BIG HOUSE ON THE PRAIRIE

To break out of its economic trap, Florence broke into the nation's toughest jail.

BY MIKE O'KEEFFE

The Colorado territorial government offered Canon City a choice over a century ago. The town could be the home of the state prison or the University of Colorado.

Since the territory's rough-and-tumble miners and ranchers saw the drive to build the university as a useless stab at respectability engineered by Denver's snobbish geologists, Canon City picked the prison. The town's fortunes—and those of its neighbors in Fremont County—have been tied to corrections ever since.

Fremont County is now the home of nine state prisons and 3,200 inmates. Over 10 percent of the county's 11,500-member workforce is employed by the Colorado Department of Corrections, and a new state prison, scheduled to open in 1993, is expected to employ almost 200 more residents.

That's welcome news in Fremont County. Over the past decade, with the county suffering from a deeply troubled economy, state prisons were the only thing that kept the area going.

Florence, a dry, dusty town of 3,000 about 50 miles southwest of Colorado Springs, suffered the worst. A local coal mine gave pink slips to 70 of its 100 workers. A cement manufacturer slashed its staff in half, laying off 100 employees. Last summer, a wallboard plant gave workers three days' notice that it was going out of business, laying off 100 more jobless.

Unemployment stands at 17 percent, and government-assistance checks are an important mainstay. "We cash a lot of 'em in here," says Don Logle, owner of the Alibi Lounge, a Florence tavern. "You don't realize what those jobs mean," says Florence city councilwoman Barbara Gonzales. "It doesn't just affect the people who lose them, but the people they pay rent to and buy groceries from. You just don't lay off one man. You affect an entire community."

Many of the shops in Florence are vacant, and even during the middle of the day as many tumbleweeds as cars cruise through the main intersection.

But these days the folks of Florence are as optimistic as the economy is depressed. After an aggressive campaign by Fremont County's economic development council, the U.S. Bureau of Prisons chose their town as the site of a massive new federal prison complex that's now under construction.

While the prospect of housing a really big house might frighten some communities, Florence remains unfazed. In fact, the townfolk are excited about the possibility that infamous cons like spy Jonathan Pollard, coke kingpin Carlos Lehder Rivas and neo-Nazi Bruce Pierce, one of Alan Berg's assailants, might wind up a few miles down the road.

"People seem to appreciate the notoriety," says Bob Wood, editor and publisher of the Florence Citizen. "A lot of us want to put Florence on the map, and this is the way to do it."

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AMERICA’S LEAST WANTED

The federal Bureau of Prisons claims that the inmates detained at the U.S. Penitentiary at Marion, Illinois, are the baddest of the bad, violent troublemakers who’ve endangered officers and prisoners at other facilities. Or they’re high-risk escape risks, the government argues, men who’ll make a break the minute security is eased.

But the only security threatened by many of the people now warehoused at Marion was the national security, the prison’s critics charge. Some of the most notorious inmates were sent to Marion after they protested their convictions for political crimes. “The government needs Marion to send a message to the rest of the prison population: If you don’t conform, we’ll send you to Marion,” says Neal Kwamiia, who was held at the Illinois facility from 1983 to 1988.

The current lineup at Marion includes Jonathan Pollard, sentenced to life imprisonment for passing American intelligence to Israel, a diminutive man who’d be an unlikely security risk inside a prison—and an equally unlikely candidate for rescue, since Israel is dependent on U.S. military and economic aid. Although federal prosecutors promised they’d mitigate the charges against Pollard in exchange for his cooperation, the government didn’t keep those promises. Instead, Judge Aubrey Robinson received a secret memo from then-Secretary of Defense Caspar Weinberger, who said Pollard should be “shot” or “hanged” for his crime. Pollard received a life sentence and was sent to Marion.

Others held at the prison include Oscar Lopez-Rivera, a Puerto Rican independentista arrested in 1981 and later sentenced to 35 years for seditious conspiracy. Under United Nations rules, he’s a political prisoner, although he was arrested for attempting to win self-determination for a colony. Lopez-Rivera initially was sent to the federal prison in Leavenworth, Kansas, where he was later charged with “conspiracy to escape.” After his conviction, he was sent to Marion, Steven Whitman of the Committee to End the Marion Lockdown, an Illinois group that protests conditions at the prison, attended Lopez-Rivera’s trial. “It was a farce,” he says. “All prisoners think about escaping. Thousands try, and hundreds do, but they’re not sent to Marion. He was sent to Marion because of his political beliefs.”

Federal prosecutors in New Jersey charged Yu Kikumara, an alleged member of the left-wing Japanese Red Army, with nine separate crimes after he was arrested with three pipe bombs. Kikumara is now serving a life sentence at Marion. John Walker, convicted of selling Navy secrets to the Soviets, is another Marion inmate. The 54-year-old revolutionary sentenced to 58 years for possession of weapons and explosives, was sent to Marion after his 1985 trial. During that trial, the judge quoted Sound Machine and co-defendant Susan Rosenberg on the evils of communism, then released her on parole because their views are dangerous. Marion also housed Leonard Peltier of the American Indian Movement, who was sentenced to two life terms for the murder of two FBI agents, despite strong evidence that Peltier acted in self-defense and allegations that the government’s investigation was fabricated. (Peltier is now in Leavenworth.)

Marion’s sorriest story, however, belongs to the Berikan Family, a New York physician serving a twelve-year sentence for possession of weapons and explosives and for failing to appear in court to face charges of providing medical aid to another radical. Berikan is dying of Hodgkins disease, but despite a judge’s recommendation that he be sent to a hospital with a good medical record, he was sent to Marion immediately after his trial. Marion has just one doctor, an unlicensed one who’s unlicensed to practice in Illinois but allowed to work at the prison because federal regulations don’t require the same standards as the American Medical Association. Berikan has been eligible for parole since 1987 and has sought release on humanitarian grounds, but despite pleas from doctors, congressmen and religious leaders, he’s been denied parole because he wasn’t referred through the parole system.

Berikan won’t make the move to Florence, though; he recently was transferred to a prison hospital in Rochester, Minnesota.

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The government knows what it's doing—a lot more than the bleeding-heart liberals do."

searches. Troublemakers often are tied spread-eagle and naked to their concrete-slab beds.

"It fucks you up. You become a fucked-up human being. It drives you insane," says Osi Kwamina, who arrived at Marion two months before the lockdown began. Kwamina, a former black revolutionary who's now a civil rights activist on Long Island, served six years of a twelve-year sentence for armed robbery at Marion. He was released in 1989, but in his frequent nightmares he's still at the prison, he says. "It makes you feel powerless and helpless. It fucked me up emotionally. I'm still having a tough time relating to people. I was a dammed man."

Conditions at Marion are tough but not cruel, according to the Bureau of Prisons. "The inmates there are treated humanely," says prisons spokesman Dan Dunne. "The courts say the procedures are unconstitutional."

In 1886 a federal court rejected a suit filed by Marion inmates seeking an end to the lockdown, and the Supreme Court later refused to hear the case. But Marion hasn't avoided scrutiny entirely. Former U.S. Representative Robert Kastenmeier, who heads the House Judiciary subcommittee investigating Marion in 1985, likened the relationship between guards and inmates there to that of "hostages and the terrorists who hold them."

Inmates at Marion are far from hostages. Dunne argues; half are convicted murderers, while most of the others have demonstrated that they're violence-prone. "The inmates at Marion warrant high security," he says. "We need a system in place to manage them."

A 1985 congressional report on Marion, however, noted that almost 80 percent of the inmates held in super-maximum-security units were less severe security classifications.

"The lie of Marion is that the prisoners there are because they're uncontrollable," Whitman says. "Nothing the government says about Marion is true. Many are there because the government wants to break them."

Some were sent to Marion because they committed crimes for political reasons (see story, page 12). Kwamina wound up in Marion because he "robbed every bank in Manhattan" to raise funds for radical black liberation causes, he says. "We didn't hurt anybody. We wouldn't hold up stores or anything like that because we didn't want to steal from other poor people. We stole from banks because the government, the FDIC, would have to cover it. But when they classified the report I was an overtly dangerous person."

"It seems to me they're sent there because the government wants to punish them for the nature of their crimes, not the crimes themselves," says Marc Mauer, assistant director of the Washington, D.C.-based Sentencing Project, which promotes criminal justice reforms. "The justification of the security there is very open to question. To me, this sounds more like a POW situation than a prison."

Other Marion inmates are convicts who became political after they were imprisoned, people who complained too much or flied too many lawsuits seeking better conditions at other facilities. But the people of Florence don't think they have anything to fear from the inmates who'll be moved from Marion to the new complex's super-maximum-security prison. "They're not nearly as bad as the state offenders," says Dyer. "Some of them are real animals."

Russ Martin, the Bureau of Prisons' project manager at Florence, says the new complex's super-maximum-security unit will be a marked improvement over Marion. "The entire design of the facility is to create a more humane environment, to take away the dungeon effect," he explains, leaning back from his desk in the mobile home that serves as his office at the site. "The safety of the inmates and the staff will both be increased."

Yet in many ways, the super-maximum-security unit at Florence is designed to increase prisoners' isolation. At Marion, prisoners at least are able to shout at each other through their bars. At Florence, the cell design will make that more difficult. When prisoners are allowed out of their cells, they'll be guided through a series of electronic sliding doors operated by an officer in a control unit. Human contact between inmates, and with guards, will be almost nonexistent.

And the lockdown will continue, according to prisons spokesman Dunne. "The policy won't change," he says. "Florence will be a new facility, but our policies will remain consistent." Florence shares something else with Marion: environmental problems.

During the mid-Seventies, the Illinois Environmental Protection Agency discovered high levels of contaminants in the Marion water supply. While the city of Marion found another source, the prison continues to use contaminated water (the Bureau of Prisons is not digging new wells).

The Florence complex is being built a few miles from the Cotter Corporation uranium mill, designated in 1984 as threatened with contamination.
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a Superfund site. Uranium tailings, dumped in prison ponds, poisoned the underground aquifer and the nearby Arkansas River; dried radioactive dust is carried many miles away by the high winds that blow through the canyons around Florence.

"We are concerned about this," admits Martin. "But we don't think it will be a problem. I like to think our engineering crew has done its homework."

Martin used to work in the prison bureau's facility management division, but moved into construction because it was "a good career path for me."

Besides the Florence facility, the federal government expects to build six more prisons around the nation within the next few years, including another large multi-prison complex in Allenwood, Pennsylvania.

The prisons are needed because the number of federal inmates has skyrocketed in recent years. Between 1980 and 1990, that figure varied between 17,000 and 25,000 prisoners; during the Eighties, it soared to 61,000. By 1999, according to bureau figures, 125,000 prisoners will be held in federal jails.

Dunne says the sharp increase can be attributed to the Department of Justice's aggressive war on drugs, as well as stiffer sentencing guidelines adopted in the mid-Eighties.

But according to Boulder criminologist Roger Lauen, a member of Governor Roy Romer's criminal justice commission, the increase in federal prisoners has more to do with politics than actual crime rates. "First the Reagan administration, and now the Bush administration, wants to appear tough on crime," he says.

"There's no dramatic increase in crime that can explain this dramatic increase in federal prisoners," adds Mauer. "There's been no dramatic jump in drug crimes, or in overall crime, for that matter."

Kay Knapp of the Washington, D.C.-based Institute for Rational Public Policy, a criminal justice think-tank, agrees. The folks have taken over so many drug cases--cases that in the past would have been left to state and local jurisdictions--that federal districts courts have now become "drug courts," she says.

Local officials don't object, she adds, because their work loads are decreased and they need fewer beds. "Money is always an issue at the state level, but money is always available for the Bureau of Prisons," Knapp says.

And as the number of federal prisoners increases, so does the number of employment opportunities in Florence.

When the Fremont County economic development office first learned in mid-1987 that the federal government was looking for a site for a new federal prison complex, it immediately began an aggressive campaign to net the prison for Florence. After local officials learned the prison bureau wanted the host community to contribute at least a portion of the land needed for the prison, economic development chief Dyer began fundraising with vengeance. Thousands of dollars were raised through a carnival and a 24-hour radiothon, while local clubs and civic organizations competed with each other to raise the rest. Within three months, $125,000 had been banked to purchase 400 of the 600 acres needed for the complex.

While the Bureau of Prisons continued to evaluate sites in other parts of the country (most of those, like Allenwood, will receive federal prisons as well, Martin says), Florence kept fighting for the facility. Ninety-seven percent of the respondents to a mail-in poll in the Canon City Record said they wanted the complex in Florence. Not a negative word was heard at a March 1989 public hearing, where everybody from Teenage Republicans for Fremont County to representatives of Senators Tim Wirth and Bill Armstrong lined up to praise the project.

"We see many positive things about that community," says Dunne. "They have a good location, and it's a good place to recruit staff. And the welcome they gave was also a factor."

In October 1989, the Bureau of Prisons announced it had selected Florence as the home of the new prison. Last July the bureau hosted a housewarming barbecue attended by 1,000 local residents. A job fair held at Florence High School drew hundreds more.

Florence is now getting ready to enjoy its prosperity. Local real estate offices are receiving calls from around the country from federal employees looking for housing. Interest in downtown commercial space is up too. The city has annexed hundreds of acres for new development. Where Canon City extension of Pueblo Community College is offering criminal justice classes tailored to those interested in being hired by the federal prison system. "We need to be ready," says Gonzales. "We'll reap what we sow."

What with all the wooing, sowing and reaping, no one in Florence has been interested in questioning what might happen inside the super-maximum-security wing. The only person to publicly voice any concern about Fremont County's reliance on the corrections industry is Dyer, who's now trying to land a national corrections lab that will study the causes and effects of crime. "Corrections will be a major industry here for a long time to come, so this is a bright side to all this," he says. "We wish it could be more productive, so that's why we're looking after the national corrections lab."

"Yes, the people of Florence have problems with jobs," former Marion inmate Kwamina says. "But what they should do is pressure the government for another kind of industry, one that is less willing to make money from people's suffering. The government is sneaky. They're buying Florence's loyalty.

"We don't have any basis for judgment whether the prisoners at Marion are treated fairly or not," Dyer argues. "In most people's opinion around here, they deserve it."

And in most people's opinion around there, Florence deserved the break.\[

"How different are they from the people who worked on slave ships?"