A letter arrives from a man incarcerated at the U.S. penitentiary in Marion, Illinois:

"There are prisoners here with skin problems, some who suffer constant coughing and sneezing, and others with digestive problems and headaches. These conditions have not been relieved by the Vaseline, the hormone-based creams, and Tylenol that the physician's assistants give us. We are not going to trust the opinion of a doctor whose main concern is to please the petty bureaucrats who run this place."

Another inmate writes: "There are a number of prisoners here who have skin problems. The distribution seems to be higher than at other prisons. A fact the health department seems to at least tacitly acknowledge by being somewhat inclined to make skin-problem medications like hydrocortisone cream and coal-tar shampoo more accessible than at other prisons."

Other letters arrive. The prisoners' complaints include chronic dermatitis similar to eczema, multiple lipomas (small, benign tumors that form under the skin), frequent headaches, nausea, deterioration of vision, and in a few instances, cancer.

What is going on here?

The penitentiary at Marion, the Federal Government's only super-maximum-security facility, which opened in 1963 as a replacement for Alcatraz, is the place where the U.S. Bureau of Prisons keeps the men—about 350 of them—it considers the most dangerous and aggressive of the 40,000-plus in its custody. The treatment program—behavior-modification "therapy" that consists largely of isolation and idleness—has long been notorious for its psychological and, sometimes, physical cruelty.

But can a prisoner in Marion have reason to suspect, as many do, that their health problems have an organic cause the Bureau could easily eliminate but won't? Is it paranoia that makes an inmate refer to the psychological effects of the health problems in these terms: "Marion being a laboratory for experiments in social manipulation and control. I suspect this element is intentional!" There's nothing unusual about inmates distrusting the motives of their wardens: the distrust is sometimes justified, sometimes not. This time, the inmates appear to be on to something.

One of the first things that seems to happen to prisoners transferred into Marion is an outbreak of rashes, says attorney Donna Kolb of nearby Carbondale, who deals regularly with Marion inmates and represents them in a class-action lawsuit that has nothing to do with the health complaints. She says the lipomas are common, too—that many men have them on their forearms; some, all over their bodies.

And as to what is going on, the prisoners think they know the answer. They blame the water—the water they drink and bathe in, the water their food is prepared and pan of million of PCBs in soil are considered hazardous by the EPA. Studies at the Refuge have found levels as high as 12,000 parts per million. And runoff has carried PCBs into Crab Orchard Lake.

They have been found in sediments at the bottom of the lake, in fish caught in the lake, and in water samples from the lake. They have not been found, officially, in the drinking water taken from the lake. Lake water, after treatment at a plant on the Refuge, is used on the Refuge itself and is piped to Marion for use by prisoners at the penitentiary and a nearby lower-security Federal work camp. Historically, the city of Marion used the lake as a backup source of drinking water when shortages occurred—but not recently. Public concern about Crab Orchard water since the toxic mess was revealed in 1984 has forced city officials to buy much more expensive water from other sources when emergencies arise.

So prisoners, who can't control what they're given to eat, drink, and shower in, are the only ones using this water supply full-time. Prison staff, who live in the area
and read the same frequent press reports of Refuge contamination as their neighbors. Apparently won't drink the water, either; the prisoners say the guards bring in water for their personal use. The Bureau of Prisons won't comment.

The Bureau's contention is, flatly, that the water is safe.

One basis for that contention is confirmation by the Illinois Environmental Protection Agency (IEPA) that the penitentiary's drinking water complies with state health standards. But there's at least one catch, as The Southern Illinoisan newspaper reported in 1985: The level of trihalomethanes (TTHMs), a suspected carcinogen, has consistently been higher than the level allowable in towns of 10,000 or more people. But state law sets no limit on TTHMs for the water supplies of smaller communities, such as the penitentiary.

Another basis is the findings of a 1988 study conducted by O'Brien & Gere, an engineering firm based in Syracuse, New York, under contract to the Interior Department's Fish and Wildlife Service, which owns Crab Orchard, and Sangamo Weston, Inc., the company responsible for much of the pollution on the Refuge.

Toxic chemicals are present in the water, in the fish, and in sediments at the bottom. Prisoners are the only people forced to use this lake as a water supply.
"STOP THEM DAMN PICTURES"

That's what "Boss" Tweed demanded when he saw the handwriting on the wall (Tammany, that is). But the pictures didn't stop. "Boss" Tweed met his maker in the Ludlow Street Jail and Thomas Nast put biting eloquent political cartoons squarely and permanently in the middle of American political life. Tweed aside, we think Emerson had it right when he said, "Caricatures are often the truest history of the times."

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The Southern Illinoisan, reported in 1985 that prison officials had noted the controversy over the chemical-dump site near the lake. Then-warden Jerry Willford told the paper he had decided to look for another water supply rather than try to answer all the questions about the safety of Crab Orchard water.

A major problem, he said, was the cost of constructing new water lines from alternative sources to the prison, a cost estimated at $100,000. What he didn't say is that $100,000 is not much more than the Government spends to incarcerate two men in Marion for a year.

The Bureau of Prisons no longer says it is looking for other water; it just says the water at Marion is safe. But the suspicions remain, and, as always, the most suspicious are the prisoners who are actually using the water. They're worried about their health, and they want answers.

So the inmates are suing the Bureau of Prisons. Following discovery of the PCB dump, officials of several involved state and Federal agencies met at the Wildlife Refuge almost six years ago to discuss what to do. In an internal memo reporting on the meeting, an EPA representative told his section chief about talks of the PCB levels found in the lake sediments. "A penitentiary representative," he wrote, "has already called me expressing concerns that the inmates will file suit once they discover that PCBs have been found in Crab Orchard Lake."

Original filings by several individual inmates acting on their own have since been consolidated as a class action and taken on by Chicago attorney Stephen Feinberg on behalf of the Trial Lawyers for Public Justice. The Washington Post that a company caught working for both the agency and polluters at the same site could face a ban on EPA work or termination of the contract.

But at Crab Orchard, it's not the EPA that's in charge. Although the site is on the Superfund list, it's not eligible for Superfund money because the Federal Government owns the land. And, while EPA has a monitoring and advisory role to play there, the Interior Department calls the shots.

None of this proves anything about the actual safety of the water. But the local people, who have been well served by the investigations and editorials of their newspaper, are suspicious.
age, just as many people are. But he also says a finding that the water they drink doesn’t necessarily mean the prisoners’ water is safe, that it may be picking up contaminants from the old pipes transporting it several miles from the treatment plant to the prison or from accumulations of chemicals in the system.

So Feinberg asked the court to allow testing of the water at the place it enters the prison. He told the court that if the tests show the water to be as good as the Government says it is, he will drop the suit and go away. The Government said no thanks.

The case remains stalled, with a “stay on discovery” in place to prevent the water tests. Last October, a Federal Magistrate ruled that the prisoners should be allowed to go ahead with their case, at least for purposes of seeking an injunction barring use of water from Crab Orchard Lake, and that discovery should proceed immediately. The Government has appealed that ruling, and a Federal district judge has continued the ban pending his decision on the appeal—a decision now six months in the making with no indication from the judge how much longer he needs to think about it.

“What’s outrageous about this case,” says Feinberg, “is that it could be resolved relatively quickly and easily. If the water is tested, all the lawyers have left to argue about is: Are the levels of contaminants safe or not? But their adamant refusal only drives everyone’s suspicions.”

Meanwhile, Robert Wyler, the inmate who first filed suit asking for relief from the water supply and who then dropped his suit as a condition of getting transferred out of Marion, is dead. He died of cancer.

Everyday life for prisoners at Marion is bad enough without being forced to use water they’re afraid of. One man interviewed by The Progressive in 1976 said, “Living in the control unit is impossible for a free person to understand. The only way you could understand it is to go into your bathroom, lock the door, lie down in the bathtub, and remain there for three to four years. Cut off contact from your family and your friends, and you will start to glimpse the feeling we go through.”

The control unit was, according to the Bureau of Prisons bureaucrats who designed it, “the end of the line at the end of the line.” Solitary confinement in sixty-by-eight-foot cells, twenty-three hours a day, in handcuffs whenever outside the cell. When this prisoner spoke, only sixty-eight of Marion’s 525 men were in the control unit. Since then, the Bureau has, in effect, made the entire penitentiary a control unit by placing it on permanent lockdown—permanent since 1983, at any rate, although the term “lockdown” implies something temporary about it.

Demonstrate at Marion

On April 29, several buses from Chicago and other cities will take demonstrators to southern Illinois to join local people in protest against conditions at the U.S. penitentiary at Marion. They will demand that the Government stop the flow of contaminated water, end the lockdown, abolish control units, and end selective mistreatment of political prisoners. Beginning with a 10 A.M. rally on the campus of Southern Illinois University, the demonstration will include a march to the Federal building and post office in Carbondale and rallies on the shore of Crab Orchard Lake, at the prison, and in downtown Marion. For more information, call the sponsors: Committee to End the Marion Lockdown, (312) 663-5046, or National Committee to Free Puerto Rican Prisoners of War, (312) 278-6707.

A delegation from the John Howard Association, a prison-reform group in Chicago, visited Marion in 1987 with the cooperation of the Bureau. The delegates reported, “The Marion program seems to be designed to break the defiant spirit and behavior of difficult prisoners ... and then to reconstruct their personalities by offering a chance to work and receive services. Through a year or more of sensory and psychological deprivation, prisoners are stripped of their individual identities, in order that new compliant behavior patterns can be implanted.”

The prisoners who have written to me about the water situation are living in this environment of deliberate deprivation. They have legitimate grounds for wondering about the safety of their water supply. What they want most is to know—and then, of course, to have action taken if action is warranted. One man, after listing the many medical complaints he and other prisoners have, says, “Perhaps the greatest effect is psychological.”

A person on the outside who suspects his water supply is poisoned can do something—buy bottled water, move away, even try to organize the neighbors to force whoever’s in charge to clean up the water or find a new supply. But the prisoners at Marion are helpless, their stalled lawsuit being the only remedy available.

But some try what they can. The man who brought up the psychological fallout writes, “Some prisoners try to restrict their water and food intake and bathing in the hope they can limit their exposure. Despite the risks of dehydration and inadequate hygiene and no exercise, I met one prisoner who even goes as far as to try to get by on condensation off the outside of the ice container and soda pop from the commissary, to the extent he can afford. He rarely takes showers and is skinnier.”

“Every person who recognizes that he gotta drink the water and try to dismiss it have the pollution and its possible deleterious effects constantly in their consciousness,” the letter continues. “Even the sensual pleasure of swilling down a cup of cold water on a hot and sweaty day can be canceled as its potential cost intrudes. Undoubtedly, fears raised by the knowledge that the water is contaminated go beyond what is justified, but Marion prisoners have no means to contain them. And the Marion lockdown is especially conducive to a mind-landscape in which psycho guerrillas run rampant and lie in ambush among the fears of polluted water, lurking for the isolated and frequently ignorant prisoner forced to wander that wilderness.”

Why won’t the Bureau of Prisons allow the water to be tested? The Government won’t even have to pay: Stephen Feinberg’s law firm offered to pick up the tab.

Why won’t the Bureau of Prisons satisfy the inmates’ requests for medical attention? One man concerned about the health effects of the water supply asked for a medical examination. The Bureau’s written reply was on a form for “administrative remedy”: the inmate sent me a copy. It said this:

“The medical services department is responsible for providing medical services to inmates with a specific ailment. The medical department will not provide routine medical examinations at the request of inmates. . . .

“Inasmuch as the institution’s water supply has been found to be safe and the fact that you have not complained of any particular illness that warrants medical treatment, observation, etc., your request is denied.”

It was signed by the warden.

Another inmate writes, “It would not take much to deal with this issue and if the water is as safe as the jailers claim it to be, they would have nothing to worry about or hide. To assauge our worries the only things that would be required is to give us blood tests and allow an impartial laboratory to test the water that we drink on a daily basis. Thus far the response of these petty administrators has only served to intensify our worries. . . .

“Because we are locked up in a cell practically all day, we have to be concerned and worried about our health. For it is the only thing that we can claim as ours.”

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