

SKATZES/LUCASVILLE FIVE SUPPORT BULLETIN NO. 17. Jan. 1999

ACT I, SCENE 3: MONDAY, APRIL 12

(Scene 3 is based on an audio-visual tape made by the authorities and introduced into evidence at Skatzes' trial as Exhibit 315. The first part of the tape shows prisoners carrying bodies out of L block and leaving them in the yard during the evening of April 11. The tape also shows one body, that of Earl Elder, being carried out the next morning.

The second portion of the tape shows an incident that we believe was critical in causing the authorities to target George Skatzes for prosecution. It helps to explain why, shortly after the end of the uprising and therefore **at a time when the authorities could not yet have known much about who caused the deaths of the three men Skatzes was later indicted for murdering (Earl Elder, Robert Vallandingham, and David Sommers)**, investigators for the Ohio Highway Patrol told prisoners: "we don't care how we have to do it, we want Robb, Hasan, and Skatzes . . . give us those three" (Attorney Kelleher interview with Johnny Fryman).

In this second part of Exhibit 315, beginning at 11:02 a.m. on April 12 and running several minutes past 12:28 p.m., two men come out onto the yard. One is George Skatzes, who has a megaphone or "bullhorn" through which he tries to talk to the guards and Highway Patrolmen in the prison Tower. The other, carrying a large white flag of truce on an improvised flag pole, is Cecil Allen.²⁰ Cecil Allen is one of the black prisoners who approached George Skatzes during the first hours of the rebellion and asked his help in preventing a race riot among the insurgent convicts, as described in Act I, Scene 2, and the trial testimony of Charles Valentine.

Why did Skatzes go out on the yard? Roger Snodgrass, a member of the Aryan Brotherhood who plea bargained with the authorities and was one of the two principal prisoner witnesses against George Skatzes, remembers it as follows:²¹

²⁰State of Ohio v. Skatzes, p. 5362.

²¹State of Ohio v. Skatzes, pp. 4563-4565.

A. Well, George volunteered . . . to go out there with the bullhorn and, you know, say, hey, we want to see somebody besides [the warden and other officials at Lucasville]. [H]e said they were saying who is going to go out, and he said I'll go.

Q. Now, do you remember, was that before or after you first saw guys on the phones in L-4?

A. That was after. . . .

Q. Did you hear or were you aware of any dissent among the inmates that those first telephone calls were accomplishing anything?

A. No, they weren't.

Q. Was that the general consensus of the inmates then?

Q. Yes. They wanted to speak with someone with a little more authority.

Q. Is that why it was decided that you should just send someone out to [the] yard?

A. Yes.

Q. But the inmate body was trying to get to someone in more authority to try to get some demands out?

A. To try to start negotiations, yes.

Q. The purpose of the negotiations was to express some demands and get the riot over with?

A. That is correct.

Q. Would you agree that that was George's understanding at the time?

A. Yes.

Q. Would you agree that George's purpose for going out in the yard with that megaphone was to take a step, forward step, in getting negotiations going and getting the riot over with?

A. Yes.

Q. [Was there talk] that if you went out in the yard that they might take shots at you from the gun towers?

A. Yes, there was.

Q. Was George aware . . . of that talk when he went out with the megaphone at that time?

A. Yes, actually I mentioned it to him.

As Skatzes explained to the prosecutor, when he went out on the yard he was not acting for the Aryan Brotherhood. Rather, "I was more or less speaking for the inmate body, in itself. Didn't have anything to do with being AB or anything like

that."²²

Two kinds of evidence support the view that Skatzes was trying to speak for the entire body of prisoners in rebellion. First, he was accompanied by Allen, a black man. Second, Skatzes emphasized that when he and Allen briefly returned to the occupied cell block and then came back to the yard, he had sworn to carry out the instructions of the prisoner body exactly:²³

[T]hey told me to take that [tape of prisoner demands] out there and hand deliver it, and I sealed that with my word. I said: That's the only way that I will let go of that tape, if I hand deliver this to a high ranking state highway patrolman or FBI man. They [the authorities] was wanting me to throw it over the fence and I wouldn't do it because I gave the people my word that I would hand deliver that.

In reading what follows, the reader should keep several additional points in mind.

First, this tape was made by the authorities. For that reason one can hear both what the authorities said over the megaphone to Skatzes and Allen, and their asides to one another. Statements over the megaphone are designated "TOWER (on megaphone)." Statements of the guards or patrolmen to each other are designated "TOWER Voice 1" or "TOWER Voice 2." In contrast, all of Skatzes' statements were made on the megaphone. Allen did not speak, but frequently waved the white flag of truce back and forth.

Second, the exchange was difficult and all involved had difficulty hearing. Often both megaphones were sounding forth at the same time. Hence this is a rough and partial transcript. Skatzes has impaired hearing and often had to turn to his smaller companion, Allen, to understand what the authorities had said.

Finally, in listening to the exchange it is striking that

²²State of Ohio v. Skatzes, p. 5361.

²³State of Ohio v. Skatzes, p. 3563.

Skatzes and those who answered him all "spoke the same language": the language of working-class men from that part of the Midwest strongly influenced by the South, the language of truck stops and hunting trips. No doubt this is one reason that George Skatzes believed he might be able to reach across the gulf between imprisoned and prisoners to communicate, "man to man," with his jailors in the Tower.

It will be recalled that in this docudrama, the stage represents the occupied cell block, and the body of the theater is the yard.

At the beginning of the scene, a group of convicts dressed in prison blues and wearing ski masks or other facial disguise should slowly make their way onto the stage and down the steps toward the audience, carrying a body wrapped in a blanket. This is the body of Earl Elder, the last person to be killed in the early hours of the rebellion. They leave the body on the "ground" and exit. Not a word is said.

Then, after a pause, Skatzes and Allen should emerge onto the stage and come down the steps and into the center aisle. They should appear to be addressing a tower on the prison wall behind the backs of the audience.)

TOWER Voice 1: 11:02.

TOWER Voice 2: Who is that?

TOWER Voice 1: Inmate Skatzes.

SKATZES: Don't try to cut us down.

Raise your hand over there if you can understand.
We want to talk to somebody from the Federal
authorities.

As we stand here, we are as interested in saving these
lives as you people are.

I'm telling you now, we don't want this no more than
you do.

It's something that we're forced to deal with.
We're here to try to take care of it peaceful and
without any more violence than what you've already
seen.

Do you understand what we're talking about now?
We want somebody to negotiate with, so we can get this
shit over with and get these guards out of here.

We've got guards in here that are hurting and we are
concerned about it just like you are.

TOWER Voice 1: He wants somebody to negotiate with.

SKATZES: Have we got an Ohio sheriff out there? Will you raise
your hand if you're an Ohio sheriff?

We don't have an Ohio sheriff.

Well, is the Highway Patrol out there?

TOWER (on megaphone): George Skatzes, this is a patrolman in
the Tower.

There's a patrolman in here that will
speak with you.

SKATZES: Come on, let's go. We ain't got all day.

TOWER (on megaphone): He's coming up the ladder now, George.

TOWER Voice 1: He wants to speak to a sheriff or a patrolman.

TOWER (on megaphone): George, this is Officer Andre. Come over
where I can speak with you.

Your safety is guaranteed.

SKATZES: I'm telling you now, I'm asking you, man to man.
Don't play no games with us!

TOWER (on megaphone): George, this is Officer Andre. We're not
playing no games with you.

We have the State Patrol in here.

TOWER Voice 1: Let Lieutenant Lewis talk to him.

SKATZES: What's up? We're out here risking our lives. I'm
asking you: Please don't play no games.

TOWER (on megaphone): We've got somebody en route to talk to
you.

SKATZES: We've got no time to play games.

TOWER (on megaphone): This is the Highway Patrol if you want to talk now.

TOWER Voice 1: Tell him you'll guarantee his safety.

TOWER (on megaphone): Your safety is guaranteed as far as we're concerned.

TOWER Voice 1: We're going to lose him.

SKATZES: We're as concerned about these men as what you are.

Now, we've got a couple of them in here that I know
are hurting pretty damn bad.

Now what we want, we want to negotiate with somebody
other than big ass, Jack Bendolph, or somebody in
this bullshit-assed administration.

We want somebody who will listen to what these people
in here are demanding.

Do we understand each other?

TOWER (on megaphone): We understand.

SKATZES: Then what can we do with it?

TOWER (on megaphone): Do you want to talk with one of our
negotiators?

It will be about one minute.

He's coming up the tower now.

TOWER Voice 1: He said there's at least two officers in there
hurt bad. They want to get them out.

They want to speak to the Highway Patrol or the
sheriff.

TOWER Voice 2: He knows you. Talk to him. We almost lost him
twice.

TOWER (on megaphone): George, This is Trooper Teets. Come on
over here. Let's talk.

SKATZES: You're the negotiator?

TOWER (on megaphone): Yeah.

SKATZES: Teets?

TOWER (on megaphone): You got it.

SKATZES: I'm talking to Trooper Teets?

TOWER (on megaphone): That's right.

SKATZES: All right.

Now again, I want to stress to you in there, if you kill us out here on this yard . . . We're sacrificing our lives to come out here to try to end this. You can go ahead and kill us if you like. But I stress to you that the boys have got eight hostages in there, and if something happens to us out here I don't have to tell you what time it is. That's the end of that.

We are as interested in ending this thing as you are. We don't want no more deaths. We really don't want these guards in here.

What we want right now is preferably somebody Federal.

TOWER Voice 1: Can't hear him too well.

TOWER (on megaphone): Hey George, I need you to come closer. We're not going to shoot you or anything. I can't hear you very well from here.

SKATZES: We're already out here risking our fucking lives.

This is as far as we're going, boys.

You want to look us in the eye, have somebody come over yonder by this fucking fence.

We'll meet you face to face.

TOWER (on megaphone): What is it you want again? A Federal what?

SKATZES: We want, again, somebody to negotiate with, that's sympathetic to our beliefs.

Somebody that will listen to what we want.

We don't want to talk with Jack Bendolph or anybody in this administration.

They've been jacking us off.

We want a high-ranking official either in the State Highway Patrol or, preferably, in the Federal.

And we want the news media.

TOWER (on megaphone): I think I understand what you're talking about, George,

We have no plans to come in and slaughter anybody.

We're trying to work for the same end as you are, which is to get everybody out.

SKATZES: Let me tell you this.

I was in the riot in 1968 in the Ohio Penitentiary.

I know how promises are made and I know how they're broken.

We don't want no more deaths than what's already been. There's been too much now.

TOWER (on megaphone): I agree with that.

There's no plan to do that.

We've been talking with you.

We've been waiting to hear what your demands are.

They are being evaluated.

SKATZES: Well, how do we stand on what I told you already about what we want?

We want a high-ranking official of the Highway Patrol or, preferably, the Federal.

We want this bullshit administration to lift its ban off the news media.

I want you people to understand, this ain't no fucking joke.

We've got eight lives in there that we're all concerned about.

Now, let's get something rolling here! And cut out this fucking nickel-dime shit!

TOWER (on megaphone): OK, George.

The news media is around.

I'm the one that has to talk to you from the State Highway Patrol.

The Federal government, you're talking a long time before they'll be able to get here.

TOWER Voice 1: This bullhorn isn't worth shit.

TOWER (on megaphone): George, can you get us a phone number?
We're wanting to negotiate and what we
need is some place I can give you a
call.

SKATZES: There's a phone line open in here. Somebody get on
it!

TOWER (on megaphone): Hey George, have somebody call the
control center and give the number.

SKATZES: All right, all right.
We have established the fact that if you put
somebody right over here on this gate, we will go
down there and talk to them.
You can call me on the phone.

TOWER (on megaphone): I'll have to run it by the people in
charge, George. We'll get back with you.
(Skatzes and Allen leave the yard. After a pause they
reappear.)

TOWER Voice 1. It's 12:28. George is back out.

SKATZES. What we've got here, we are allowing the hostages a
message primarily to their families, so that
their families will know they are all right.
We're not all dogs, you understand. We're concerned
the way you are.

Now, I've also got in my pocket a tape recording of
our list of demands.

I tried to establish phone contact with somebody. The
phone number in here is 453.

TOWER (on megaphone): Skatzes, throw the tape over the M2
fence.

SKATZES: I have an obligation.
I'm going to hand this tape, just like I was
instructed, to somebody in the Ohio Highway
Patrol, other than Trooper Teets.

TOWER (on megaphone): You have Lieutenant Lewis right at the base of this tower.

SKATZES: Do you think it's possible that you could bring him over to this gate?

TOWER (on megaphone): Skatzes, walk over here to Lt. Lewis, throw the tape over the fence, and we will give it to the news media.

SKATZES: I have a sworn obligation to my fellow convicts to hand it to a high-ranking officer of the Highway State Patrol, and I'm not throwing nothing nowhere.

I will hand it to him.

Me and this man are risking our ass to do this, what the fuck are you going to do?

TOWER (on megaphone): Skatzes, call 245.

SKATZES: 245?

TOWER (on megaphone): 245. They will talk to you.

SKATZES: Who are we talking to?

TOWER (on megaphone): If you call 245, you will be talking to a high-ranking official.

SKATZES: We're trying to do something positive. All you're doing is fucking us around.

(Skatzes and Allen exit. End of Scene 3.)

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