1990 on a future appointment possibility.

Sincerely,

The Rev. S. Michael Yasutake

cc: Senator Paul Simon  
Congressman Robert W. Kastenmeier

607 Lake Street  
Evanston, IL 60201  
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FIRST ST., N.W.

IN THE CITY  
OF WASHINGTON  
D.C. 20001

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NO MORE  
POISON  
☠ WATER ☠  
AT  
MARION  
☠ PRISON ☠