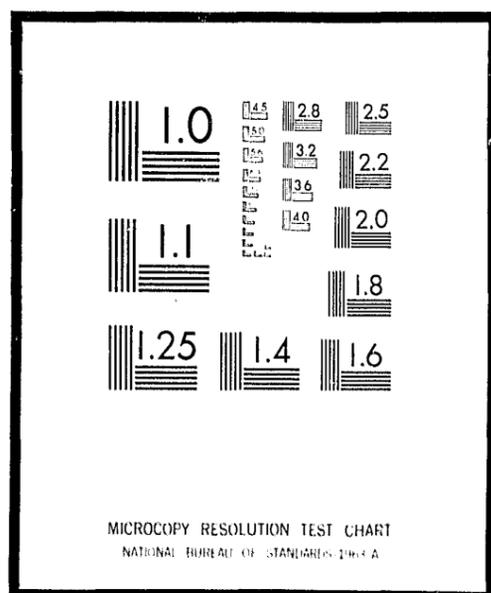


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June, 1975

THE JOLIET CORRECTIONAL CENTER RIOT  
OF APRIL 22, 1975

TO: HONORABLE MEMBERS OF THE GENERAL ASSEMBLY

This is a report of our findings, conclusions, and recommendations pursuant to House Resolution 228, sponsored by Representatives William D. Walsh and Lewis A. Caldwell, and adopted by the Illinois House of Representatives on April 29, 1975.

House Resolution 228 directed this Commission to investigate the conditions which led to and resulted in a riot at the Joliet Correctional Center (JCC) on April 22, 1975; it directed us to investigate the influence of street gangs in the Illinois Correctional System; and it further directed us to gather evidence for prosecutions of the rioters for murder and felony murder, and to make such evidence available to the State's Attorney of Will County.

Regarding this last directive, we must state at the outset that contrary to the Resolution's implication, the Illinois State Police had commenced an intensive investigation immediately after the murder of Herbert Catlett on April 22, 1975. Furthermore, Will County State's Attorney Martin Rudman has been kept continually informed of the progress of this murder investigation.

Since the murder investigation was already in course, we complied with State's Attorney Rudman's request not to become directly involved in the murder inquiry, for fear of jeopardizing the probable indictment and prosecution of one or more suspects. We were specifically requested not to interview key witnesses or suspects in Catlett's murder.

However, the Commission does know the leading suspects in the murder, and we have been kept informed of all phases

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of the Illinois State Police investigation; in Chapter 1, we discuss this and several other facets relating to Catlett's murder--information which will not compromise the evidence being gathered by the Will County State's Attorney's office.

Chapter 2 presents a detailed account of the conditions at the Joliet Correctional Center, and of the events which we believe precipitated the inmate uprising on April 22, 1975. Chapter 3 presents some of our perceptions regarding Fred L. Finkbeiner's handling of the transfer of five (not three as indicated in House Resolution 228) troublesome inmates to other State prisons. In Chapter 4 we offer a list of our conclusions and recommendations.

The thrust of the Commission's investigation, and of its conclusions and recommendations, focuses on the activities of street gangs, particularly the Black P. Stone Nation. We believe that this gang activity was the driving force behind the April 22, 1975 inmate rebellion. We believe that despite the good intentions of Warden Finkbeiner and other prison administrators, gangs at Joliet had become so well-organized and so accustomed to getting their way that what should have been a normal and routine transfer of residents resulted instead in a defiant rebellion against authority. Had gang leaders and members been forced to confront such authority more often in the past, we doubt that the gang members would have become so outraged about what should have been normal prison procedures.

There are a number of reasons why the administration at the Joliet Correctional Center has not been able to control sufficiently gang activity. First, several jail policies actually encourage gang activity and further allow prison gangs to be strongly influenced by their street affiliates. For example, the JCC has been allowing unlimited visiting privileges to religious organizations.

The Commission discovered that one so-called religious organization in particular, the Beni-Zaken, consists of little more than street gang members. The group simply filed as a religious corporation with the Cook County Recorder's office, which anyone can do simply by walking in and filling out the appropriate forms. Yet the jail administration at Joliet simply accepted the group's affidavit, and then allowed its members to spend three or four days a week, eight hours a day, visiting with inmate Eugene Hairston, the leader of the Black P. Stone Nation, which is the prison's largest gang. Commission investigators were told by various jail administrators that they had to allow these unlimited visiting privileges to religious organizations; a claim, we found out, is simply

untrue. There is nothing either in law or in the Department of Corrections' regulations which gives even authentic religious groups such special privileges. The Commission strongly suspects that Beni-Zaken members are responsible for the traffic of drugs into the Joliet facility.

In addition, the Department of Corrections has an inadequate grievance system for inmates which virtually prohibits getting at the prison's real troublemakers. Thus, gang leaders, such as Eugene Hairston of the Black P. Stone Nation, end up residing in the honor dormitory while their followers occasionally get caught and are disciplined for carrying out the leader's dirty work.

The Commission believes that former JCC Warden Fred Finkbeiner used poor judgment in deciding to have five troublesome inmates transferred during the noon hour on April 22, 1975, and it is our opinion that he thought he had the gang situation under tighter control than he actually did. On the whole, however, we believe that Finkbeiner did a good job in a difficult situation during the four months he was at JCC; and we certainly believe he was justified in wanting to have these men transferred, and in the steps he took to take the prison Jaycee program out of the hands of the Black P. Stone Nation--the largest prison gang. This program is sponsored by the Illinois Junior Chamber of Commerce in conjunction with the Illinois Department of Corrections, and its objective is to make institutional community life at JCC more pleasant.

We believe that Finkbeiner was committed to keeping gang activity to a minimum, but in addition to being hampered by the grievance system already mentioned, he was also hampered by an understaffed and underskilled guard corps in an institution which had grown to a prison population of 757 residents. Fortunately, during the past year, the Department of Corrections took some positive steps through its Correctional Training Academy, which should improve the quality of prison guards. This program is discussed in Chapter 2.

Respectfully submitted,

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THIS REPORT IS RESPECTFULLY  
 SUBMITTED PURSUANT TO HOUSE  
 RESOLUTION 228 ADOPTED BY  
 THE ILLINOIS HOUSE OF REPRESENTATIVES ON APRIL 29, 1975.

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HOUSE RESOLUTION 228

This Resolution, sponsored by Representatives William D. Walsh and Lewis A. Caldwell was adopted by the Illinois House of Representatives on April 29, 1975, and is quoted below:

"WHEREAS, A riot which the Department of Corrections believes to have been gang inspired has recently been put down at the Old Joliet Prison, at the cost of the life of an inmate; and

"WHEREAS, Herbert Catlett voluntarily walked into an area held by rioting inmates to attempt to talk them out of their action, and was brutally stabbed by one or more of the inmates; and

"WHEREAS, Evidence indicates that officials of the Department of Corrections have permitted street-gang influence to spread in the institutions of the Department, and that this influence was sufficient to cause 200 inmates to riot when the news that 3 other inmates were to be transferred was passed among the prisoners; and

"WHEREAS, The Director of the Department of Corrections has indicated that punishment for rioters will include loss of privileges and time off, and prosecutions for holding hostages in violation of State statute; but no indication of prosecutions for murder or for felony murder has been given as yet; and

"WHEREAS, Laxness in discipline and administrative inefficiency which permits the outbreak of rioting in Illinois correctional institutions with little or no punishment for the perpetrators cannot be tolerated by the People of Illinois or by their elected Representatives, and where found, should be immediately corrected; therefore be it

"RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois Legislative Investigating Commission is hereby requested and required to investigate the conditions which led to and resulted in a riot at the Old Prison at Joliet; and be it further

"RESOLVED, that the Commission include as a subject of its investigation the influence of street gangs in the Illinois correctional system, and the connection of events which led up to the riot and murder of Herbert Catlett at Joliet with the activities of street gang members who are prison inmates in Illinois; and be it further

"RESOLVED, that the Commission is directed to gather evidence for prosecutions of rioters for murder and for felony murder, and that the evidence be made available to the State's Attorney of Will County if it is found; and be it further

"RESOLVED, that the Commission is directed to make a report of its findings to the General Assembly no later than June 15, 1975; and be it further

"RESOLVED, that a copy of this preamble and resolution be transmitted immediately to the Executive Director of the Illinois Legislative Investigating Commission.

## Chapter 1

### INTRODUCTION

#### A. The Uprising

Shortly before 12:30 p.m. on April 22, 1975, Captain Norman Busch, a correctional officer supervisor at the Joliet Correctional Center, stopped inmate Earl Good as he was coming out of the dining room. Good, along with four other prisoners, was being transferred to another State institution, and it was Captain Busch's duty to escort Good down to the sally port, a term used for the west gate, or back entrance, of the prison where transportation to the Menard Correctional Center was standing by. "You've got to come along with me," Busch told him.

Earl Good never said a word. He walked with Busch down to the sally port, where they were joined by another prison guard. Then Good simply announced: "I'm not going," and he turned around and walked back to the West Cell house, one of two main cellblocks.

That was how the uprising began. Within minutes, some 20 to 30 inmates had left their assigned stations and gathered in the West Cell house area to support Good and the other residents who were supposed to be transferred. Captain Busch immediately reported the trouble to his superior, Major William Welch, and together they went to see Warden Fred L. Finkbeiner. Finkbeiner's decision was that the transfers were to be carried out as scheduled.

The decision was easier to make than to carry out, however. By 1:00 p.m., 60 to 70 inmates (not 200, as indicated in House Resolution 228) had taken over the West Cell house and held 10 hostages. Finkbeiner secured the rest of the institution, and alerted the Illinois State Police. At 2:45 p.m., the Warden went to the cell house door and, using a bullhorn, delivered an ultimatum: release all of the hostages immediately, return to your cells, and you will not be harmed. The response was negative, and pursuant to Finkbeiner's order, 15 to 20 rounds of tear gas were dispersed into the cell house.

At 3:00 p.m. the east door of the West Cell house was opened and an assault force of 30 correctional officers proceeded inside. Upon reaching the back of five gallery, they discovered the body of inmate Herbert C. Catlett. If you come any closer, the inmates warned the officers,

we will kill all of the hostages. "Don't come any closer," yelled supervisor Robert A. Buchanan, one of the hostages. "They want to talk to the Warden." The assault force officers, headed by Captain Virdeen Willis came no closer than the fatally stabbed and punctured body of Herbert Catlett. Willis stared at the body for five or six seconds, then ordered the officers to retreat.

At 4:20 p.m. Warden Finkbeiner, after telephonic instructions from Governor Walker "to open up a dialogue with the rioters," proceeded to the back of gallery five where he could view the hostages.

"Bob, are you all right?" Finkbeiner shouted through the bullhorn to Buchanan.

"Yes, we're fine, we're fine," Buchanan yelled.

"What do they want?" Finkbeiner asked.

"They want to negotiate."

"Tell them we will negotiate only if they let the hostages go," Finkbeiner said.

The inmates, who were standing only two feet from Buchanan, heard everything, and one of them, George Spencer, emerged as their spokesman. Spencer told Buchanan to tell Finkbeiner that the hostages would not be released until several demands were met. The demands were: 1) inmates Blair, Lumpkins, and Good were not to be transferred on that date, and 2) the rioting inmates were not to be harmed after the hostages were released. Warden Finkbeiner heard the demands, and then looked away for maybe five or six seconds to consider what his reply would be. Then he agreed. And he also agreed to the additional demand that the negotiations be taped and sent to Joliet radio station WJOL. The inmates wanted to be certain that the agreement was a matter of public record.

At about 6:00 p.m., Finkbeiner returned to the back of five gallery and played his recorded statement to the prisoners. Al Raby, on the scene as a personal representative of Governor Daniel Walker, verbally approved Finkbeiner's statement. The prisoners then listened to the statement played on WJOL. Finally, shortly after 6:30 p.m., more than six and one-half hours after they were taken captive, the hostages were released one at a time. The uprising had ended, leaving one inmate dead, one officer seriously wounded, and numerous unanswered

questions regarding what set of conditions at the Joliet Correctional Center gave rise to this disturbance, and what the punishment would be for the murderer(s) of Herbert Catlett and the perpetrators of the riot. In addition, two weeks after the riot, Warden Finkbeiner was transferred from Joliet to assume the position of Warden at the Pontiac State Penitentiary, amid much speculation as to the exact reason for the transfer.

#### B. The Death of Herbert Catlett

House Resolution 228 directed the Commission to investigate the murder of Herbert Catlett, and "to gather evidence for prosecutions of rioters for murder and for felony murder." The Resolution directed that any evidence uncovered by the Commission should be turned over to the State's Attorney of Will County.

Because the publication of such evidence in this report could be used to compromise evidence gathered by the prosecution and/or jeopardize a successful murder prosecution, an agreement was reached between the Illinois Legislative Investigating Commission and the Will County State's Attorney's office. Therefore, the Commission agreed not to interview members of the prison population or work force at the Joliet Correctional Center who are considered by the Illinois State Police and Will County State's Attorney Martin Rudman to be key witnesses or suspects in Catlett's murder.

We appreciate the fragile nature of any pre-trial proceedings, and we intend to cooperate fully with the Will County State's Attorney in any way we can.

Likewise, Martin Rudman has been most cooperative with the Commission's investigation. We are aware of the key suspects in the murder of Herbert Catlett. We have been kept abreast of the Illinois State Police interviews with these suspects, and of their interviews with prisoners, guards, and hostages considered to be key witnesses to the murder. We have also been furnished with all of the testimony taken by the Illinois State Police.

In this report we are limited to presenting the following information concerning the death of Herbert Catlett.

According to Warden Finkbeiner, Catlett had been transferred to Joliet Correctional Center from Pontiac State Penitentiary two years ago, for no apparent disciplinary reasons; and he remained a prisoner in good standing during his stay at Joliet.

Up until the time of his death, Catlett was a photographer for the prison chapter of the Joliet East Junior Chamber of Commerce. The controversy surrounding the Jaycees will be discussed in detail later, but we did receive information that an unidentified inmate was beaten for allowing Catlett to take his photograph during the attempted boycott of the Jaycee program--an attempted boycott which Catlett himself refused to honor.

Another inmate told us about one previous aborted attempt on Catlett's life. The inmate said the incident occurred in the prison yard area, where a couple of guards were knocked to the ground in order to create a diversion. Apparently, Catlett "smelled a rat," and left the area before anything happened.

Finally, another prisoner told us that on the Sunday prior to the April 22, 1975 riot Catlett approached guard Captain John Zuck and informed him that Eugene Hairston, leader of the Black P. Stone Nation gang, had a "contract" out on his life. The resident told us that Hairston was summoned by Zuck and asked about the charge and that Hairston denied it.

We asked Zuck about the resident's statement and Zuck said that Catlett had never told him about any threat to his life. Zuck was at a loss to explain why this resident would tell us this story.

After Catlett's death, a letter dated July 29, 1974 was found in his personal effects. The letter, an original copy written in Catlett's own hand, was intended for David G. Sandahl, Assistant Warden for Program Services, but it was never delivered to Sandahl. Catlett wrote:

"Dear Mr. Sandahl,

"Today I was told by Mike (Skin) Anderson that I had to continue to be a member of the Black P. Stone Nation gang, or transfer, because a hit will be put on me.

"I'm not transferring and I'm not going to continue to be a member.

"I want you to have this information. I also want you to know that Eugene (Bull) Hairston is behind this action."

Commission investigators questioned all prison officials regarding this letter, including David Sandahl, Warden Finkbeiner, Director Sielaff, and the new Warden at Joliet Correctional Center, Ernest E. Morris. All of them claim never to have seen Catlett's letter prior to his death. It would seem, therefore, that after writing the letter, Catlett simply put it in his locker, where it stayed for the next nine months.

#### C. Punishment Against Rioters

After the uprising at the Joliet Correctional Center on April 22, 1975, there was considerable speculation regarding what action would be taken against the residents involved, and when and if the five residents who were supposed to be transferred would be transferred at a later date.

Allyn R. Sielaff, Director of the Illinois Department of Corrections, told us that no action will be taken against those who participated in the riot until after the Will County State's Attorney's office has completed its investigation into the murder of Herbert Catlett. Sielaff said that when he receives the proper notification from Will County State's Attorney Martin Rudman, then the Department of Corrections would conduct its own investigation of the riot in order to determine what action would be taken against those residents involved.

Ernest E. Morris, newly-appointed Warden at Joliet Correctional Center, told our investigators that three of the five residents who were supposed to be transferred on April 22, 1975, have now been transferred. Resident Harold Lloyd was transferred to Pontiac Correctional Center; resident Thomas Blair was transferred to the Menard State Penitentiary; resident Lavern Fox was transferred to Stateville.

Morris said that the other two inmates--resident Earl Good and resident Ralph Lumpkins--are being held at Joliet pending the completion of the investigation being conducted by Will County State's Attorney Martin Rudman. Upon receiving word from Rudman that the two prisoners can be transferred, Morris said that Good and Lumpkins will be sent to the Menard Correctional Center.

#### D. Finkbeiner's Transfer to Pontiac

On May 6, 1975, just over two weeks after the inmate revolt at the Joliet Correctional Center, Warden Fred Finkbeiner was transferred to the Pontiac Correctional

Center where he assumed the position of Warden, replacing James C. Fike. Fike was indicted for the gunshot wounding of his wife.

Rumors immediately began circulating both within and without the Joliet Correctional Center that the reason for Finkbeiner's transfer was related to the inmate rebellion, but prison officials have repeatedly denied that the rebellion had anything to do with Finkbeiner's move.

"Finkbeiner did a satisfactory job of handling a very tough situation," Allyn Sielaff, Director, Illinois Department of Corrections, told our investigators. "In fact, I think he did such a fine overall job at Joliet that I thought he was qualified for the job at Pontiac, which I believe presents more problems and a greater challenge than at Joliet." Sielaff also said that the transfer idea had been under consideration prior to the riot, and that the details of the proposed transfer could be obtained from Joseph Feconda, Administrator of Adult Institutional Services.

Feconda gave us the following details concerning Finkbeiner's transfer. Approximately two weeks before the Joliet uprising, Warden James Fike was indicted for the gunshot wounding of his wife. The Fike incident took place on a Thursday night and on the following Saturday Fike was suspended. Feconda said he then called Finkbeiner on the phone and suggested that he think about taking the warden's job at Pontiac. Feconda said that he called Finkbeiner again "a couple" of days later, and the final decision was made at that time for Finkbeiner to transfer to Pontiac.

Feconda said that this sort of arrangement is very seldom, if ever, put on paper, until the transfer takes place. Finkbeiner also told us that he was given no formal notification of his impending transfer, but, like Sielaff and Feconda, he said the question of his assuming the post vacated by Fike came up prior to the inmate uprising.

The only written statement regarding Finkbeiner's transfer came in a news release on May 6, 1975, from the Illinois Department of Corrections. This news release is reproduced in Appendix B.

#### E. Focus of the Commission's Investigation

It is generally agreed by both prison officials and inmates that the two related controversies which touched off the disturbances on April 22, 1975, were the problems

surrounding the prison Jaycee program and the impending transfer of five inmates to other State institutions. These controversies relate, in turn, to the larger problem of gang activity. Based on a series of interviews conducted by Commission investigators, the next chapter explores these and related areas.

## Chapter 2

### PRISON GANGS

#### A. Department of Corrections Policy

When Allyn Sielaff took over as Director, Illinois Department of Corrections, in 1974, he immediately instituted a policy of "not recognizing gangs." It was his intention, he told Commission investigators, to break up existing gangs, to deny them any special privileges, to transfer certain gang members when necessary, and in general "to keep the gang structure off-balance." Sielaff said that his position toward prison gangs received considerable publicity in the press, and that he made his position clear to all of the State's wardens.

The warden of the Joliet Correctional Center (JCC) when the April 22, 1975 riot occurred was Fred L. Finkbeiner, who had only assumed that position the previous December. Before that, Finkbeiner had held positions as Chief Jail Officer at the Cook County Jail, Inspector for the Bureau of Detention Standards, Illinois Department of Corrections, and he served a short stint as Director of Corrections, Kane County.

Finkbeiner told us that when he was appointed warden at JCC, he had a good background on both street and prison gangs from his experience at the Cook County Jail, and he said he concurred fully with Sielaff's policy on gang activity at State institutions. He then identified the following prominent gangs as having members within the resident population at JCC: the Black P. Stone Nation, often simply called the Stones, led by Eugene "Bull" Hairston; the Disciples, led by Earl "Mongoose" Good; the Young Nobles, led by Mark Nunn; the Vice-Lords; and the Royal Family (partially composed of the leaders of the various gangs). These are all black gangs, excepting the Young Nobles, who are white, and a faction of the Disciples. In addition, the Commission learned of still another gang at JCC: the Black Gangsters, led by Maurice "Baldy" Jackson.

Finkbeiner and other prison officials we interviewed said that they were not particularly aware of any overt Ku Klux Klan activity at JCC. Director Sielaff admitted that he was aware that Klan members existed in the jails, just as street gangs do. He said they were suspected to be strongest at the Menard facility.

Finkbeiner said that during his term as warden at JCC he took a hard-line stand toward gangs. He took such a stand, he explained, not through bulletins or memos, but through his dealings with certain members of the prison population and their activity. The most important incident involving his dealings with these members centers around his handling of the Joliet East Junior Chamber of Commerce (Jaycees), and his decision to transfer five inmates to other State institutions.

#### B. The Jaycees

This subject requires some background. Chapters exist in all State prisons with the exception of one small minimum security institution. The Joliet East Jaycees chapter was formed in 1970. According to JCC Casework Supervisor Dennis Jennings, who is also a volunteer in the Jaycee program, the stated objective of the program is to "help make community living more pleasant." Some of the ways the Jaycees try to fulfill this objective is by selling magazines, having cold pop sales in the visitor's room, making greeting cards available to residents, and having a photo service available to both residents and visitors.

Jennings said that the prison chapter of the Jaycees is limited to a total of 50. In order to join, an inmate must be sponsored by an active member; he must attend two meetings and explain why he wishes to join. Officers' positions are held by the residents, but each chapter has an institutional advisor appointed by the warden.

The problems with the Jaycee program began well before the April 22, 1975 disturbance. Finkbeiner said that several months earlier he had to remove two successive inmate Jaycee presidents from office for infractions of institution rules.

Inmate Charles Webb was caught writing bothersome (often obscene) letters to other inmates' visitors; the tense situation which resulted caused Finkbeiner to have Webb transferred to Stateville. The second former Jaycee president, Henry Byrd, who is currently on a work-release program, was caught with two visitors' cards. This was strictly against the rules, but it was not, Finkbeiner said, a severe enough infraction to disqualify Byrd from the work-release program.

However, Finkbeiner's tough policy was to have its most reverberating effect in his handling of inmate Eugene Hairston. Hairston, leader of the Black P. Stone Nation (Stones), had been temporarily occupying the

treasurer's position in the Jaycee program since March, 1975, and according to Corrections Counselor Frank Zeimetz and Casework Supervisor Dennis Jennings, Hairston was the main reason why the current Jaycee membership was predominantly "Stones." Zeimetz said that during the summer of 1974 it had appeared that the Disciples were making a strong bid to control the Jaycee program, but they suddenly dropped their efforts--apparently because the Stones' bid was stronger. Zeimetz's testimony was supported by inmate Ernest Hayes, who is currently the Jaycees' temporary president. Hayes told us that an election of officers had been scheduled for April 26, 1975, and that the Stones were trying to fill all of the vacant posts with their own members.

On April 1, 1975, there was a meeting of the Joliet East Jaycee Board of Directors, which was attended by Warden Finkbeiner, Assistant Warden David Sandahl, and several other administrators. At the meeting, the Board, which consists of all inmates, admitted that because of recent disciplinary action, the organization was floundering, and that they had no idea of their current financial status.

As a result, Warden Finkbeiner told them that an accountant from the business office would audit all of their books, and Sandahl suggested that all Jaycee programs should continue during the period of the audit. Finkbeiner told us that although this action met with some opposition from a few Board members, there was general agreement.

According to Zeimetz, Hairston expressed the most opposition to this action, and he said it was Hairston who succeeded in scheduling a secret, unsupervised meeting of the Jaycees. At this meeting the 35 Jaycees who were present decided to "boycott" all Jaycee-sponsored activities, and they composed a Petition demanding an investigation of certain "irregularities" by the administration. The Petition was sent to Director Sielaff and to Otis Allen, Regional Vice President of the Illinois Jaycees.

In their "Petition for a Board of Inquiry," the Jaycees argued that Finkbeiner and his advisors had "totally disregarded the constitution and bylaws and the operating policy for institutional Jaycee chapters that the Joliet East Jaycees can no longer function in a constructive manner." The Petition argued that checks had been written by the prison administration without the co-signatures of either the Jaycee president or its treasurer--in violation of Jaycee rules. The Petition

also argued that the administration had refused the treasurer access to the books, and that it was a violation of Jaycee regulations to limit membership to 50.

Warden Finkbeiner responded to the Petition on April 15, 1975, in a memorandum to Director Sielaff. Finkbeiner said that his actions regarding the Joliet Jaycees were in line with Sielaff's desire that gang activity should be discouraged.

"It should be further noted," Finkbeiner wrote, "that the Petition was initiated and circulated by certain power-seeking members of the Jaycee organization which include resident Eugene Hairston and other residents affiliated with Hairston. My administration has taken a very positive stance in the curtailment of gang-oriented activities and gang influences within this institution, and I am sure that resident Hairston and his associates are feeling the pressure." Finkbeiner also defended himself against the other allegations made by the Jaycee Board.

Instead of submitting the Jaycee Board's Petition for a Board of Inquiry, Director Sielaff sent it to Daniel R. DeVos, Chief of Program Services for the Illinois Department of Corrections, with the directive that DeVos conduct an investigation into the matter. DeVos turned the investigation over to one of his staff members, Muriel Runyen, Chief of Volunteer Services, who issued her report on June 6, 1975.

Runyen's report does not attempt to arrive at any conclusions regarding the justness of the Jaycees' complaints. Instead, she summarized the Petition point by point, presenting first the administration's point of view, then the Jaycees' point of view. Here is a summary of her report.

1) The administration admitted that the issuance of checks without co-signatures of the Jaycee president or treasurer was "an oversight," and that it would not be done in the future.

2) Regarding the Jaycee claim that the administration disregarded their "mandate" to suspend expenditures and purchases during the audit of the organization's financial records, the administration reiterated its position that "no business suspends operations while it audits its books."

3) Regarding the Jaycee claim that the administration had refused the chapter an audit of the books...and made

them inaccessible to the treasurer, the administration claimed that the audit was being conducted in compliance with the operating policy for Jaycee chapters. The Jaycees wanted to do their own audit, and apparently Hairston wanted to select the representatives.

The Commission learned from Frank Zeimetz, a member of the auditing board, that a tentative audit of the Jaycees' bank statement and checkbook established an overbalance of \$93.58. Paul Carter, an accountant in the business office balanced the books using their checkbook and a balance sheet obtained from the bank. A ledger was then made up, and Carter and Zeimetz held a meeting with three members of the Jaycees to explain what had been done and how to function under the new setup. Hairston (Acting Treasurer) was also called in later, but refused to cooperate, saying he wanted at least three witnesses to anything that transpired. No further action has transpired to date.

4) Apparently, the Jaycees' protest that the administration was violating the operating policy of the chapter by limiting membership to 50 is no longer an issue with them.

Whether or not the issuance of Runyen's report will restore peace and order to the Jaycee program still remains to be seen. Runyen told us that prior to this whole controversy, she believed that the Jaycee program was one of the most successful programs at the institution.

There seems to be little doubt, however, that Hairston and other Stone members were trying to use the organization in order to obtain some leverage in their power struggle with the administration. Finkbeiner's refusal to succumb to their tactics was one important factor in the gang-inspired inmate uprising of April 22, 1975.

#### C. The Attempted Boycott and Transfers

In addition to writing the Petition, the Jaycee Board, it will be recalled, decided at its secret meeting to boycott all Jaycee-related activity. This attempted boycott resulted in several incidents, and ultimately it resulted in Finkbeiner's decision to transfer five inmates.

One of these incidents, we were told by Frank Zeimetz and Dennis Jennings, occurred on the Saturday night prior to the riot, when an unidentified resident said to be a member of the Stones was beaten in the West Cell house because he allowed Herbert Catlett to take his photograph.

Catlett was a photographer for the Jaycees; he refused to honor the boycott, and he was found murdered the day of the riot.

Zeimetz and Jennings said that at least two other inmates were beaten during the week before the riot for not honoring the boycott, but when the battered residents were asked how they received their injuries, they said that they "fell down the stairs," and refused to elaborate.

Warden Finkbeiner determined that the five inmates who were responsible for most of the boycott trouble and who were all scheduled to be transferred on April 22, 1975, were: Earl Good, Thomas Blair, Lavern Fox, Harold Lloyd, and Ralph Lumpkins. In a telephone call to Transfer Coordinator Richard B. Gramley of the Department of Corrections in Springfield on April 21, the day before the riot, Finkbeiner said that the five inmates had reportedly "been pressuring other residents to boycott the Jaycee program, including the purchase of magazines and participation in the photo program. The pressuring is of a sufficient nature to create security problems within the institution..." He requested that consideration be given to moving all five residents to other State prisons.

In his April 22, 1975 (the day of the riot) memorandum to Phillip G. Shayne, Administrator of Adult Program Services for the Department of Corrections, Gramley described the five residents as follows:

"Lumpkins and Blair are both members of the 'Stones' street gang, and were both transferred to Joliet from Stateville in October of 1974 per recommendation of the Administrative Review Board. Reportedly, they were suspected of similar pressuring activities at Stateville, in regard to the boycotting of the resident commissary. Therefore, Warden Finkbeiner did contact Mr. Charles Rowe to ensure that there were no objections to these residents being transferred to some other facility.

"Resident Harold Lloyd was placed at Joliet because he indicated certain enemies at the Stateville Correctional Center. He had previously been at Pontiac and Menard on a former offense. Resident Fox was transferred from Stateville to Joliet in approximately August of 1974, and the only basis for this was to facilitate visits from his wife, who resides approximately three blocks from the Joliet facility.

"Resident Good has been at Joliet for approximately three years, having been transferred from Stateville subsequent to an assault on Correctional Officers in 1972. He has previously served time at Pontiac and at Menard, and has experienced serious institutional problems regardless of his institutional placement. He is a very aggressive individual who allegedly pressures smaller residents for sex and commissary.

"After reviewing each of these cases, I decided that Resident Lloyd should be transferred to the Pontiac Correctional Center, based upon his alleged enemies at Stateville. There appeared to be no good reason why Resident Fox could not be returned to Stateville, and I recommended this placement. Residents Lumpkins and Blair are both very much gang oriented and have experienced previous difficulties at Stateville. Therefore, placement at Menard has been recommended. Resident Good likewise could not be placed at Stateville because of extreme problems there. Pontiac placement seemed to be unadvisable at this time and therefore it was decided to place him at Menard. It is noted that he has not been at that facility for almost five years, having been at that facility only for a period of six months in 1970."

As we stated in Chapter 1, Lloyd, Blair, and Fox have already been transferred; Good and Lumpkins are being held at JCC pending completion of the investigation by Will County State's Attorney's office.

#### D. More Gang Activity

Finkbeiner told the Commission that his administration had been somewhat successful in keeping the gang element "off-balance," and he viewed the whole Hairston-influenced activity as a good example of this contention. He said that the boycott of the Jaycee program was a failure, as shown by the fact that more than 200 magazines were sold by the Jaycees during the period of the boycott.

Finkbeiner also related two other confrontations with Hairston. Several weeks before the riot Hairston announced that he was due to be released from prison in March, 1975; Finkbeiner told him he was not due for release until July, 1975. Hairston actually forced the situation to the courts before Finkbeiner's claim was substantiated.

When Commission investigators interviewed Hairston he was wearing a leather band on his right hand. The band was decorated with various symbols of the "Stones" gang which Hairston refused to identify because, he said, we were not Stones and therefore could not understand. When we asked Finkbeiner about this band, he said that the display of symbols, signs, or gang affiliation labels was strictly forbidden. Apparently, Hairston had little, if any, regard for Finkbeiner's edicts. Finkbeiner said he even went so far as having the letter "J" in the middle of the gymnasium floor painted black so that the color could not be identified with any particular gang.

Despite these examples of his efforts to keep the gangs off-balance, and despite Finkbeiner's claim that he had achieved a measure of success in keeping the gang situation under control, it is the firm impression of the Commission that inmate life at the Joliet Correctional Center is almost wholly dominated by gang pressure. These impressions were supported by both Jennings and Zeimetz, who told us flatly that gang activity in the prison is extremely strong, and our interviews with various inmates only served to confirm our impressions.

Of particular importance in this regard were the allegations made by several inmates about the strong connections maintained between prison gangs and their street affiliates, the fact that prison policies do little to discourage such connections, and the possibility that in some instances prison guards actually contribute to the problem.

#### E. Visitation Procedures

The most direct way which prison gangs interrelate with their street affiliates is simply by arranging for visits at the prison during regular visiting hours. The question here is to what extent can visiting privileges be abused.

In an interview with Commission agents, the newly-appointed Joliet Warden Ernest E. Morris explained that in April, 1974, the Department of Corrections instituted more relaxed visitation procedures. Whereas residents and visitors used to be separated by a glass/chicken wire partition which permitted no contact, the new procedures allow residents and their guests to interact freely. After the visitor departs, the resident is then strip-searched to prevent any contraband from being smuggled into the prison.

Although, as Morris said, residents are strip-searched after receiving a guest, this search alone will not necessarily prevent other residents and institutional personnel who have access to the same areas frequented by the visitors from secreting on their person items that may have been "dropped" by the visitors themselves. Morris mentioned that spot checking is employed by the security force at Joliet, and he asked if our investigators had been searched prior to entering the facility. The fact of the matter is, however, that our investigators were never searched during our five visits to the Joliet Correctional Center.

Even more important, there are ways by which inmates can exploit the visiting procedures. Morris told us that clergymen who can produce evidence that they are in good standing with a recognized religious faith must be given unlimited visiting privileges during regular visitation hours. Furthermore, these visits by members of the clergy do not count against the number of allotted visits for each resident. We established that Morris is totally incorrect in regard to these statements.

#### F. The Beni-Zaken

Commission investigators learned that Eugene Hairston often spends eight hours a day, three to four days a week visiting with members of a "religious organization" known as the Beni-Zaken. Morris said that when the members of this group first appeared at the prison, they were asked to provide certification of their clergy status. They then produced an "affidavit" (See Appendix C) which supported their claim to being a religious corporation under State of Illinois statutes. The affidavit states that the Beni-Zaken is an organization formed for the purpose of religious worship, held at 6326 South Stony Island in Chicago.

One of the JCC residents interviewed by Commission investigators was DeArmon Clayton. Prior to being sentenced to prison on a murder charge, Clayton had been a bailiff for the Cook County Sheriff's Department, and through his close association with various police departments, he experienced many problems with gang-affiliated residents.

Clayton told us that not only do Hairston and the Stones run the Joliet jail, but that Hairston's visiting "religious" people are known to drop drugs somewhere in the front section of the prison. Furthermore, he said that Hairston then threatens a prison guard and forces him to pick up the drugs and deliver them to him.

Clayton's testimony was supported by that of an informant who was provided to the Commission by the Chicago Police Department. This informant, a member of a gang known as the Royal Family, claimed to be a close friend and associate of Eugene Hairston. He told us that Hairston not only controlled gang operations at Joliet but also at Stateville, and that he still exerts considerable influence on the streets.

The informant stated that narcotics are easily come by in prison, and that Hairston not only controls the influx of drugs at JCC, but that he regulates the amount and kind used by Stone members. He said that part of the reason for the ease of drug traffic was the lack of effective search procedures and overall security.

When asked if he knew of a religious group called the Beni-Zaken, the informant replied that, yes, he knew of the group, and he described it as "nothing more than dressed-up gang members who transport narcotics to and between prison facilities." He also said that they act as "general messengers" for Eugene Hairston. According to Clayton, the Beni-Zaken is definitely not a religious group.

Commission investigators devoted considerable time trying to uncover some information regarding the Beni-Zaken religion. We checked the address of the association's headquarters as stated on their organization affidavit and discovered that 6326 South Stony Island is a vacant lot. The landlord of the former building told us that the Beni-Zaken had rented space in the building for about two years, but that when the organization stopped paying the rent, he was forced to ask the members to vacate. He also said that gang activity in the area made it impossible for him to rent the building again, so he had it torn down.

We then checked with the Cook County Recorder's office, where the affidavit was filed which gave the Beni-Zaken the status of a religious corporation. We spoke with John LoSasso, an Attorney with the Recorder's office, and asked him how difficult it was to qualify as a religious organization. LoSasso replied that almost anyone can walk in and get a license to start a religion. The only requirements are that the organization state its purpose as one of religious worship; that it conduct a meeting at which two or more members are named as trustees; that it fill out an appropriate form, which can be purchased at most stationery stores; and that it pay the \$5.00 fee. These procedures are provided for in the

Religious Organization Statutes of the Illinois Revised Statutes, 1973, Chapter 32, Section 164, et seq.

We inquired of the State Attorney General's office, the Secretary of State's Corporation Division, the F.B.I., the Illinois Bell Telephone Company, and the Church League of America: there was no record of the Beni-Zaken group.

JCC Warden Ernest Morris told us there is nothing he can do to prevent Hairston from spending eight hours a day with his "religious" associates. We asked former JCC Warden Finkbeiner if in fact the Department of Corrections was required to allow unlimited visiting privileges to religious groups or persons, and he said he thought there might be some federal law which guaranteed such privileges. We asked Joseph Feconda, Administrator of Adult Institutional Services, and he told us that while religious groups and attorneys are given special visiting privileges, he personally knew of no law which required the Department of Corrections to grant unlimited visiting privileges. Feconda suggested that we contact Lawrence X. Pusateri, Chief of Legal Services, to inquire if he knew of any law regarding this matter.

Pusateri stated flatly that there is no law which requires correctional institutions to grant unlimited visiting privileges to anyone. "The only law which pertains in this area," he said, "is the law of reason, which should be dictated by specific circumstances such as the amount of time and security available." Pusateri said that if the correctional institutions are granting unlimited visiting privileges to religious groups, it is a matter of policy, not law or departmental regulation.

Commission investigators also discussed this matter with Robert Horn, Administrative Chaplain for the Department of Corrections. Asked what criteria he used to determine a bona fide religion, Chaplain Horn said he required a religion to be filed as a tax-exempt organization. Such a status can only be given by the Internal Revenue Service's Exempt Organizations Division.

On June 10, 1975, we asked Mr. William Palzkill, Chief, Exempt Organizations Branch, United States Internal Revenue Service, Chicago, if his office had any record of a Beni-Zaken religious organization. Palzkill replied that that very day he had received an application for tax exemption from the Beni-Zaken. He also said that tax exemption status is not automatically given and that his office would first have to conduct an investigation to determine whether that organization qualifies for such exemption.

Palzkill said that Beni-Zaken supplied the address of 4233 South Indiana, Chicago, on its application for tax exemption, which has since been verified.

We asked Palzkill to notify the Commission as to the disposition made on Beni-Zaken's application. If it is denied we will notify the warden of JCC so that further visits to that jail by Beni-Zaken visitors can be summarily stopped.

The Administrative Regulations, Section 829, of the Illinois Department of Corrections, states the following on the visitation procedures for attorneys and clergymen:

"Attorneys and clergymen need not be included on the approved list of visitors but must visit during regularly scheduled visiting hours unless they have made other arrangements with the Chief Administrative Officer. Clergymen who present themselves at an institution or facility and who can produce evidence that they are in good standing with a recognized religious faith shall be allowed access to the institution for the purpose of visiting residents. However, the Chief Administrative Officer shall determine the number of residents that an attorney or clergyman may visit at any one time. Such determinations shall be made in accordance with space, time, security, and program consideration."

It is clear, therefore, that even if the Beni-Zaken religion is granted U.S. Internal Revenue Service exempt organization status, which seems very doubtful, the Illinois correctional institutions are in no way bound to allow the kind of exploitation of the visiting procedures which have been perpetrated by Eugene Hairston. The Commission is convinced that his extended visits with members of the so-called Beni-Zaken are nothing more than gang sessions thinly disguised as religious meetings. Such sessions only further the connections between street and prison gang activity, and there is considerable reason to suspect that these sessions often result in the smuggling of drugs into the prison. Such unlimited visiting privileges should not be tolerated by prison officials.

#### G. The Problem of Staffing

Warden Finkbeiner's efforts to keep the gang situation under control at the Joliet Correctional Center were hampered by an understaffed and undertrained guard corps. This, of course, is a problem which the wardens in all of the State's correctional institutions face.

In an interview with Dan DeVos, Chief of Program Services, we were told that the Department of Corrections experienced a much more rapid growth in its statewide inmate population than had been anticipated. In October of 1974, the inmate population numbered 6,000, and was expected to reach approximately 7,000 by July, 1975. However, as of June 1, 1975, they had already passed the 7,000 mark and were now expecting a total of about 8,500 by the end of July.

DeVos said that efforts are being made throughout the system to house this vast amount of residents by renovating old structures, opening up formerly closed facilities, and by going back to double-occupancy in many maximum security prison cells. It had been hoped that all facilities would have single dwelling cells in the near future, as part of the long-range plans instituted by Director Sielaff, but this projection will apparently have to be postponed indefinitely.

DeVos told us that the problem of the shortage of guards and of training guards is being attacked through the Department's Minority Recruitment Program, which is one of his duties. The original thrust of this program was to offset the high turnover of guards at the Stateville Correctional Center, as well as to balance the racial make-up of the guard force there.

DeVos said that the project seems to have enjoyed a certain degree of success, in that out of the original 64 men that were put through the training program and placed on the guard force, 52 of them were still working 10 months later.

DeVos said that there had been a recent 14 per cent increase in salaries for correctional officers, and that although he still considered their salaries to be low in urban areas, it made the position more competitive in today's job market in the downstate areas.

Improvement in the quality of the guard force is also being achieved through the Correctional Training Academy, which is operated on funds supplied by the State and the Law Enforcement Assistance Administration. DeVos said that all correctional officers in the Department will attend the basic training sessions at the Academy, and that once this is accomplished, a system of in-service training would be instituted as well as on-going workshops dealing with special areas.

The Academy's curriculum includes such subjects as: the structure of the Department; philosophy of the

Department; management; job descriptions and functions; tower duties; frisk and search procedures; disturbance procedures; reports and report writing.

The special workshop project was begun a few months ago, and the first workshop was designed especially for assistant wardens. DeVos said that as a result of this workshop, a new position was created called Internal Security Officer--of which there will be one at each prison; each warden is required to pick a staff member to fill this post. One of the basic responsibilities of the Internal Security Officer will be to maintain a "gang dossier file." DeVos said that additional workshops at the Academy on the special techniques of internal security are planned in the near future.

#### H. The Grievance System

DeVos also told us that one of the major problems in the correctional system is compiling sufficient documentation necessary to facilitate needed transfers. Because of the "grievance procedures for residents," he said that it has become increasingly important for transfer requests to have proper and authentic reasons.

Warden Finkbeiner told us similarly that even though most prison administrators, guards, and even many inmates know that Eugene Hairston is responsible for much of the gang troubles at JCC, nothing can be done to discipline him or to have him transferred. The reason for this, Finkbeiner said, is that grievance procedures require that before an inmate can be disciplined in any way or transferred to another institution, he must be caught and charged with a specific offense--otherwise any disciplinary action or proposed transfer will be reversed by the Administrative Review Board.

Officials pointed out that gang leaders, such as Hairston, are rarely caught doing anything wrong, simply because they stay behind the scenes and assign whatever they want done to their followers. It is these followers who occasionally get caught.

Hairston's prison record is so "clean," in fact, that he is assigned to Joliet's honor dormitory. However ironic such a placement may seem, Finkbeiner pointed out that the one positive factor regarding Hairston's honor status is that it keeps him separated much of the time from the rest of his gang members.

#### I. Eugene Hairston

With few exceptions, our interviews with inmates confirmed our impressions of the degree and power of gang activity at JCC. One of those exceptions was Eugene Hairston himself who, although admitting that he keeps a "tight control over my people," insisted that Warden Finkbeiner and the prison administration placed too much emphasis on gang activity and gang influence.

When asked, however, about Herbert Catlett's reported attempts to convert some of the Stones, Hairston scoffed at the idea.

"It would have been foolish for Catlett to try and talk my people out of anything while I'm here," he said.

Hairston continually attempted to direct attention away from discussion about gang activity. He complained about Finkbeiner's handling of the Jaycee program and the fact that checks were written without proper co-signatures. He also claimed that Finkbeiner had ordered the transfer of certain residents only because they had planned to run for Jaycee offices during the next election. He discounted the suggestion they had been involved in any boycott of the Jaycee program.

Our interviews with almost all other residents left little doubt in our minds that gang activity determines a prisoner's daily life: it results in favors involving homosexuality, money, and drugs; it involves constant intimidation of the weak or those who refuse to pay homage to gang formalities. Finally, our interviews suggested that the central conflict of prison life at JCC has been the ongoing power struggle between gangs and the administration.

### Chapter 3

#### THE MIDDAY TRANSFER

Warden Finkbeiner's decision to assert his authority over the floundering Jaycee program and his additional decision to transfer the five inmates brought this power struggle to a festering head, and the upshot was the inmate revolt on April 22, 1975.

The Commission's strong conviction is that Warden Finkbeiner was entirely justified in asserting his authority in these matters. The Jaycee program is a resident program and was designed to give prison residents an opportunity to have a voice in the running of their social lives, but it is absurd to suggest that the residents should have the final decisions and responsibility for the program. Such decision-making and responsibility logically belong in the hands of the warden.

Likewise, the warden's decision to transfer the five inmates for boycotting the Jaycee program was justified. The intimidation tactics these residents used on those who did not want to honor the boycott could not be tolerated.

Therefore, even if these decisions by the warden helped to trigger the riot, the decisions were necessary. If the decisions had not been made, in the long-run an even worse situation would have developed at JCC. It was extremely important for the warden to take a stand, and to let the residents know who was running the prison.

Nevertheless, the very fact that the inmates decided to protest the warden's decisions by taking over a cell house is instructive: it tells us that they were considerably organized, in the form of gangs; that they assumed certain rights which prisoners should not have; and that they were not nearly as "off-balance" as Warden Finkbeiner thought they were.

What seems clear to us is that, despite his good intentions, Warden Finkbeiner had not made the progress he thought had been made in reducing gang activity, and in keeping the gangs off-balance. Obviously, the gang situation at JCC is one which had been growing and evolving for many years, and Finkbeiner had only been warden for four months. His "refusal to recognize" gangs during that four months is admirable, but in another sense it is a little like refusing to recognize China. China exists and so do the gangs, and whether or not they are "recognized," their presence and power must be dealt with.

We believe that if Finkbeiner had perceived the situation more clearly he would not have arranged for the five inmates to be transferred at midday; he would have arranged, instead, for what is commonly called the "midnight shipment." It is possible, of course, that the residents would still have rioted the day following such a midnight shipment, but it is less likely. When inmates can actually see one or more of their members being carried off, the probability of a spontaneous reaction is much greater than the possibility of a delayed reaction the following day.

In an apparent attempt to dispute the implications of the midday transfer, Warden Finkbeiner tried to stress to us that the riot had actually begun a short time before Earl Good was led from the prison dining room by Captain Busch on April 22, 1975.

Finkbeiner insisted that residents had started leaving their proper assignments and gathering in the West Cell house before Good was escorted away. However, none of the testimony we received from either inmates or prison guards ever made mention of this activity. The testimony we received was in fact, just the opposite: that when Good walked away from Captain Busch and returned to the West Cell house, other inmates began gathering around in a "support posture."

We asked Allyn Sielaff, Director of the Department of Corrections, if the time chosen by Finkbeiner to execute the transfer order was proper. Sielaff answered that it was his knowledge that transfer orders had always been handled in a similar way, and that this situation did not appear to him to be different or special. Sielaff also said that it appeared that there had been a "gearing up" for trouble of some sort prior to the melee, but he was unable to be more specific.

The five inmates who were going to be transferred had all been told earlier that day of their impending transfers, and undoubtedly the word quickly spread throughout the prison. Even if, as Finkbeiner claimed, residents had begun leaving their stations and gathering in the West Cell house prior to the time Earl Good walked away from Captain Busch, we suspect that they did so because they saw Busch escort Good away from the dining room. They then began gathering, in anticipation of Good's decision not to go. Thus, based on the testimony we received, we can only conclude that the decision to transfer the prisoners at midday was ill-timed.

## Chapter 4

### CONCLUSIONS AND RECOMMENDATIONS

#### A. Conclusions

1. The Commission concludes that gang activity was the driving force behind the April 22, 1975 inmate revolt at the Joliet Correctional Center.

2. Although the Director of the Illinois Department of Corrections has made it clear since he assumed that office in 1974 that gang activity in the State's correctional institutions should not be tolerated, it is clear that gang activity is well-organized and virtually dictates inmate life at every turn.

3. By the use of various tactics of intimidation, gang members use their accumulated power to procure favors from other prisoners, such as sex, money and drugs, and there is some evidence that gang members use the same intimidating tactics against certain guards.

4. The former Warden at the Joliet Correctional Center, Fred L. Finkbeiner, tried to implement a hard-line policy toward prison gangs and certain gang members, but he was hampered by an inadequate correctional staff and a Departmental grievance system which makes it difficult to punish or to transfer offenders of prison regulations.

5. Mr. Finkbeiner seemed to think that he had made considerable headway in keeping the gangs "off balance" during his four months as warden at Joliet. The Commission believes that if he had had a more realistic sense of the organized power of gangs, he would not have ordered the transfer of five troublesome inmates to take place at midday.

6. The Commission concludes that one of the main factors in the inmate uprising was the scheduled transfer of these five residents, and we think that the probability of a spontaneous reaction to a midday transfer was greater than the possibility of a delayed reaction had the transfers been carried out sometime in the middle of the night.

7. The second major factor in the inmate rebellion of April 22, 1975, had to do with the anger of certain gang members regarding what they believed to be administration interference in the Joliet East Chapter of the Junior Chamber of Commerce.

8. The Commission believes that Warden Finkbeiner and the administration were entirely justified in "interfering" in a Jaycee program which was in a state of financial confusion and which was being used by the Black P. Stone Nation gang as a means of leverage in its ongoing struggle with the administration.

9. There is a tremendous amount of activity and communication between street gangs and their prison affiliates, and the Commission has strong suspicions that this activity includes the smuggling of drugs into the Joliet Correctional Center.

10. Although prison officials agree that the influence of street gangs upon the prison population is undesirable, jail policy actually encourages this practice. Allowing religious organizations of dubious origin and character to have unlimited visitation privileges is a jail policy which is injurious to the security of the prison and which has no parallel either in Department of Corrections' regulations or in State or Federal law.

11. The Commission concludes that the murder of Herbert Catlett during the April 22, 1975 inmate rebellion was gang-inspired, and stemmed partly from Catlett's unwillingness to honor the attempted boycott of the Jaycee program by gang members.

12. The largest and most powerful gang at the Joliet Correctional Center is the Black P. Stone Nation, whose leader is resident Eugene Hairston. That Hairston is assigned to the prison's honor dorm may attest to the fact that the correctional system's grievance procedures prohibit the jail administration from dealing effectively with the root of gang activity.

13. We believe these irregular and illegal activities are achieved through the Beni-Zaken "religious" organization, whose members have been known to visit with Hairston three or four days a week, eight hours a day, and which consists of little more than gang members thinly disguised with religious garb and fancy names.

14. There seems little evidence of any considerable Ku Klux Klan activity at the Joliet Correctional Center, though we were informed by several sources that Klan membership and activity are more substantial at the Menard State Penitentiary.

15. We can find no evidence to prove that the transfer of Fred Finkbeiner from the Joliet Correctional to the Pontiac Correctional Center was related to the inmate rebellion. However, we do think that the timing of this transfer, just two weeks after the rebellion, touched off unavoidable rumors and suspicions regarding the reasons for this move.

16. Given the power wielded by the Black P. Stone Nation and other gangs in the Joliet Correctional Center, it is indeed strange that neither the administrators of that institution nor the Director of the Department of Corrections has heretofore developed informational reports concerning these gangs, and the nature and scope of their activities.

#### B. Recommendations

1. The Commission strongly recommends that the Illinois Department of Corrections and the various prison wardens conduct programs to study and report regularly on the nature and scope of gang activity in State penitentiaries. This would enable the authorities to control gang activity and to undercut the power of gang leaders through disciplinary and transfer measures.

2. We also strongly recommend that any correctional policies or regulations which hamper or prohibit administrative control of gang activity be altered. It is senseless to have a grievance system if that system is capable of fostering the kind of gang-inspired uprisings which occurred on April 22, 1975.

3. We recommend that the various correctional institutions abandon at once the curious and unnecessary policy of granting unlimited visiting privileges to anyone--even attorneys and religious groups. Though such a policy may be well-intended, some inmates will exploit it to further their "street" connections, have drugs smuggled into the prison, and otherwise circumvent the law and prison regulations.

4. The Commission recommends that the Illinois Department of Corrections alter its grievance procedures

so that it can get at the cause, not just the effects, of gang activity. A system which allows gang leaders to live in honor dorms and gang followers to get caught while carrying out his leader's wishes works against the best interests of everyone--the State, the jail administration, and the inmates.

5. Because an understaffed and unskilled guard force is at least partly to blame for the problems at Joliet as well as other State correctional institutions, we applaud the Correctional Training Academy program, and recommend that development and training for the recently-created Internal Securities Officer positions be given a high priority.

6. We strongly recommend that the Department of Corrections and the various prison administrators do everything within their power to weed out any correctional officers suspected of bestowing any favors on inmates.

7. During the course of the Commission's investigation at the Joliet Correctional Center, we learned of certain practices that warrant increased security measures. Although not directly related to our investigation of the circumstances that led to the April 22, 1975 riot, we would recommend that:

a. All visitors, not just some, be properly searched;

b. Areas that are accessible to both inmates and visitors such as front desks, visitors' area, parking lots, reception, etc., should require tighter control and "spot" searches to prevent the smuggling of drugs, messages and other contraband;

c. Tighter security measures should be maintained in common areas of the Joliet Correctional Center such as the hospital, kitchen, and workshops, to prevent the smuggling of contraband; and

d. The Department of Corrections should investigate and verify visitor groups claiming to be religious organizations, and transmit proper authorizations for those groups to wardens of State prisons.

8. In the final analysis, it must still be remembered that the Joliet Correctional Center is a maximum security institution. Although there are efforts being made continuously by the Illinois Department of Corrections

to institute programs such as the Jaycees to aid in improving the everyday life of the inmates, as well as establishing a more relaxed atmosphere in relation to the visitations of residents by family and friends, the procedures as they stand now compromise the overall safety and security of the facility as well as the safety and security of its employees.

9. The Department of Corrections should exert every effort to identify each inmate of the Joliet Correctional Center that was involved in the April 22, 1975 riot, and impose appropriate punishment on each such perpetrator, to deter the recurrence of any further riots.

10. Finally, we recommend that the Illinois Department of Corrections formalize its personnel actions through written and dated notifications to the interested employees, particularly concerning transfers, to avoid future misinterpretations such as Warden Finkbeiner's transfer from Joliet to Pontiac. News releases should not be classified as formal notifications.

Appendix A

WITNESSES AND AUTHORITIES CONSULTED

Following are listed those persons interviewed during the course of this investigation. They include officials of the Illinois Department of Corrections and authorities at the Joliet Correctional Center. Also included are persons and groups with no direct connection to government but who contributed significant input to our investigation. The list also includes some Joliet residents but we have respected the wishes of others who wanted to remain anonymous for obvious reasons.

Robert A. Buchanan  
Supervisor, Reception and Classification Unit,  
Joliet Correctional Center, P.O. Box 515, 1125  
Collins Street, Joliet, Illinois 60432

Norman Busch  
Captain, Correctional Officer, Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street,  
Joliet, Illinois 60432

The Church League of America  
422 North Prospect, Wheaton, Illinois 60187

DeArmon Clayton  
Resident (Institution #76396), Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street,  
Joliet, Illinois 60432

Ben Covev  
Corporal, Illinois State Police District 5,  
General Delivery, Joliet, Illinois 60431

Daniel DeVos  
Chief of Program Services, Illinois Department of  
Corrections, State Armory, Room 301,  
Springfield, Illinois 62704

Edward Dye  
Resident (Institution #76664), Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street,  
Joliet, Illinois 60432

Joseph Feconda  
Administrator of Adult Institutional Services,  
Illinois Department of Corrections, State Armory,  
Room 201, Springfield, Illinois 62704

Fred L. Finkbeiner  
Warden, Pontiac Correctional Center, Illinois  
Department of Corrections, P.O. Box 99,  
Pontiac, Illinois 61764

Keith L. Fort  
Sergeant, Correctional Officer, Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street,  
Joliet, Illinois 60432

John Gentry  
Lieutenant, Internal Security Officer, Joliet  
Correctional Center, P.O. Box 515, 1125 Collins  
Street, Joliet, Illinois 60432

Robert W. Georgantas  
Captain, Illinois State Police District 5 Commander,  
General Delivery, Joliet, Illinois 60431

Richard B. Gramley  
Transfer Coordinator, Illinois Department of  
Corrections, State Armory, Room 400, Springfield,  
Illinois 62704

Eugene Hairston  
Resident (Institution #63966), Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street, Joliet  
Illinois 60432

Ernest Hayes  
Resident (Institution #75259), Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street, Joliet,  
Illinois 60432

Robert W. Horn  
Administrative Chaplain, Illinois Department of  
Corrections, State Armory, Room 301, Springfield,  
Illinois 62704

Maurice Jackson  
Administrative Chaplain, Illinois Department of  
Corrections, State Armory, Room 301, Springfield,  
Illinois 62704

Raymond Jackson  
Resident (Institution #79097), Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street, Joliet,  
Illinois 60432

Dennis Jennings  
Casework Supervisor, Joliet Correctional Center,  
P.O. Box 515, 1125 Collins Street, Joliet,  
Illinois 60432

William Jennings  
Chief of Operations, Illinois Department of  
Corrections, State Armory, Room 201,  
Springfield, Illinois 62704

John LoSasso  
Attorney, Cook County Recorder and Registrar of  
Titles, County Building, 118 North Clark Street,  
Room 215, Chicago, Illinois 60606

Raymond Matthews  
Resident (Institution #69138), Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street, Joliet,  
Illinois 60432

Ernest E. Morris  
Warden, Joliet Correctional Center, P.O. Box 515,  
1125 Collins Street, Joliet, Illinois 60432

John Motzny  
Sergeant, Chicago Police Department, Area 5  
Homicide/Sex, 2138 North California Avenue,  
Chicago, Illinois 60647

William Palzkill  
Chief - Employee Plans and Exempt Organizations  
Division, United States Internal Revenue Service,  
230 South Dearborn, Room 2858,  
Chicago, Illinois 60690

Dilip Patel  
Medical Technician, Joliet Correctional Center,  
P.O. Box 515, 1125 Collins Street, Joliet,  
Illinois 60432

Lawrence X. Pusateri  
Chief of Legal Services, Illinois Department of  
Corrections, 160 North La Salle Street, Room 400,  
Chicago, Illinois 60606

Jack W. Richards  
Resident (Institution #65241), Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street,  
Joliet, Illinois 60432

Appendix B

DEPARTMENT OF CORRECTIONS NEWS RELEASE

Martin Rudman  
Will County State's Attorney,  
14 West Jefferson, Joliet, Illinois 60431

Muriel Runyen  
Chief of Volunteer Services, Illinois Department of  
Corrections, State Armory, Room 301, Springfield,  
Illinois 62704

David Sandahl  
Assistant Warden, Joliet Correctional Center,  
P.O. Box 515, 1125 Collins Street, Joliet,  
Illinois 60432

Allyn Sielaff  
Director, Illinois Department of Corrections,  
State Armory, Room 201, Springfield, Illinois 62704

Ellis Sostrin  
Attorney, Attorney General's Office, Charitable  
Trusts and Solicitation Divison, 180 West Randolph,  
Room 2200, Chicago, Illinois 60606

Frank Zeimetz  
Correctional Counselor, Joliet Correctional Center,  
P.O. Box 515, 1125 Collins Street, Joliet, Illinois  
60432

John Zuck  
Captain, Correctional Officer, Joliet Correctional  
Center, P.O. Box 515, 1125 Collins Street,  
Joliet, Illinois 60432

The Illinois Department of Corrections issued the following news release regarding the transfer of Warden Fred Finkbeiner and other appointments on May 6, 1975:

"Allyn R. Sielaff, Director of the Illinois Department of Corrections, has announced several major appointments in the Adult Correctional Centers.

"Fred Finkbeiner, 36, who has served as Warden of the Joliet Correctional Center since December of 1974, is appointed to the position of Warden of the Pontiac Correctional Center, replacing former Warden James C. Fike. Finkbeiner previously served as Operations Consultant for the Illinois Department of Corrections and before that as Chief Jail Officer at the Cook County Jail. He holds a bachelor of arts degree in social justice from Lewis University, Lockport, and is currently engaged in graduate study at Roosevelt University. His salary will be \$2079 per month.

"Ernest E. Morris, 48, a 21-year veteran employee of the Department of Corrections, has been named Warden of the Joliet Correctional Center, replacing Fred Finkbeiner. Morris has advanced through the correctional officer ranks to his present position of Assistant Warden for Operations at the Joliet Correctional Center. His salary will be \$1865 per month.

"William H. Welch, 45, a Joliet Correctional Center employee for the past 18 years, has been appointed Assistant Warden for Operations at the Joliet facility, replacing Morris. During his employment with the Department of Corrections, Welch has served as guard, guard sergeant, guard lieutenant, prison industry supervisor, senior guard captain, and major of the guards. His salary will be \$1695 per month.

Appendix C

AFFIDAVIT OF BENI-ZAKEN

"Marvin B. Hall, 39, has been named Assistant Warden for Operations at the Menard Psychiatric Center, Chester, Illinois. Major Hall joined the Department of Corrections as a guard in 1961 and has advanced through the ranks to his present position of major of the guards at the Stateville Correctional Center. Major Hall is a graduate of Lewis University, Lockport. His salary will be \$1609 per month.

"All of the above appointments become effective on May 6, 1975. The Adult Correctional Centers are under the supervision of Joseph Fecunda, Administrator of Adult Institutions."

The following is an affidavit filed by the Beni Zakin with the Cook County Recorders' office.

File #20511834

AFFIDAVIT OF ORGANIZATION OF BENI ZAKIN AS  
A RELIGIOUS CORPORATION UNDER THE ACT OF APRIL 18,  
1872 (ILLINOIS REVISED STATUTES, 1967, CHAPTER  
32, SECTIONS 164-175)

STATE OF ILLINOIS)

: SS

COUNTY OF COOK )

"I, Reuben Ben Yehudah, do solemnly affirm that at a meeting of the members of Beni Zakin, a society formed for the purpose of religious worship, held at 6326 South Stony Island Avenue, Chicago, in the County of Cook, and State of Illinois, on the 5th day of June, 1968, for that purpose, said society adopted Beni Zakin as its corporate name, and the following persons were appointed trustees according to the rules and usages of such society:

Reuben Ben Yehudah  
Amaziah Ben Yahmin  
Dahneyael Ben Yosef  
Haphtali Ben Israel  
Reuben Ben Levi  
Daxure Ben Levi  
Simeon Ben Israel  
Nahum Ben-Levi

Chief Levite--

At said meeting, this affiant acted as chairman.

"The purpose of Beni Zakin is to engage in religious worship and to teach and uphold the standard of the highest moral code of law that was given to the Prophet Moses from the Supreme of the Universe, to propogate the Commandments, status and judgments of God, to seek the elimination of social inequities and, in general, to promote the heritage and tradition of the Old Testament.

"As a religious corporation, Beni Zakin shall have all the powers provided by statute, including the right and power to receive land, by gift, devise, or purchase, and to erect or build therein such houses, buildings, or other improvements as it may deem necessary for the convenience and comfort of such society, and to maintain meeting places and community centers for the purposes of religious worship, the practice of the aforementioned beliefs, and for social, educational, and cultural activities in conjunction therewith."

/s/ Reuben Ben Yehudah

**END**

*1.000 14.00*