

OPENING STATEMENT
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HOUSE JUDICIARY SUBCOMMITTEE
ON CRIME AND CORRECTIONS
SCI HUNTINGDON
OCTOBER 14, 1999

Good morning, Chairman Birmelin and members. I appreciate the opportunity to appear before you to review the escape of inmate Norman Johnston from SCI Huntingdon on August 2, 1999.

Johnston was committed to the Department to serve four consecutive life sentences and a consecutive 12 ½- to 25-year sentence for criminal conspiracy and aggravated assault.

It was the clear intention of the Commonwealth that he never be allowed to walk the streets again. That he was able to escape from a Restricted Housing Unit (RHU) in a maximum security prison represents a substantial failure of SCI Huntingdon to fulfill its most fundamental responsibility to securely confine the inmates committed to it. He was able to succeed because:

- ◆ certain staff, in violation of clear Department policy, allowed themselves to be used by this inmate,
- ◆ he was clever enough to organize a ring of confederates who maintained strict silence and aided him in securing escape implements,
- ◆ the Department through the years had accorded preferential treatment to legal mail,
- ◆ staff in the housing unit where he was confined did not perform their duties in a thorough and effective manner,

- ◆ a design flaw in the construction of the housing unit allowed him to conceal his activities,
- ◆ changes made to the construction of SCI Huntingdon in previous years had compromised the original structural integrity of the facility, and
- ◆ certain management staff and middle management staff failed to fulfill their responsibilities in certain areas to ensure that Department procedure was being followed and that good security practices were utilized.

SCI Huntingdon is a maximum security prison built over a century ago. It houses over 1,800 adult male felons and employs 639 personnel. As of August 31, 430 of Huntingdon's inmates were lifers and an additional 376 were serving minimum terms of 20 years or more. There are nine inmate housing units, four of which are located inside a 10-acre walled enclosure. Three blocks are attached to but located outside the walled enclosure. E and F Blocks were constructed in 1932 and G Block, from which Johnston escaped, was built in 1991. Two additional units house minimum security inmates and are completely detached from the main compound.

For many years, until the Camp Hill Special Management Unit and SCI Greene opened, Huntingdon was the "end of the line" in the corrections system, housing the most intransigent and dangerous inmates.

SCI Huntingdon is an accredited institution and has been since 1984.

The building from which Johnston escaped, G Block, is the Restricted Housing Unit (RHU). This unit houses inmates in disciplinary custody for violating institutional rules, and administrative custody inmates held in restricted housing for protection, investigation, or other security reasons.

When G Block was built in 1991, it was deemed to be the most secure housing unit at Huntingdon. The building was believed to be more than adequate security for RHU inmates because the construction of the building itself provides high security without secondary perimeters. Before G Block was built, RHU inmates were confined in B Block. B Block is one of the facility's original housing units, and given its age, the mortar between the blocks had begun to deteriorate. In May 1984 two inmates were found to have cut their cell door bars in an escape attempt. Approximately three months before that, two inmates were discovered out of their cells. Before 1993, inmates broke through the mortar of the brick walls in D Block, and gained access to the pipe chase, and from there exited to the basement. Consequently, the RHU was moved to G Block, although B Block continued to be utilized as extra restricted housing cell space when there were more inmates than could be accommodated in G Block.

Because RHU inmates are segregated from contact with general population, are searched frequently, and are always handcuffed and escorted during any movement, it was believed that G Block and its construction would provide adequate security for them.

Johnston was confined to the G Block RHU since August 14, 1998, when he was charged with attempting to convey a legal brief, which had been carved out and which contained six bags of marijuana and a security screw driver tip, to another inmate in the RHU. Ten days later on August 24, 1998, Johnston attempted to obtain 4 nails concealed in a tube of toothpaste. This was intercepted, and he received a misconduct report for this contraband.

Johnston was able to escape because he was able to defeat the physical security of the G Block structure. He did this by gaining access to two implements, both of which were required for this escape to be successful. First, he needed to obtain a screw driver implement capable of unfastening the screws which held the wire mesh security screen covering the window. Secondly, he needed to obtain something with which to cut through the bar that subdivided the 12" wide window.

Without either one of these items he could not have successfully escaped.

While there were other lapses that contributed to his ability to escape, the most fundamental reason why this escape occurred was his access to these items.

Our investigation, and more importantly, the investigation of the Huntingdon County District Attorney indicates that these items were probably introduced into the facility concealed in legal materials mailed to other inmates, not to Johnston. Johnston himself was found guilty of misconduct a year earlier for attempting to smuggle just such a legal brief with a security screwdriver tip concealed in it to another inmate, perhaps in an effort to begin the escape process then. The District Attorney told me his investigation indicates that this is probably how the security screwdriver implement and cutting blades were introduced into the facility. Our investigation indicates that neither of these items was obtained from facility inventory. Facility tool control practices were sound and were followed, and the inventory was correct. A piece of a blade, either from a hacksaw or a mechanical saw, was found near the fence through which Johnston exited the facility, and it wasn't from the facility inventory. Therefore, we do not believe that these items were introduced into the facility by staff smuggling them in or by theft from facility inventories.

Once these items were inside the facility, Johnston utilized one of several methods to get them delivered to him in the RHU. It is possible that other inmates carried these items into the RHU on their persons or concealed in body cavities when they themselves were placed in the RHU. In addition, other inmates could have delivered items when they entered the RHU to perform work such as cleaning or barbering.

More likely, however, Johnston relied on staff. Officer Ezequiel Ruiz admitted to us that he has been delivering items to inmates in the RHU from general population and between RHU inmates for more than three years. Inmates involved in the delivery of this contraband have corroborated his statement. Officer Ruiz admitted that he made numerous deliveries, 12 to 18 of which were made to Johnston while he was confined within the RHU. He told us he believed that he was delivering coffee, cigarettes or tobacco, written and oral messages, magazines and loose papers, but he admits he never checked. An inmate from whom he obtained these items has told us that when Johnston's associates wanted to get contraband (including drugs and tools) in to Johnston in the RHU they would give it to this inmate and he gave it to Ruiz for delivery. Officer Ruiz was regularly assigned to work in the RHU. He often visited even when it was not his assignment. He denies receiving payments for the delivery, but an inmate has told us Johnston would give Ruiz \$50 bills "just to keep him happy." We have also been told that Ruiz would occasionally provide Johnston with notice of cell searches and remove contraband from Johnston's cell prior to the search.

Nurse Wendy Randolph admitted to our investigators that she delivered items from general population inmates to the inmates in the RHU on seven occasions since

December 1997, including at least one delivery to Johnston. She told us the deliveries were made in antacid bottles given to her by inmates; those bottles contained an inmate number written on the top of the bottle. She then gave the bottles to the designated RHU inmates. She believed that these bottles contained coffee, tobacco, or messages. She, too, never checked. Inmates in population would approach Nurse Randolph and ask her to deliver items to RHU inmates. An inmate involved in these deliveries has told us that marijuana was frequently packaged in the antacid bottle given to Nurse Randolph for delivery to Johnston.

We have been unable to prove conclusively that the specific items used in this escape were conveyed to Johnston by Officer Ruiz or Nurse Randolph. The statute regarding prison contraband (18 Pa.C.S.A. § 5123) and the statute addressing facilitation of escape (18 Pa.C.S.A. § 5121) require that we be able to prove beyond a reasonable doubt that the items were delivered to Johnston by the employee. For that reason, while we believe this is how Johnston obtained these materials, it may not be possible to obtain a criminal conviction in this matter because we cannot prove which employee actually delivered escape implements to Johnston.

When G Block was constructed, the specifications called for a maximum detention, non-ventilating steel window for use in correctional institutions, holding glass on the exterior, providing a vertical steel tubular "impost" at the center of the window behind the glass, and providing "tool resistant" members concealed in the perimeter frame members and tubular impost. It was also to include a fixed safety screen consisting of a tubular steel frame with stainless steel wire cloth room-side. The windows are 12" wide by 48" high. The windows meet all specifications.

The design flaw in this window is that the safety mesh window screens prevent cell block officers from adequately checking the window bar which is behind it and separated from the outside by glass. Also, the frame of the mesh screen concealed from the view of the officer the upper-most and bottom-most portions of the vertical tubular impost, that enabled Johnston to conceal the cuts he made.

We believe that because he had access to a security screwdriver implement, Johnston was able to remove the security screws. This allowed him to take the screen off at night, do his cutting and then return the wire mesh screen to its proper location before daylight. The security screwdriver implement which we believe he used has never been found.

A small piece of hacksaw blade, approximately 2" in length, was found at the exterior perimeter fence through which Johnston was able to escape by making some 22 cuts. It was a carbide blade different from those used in the facility but similar to blades that had been found in a typewriter in the chaplain's office in June of this year. Another inmate, Michael Romansky, has been criminally charged with possession of this contraband. However, prior to the escape no connection was made between Romansky's possession of these blades outside the RHU, and Johnston.

We believe that by using the security screwdriver implement to remove the wire mesh screen and the hacksaw blade to cut through the 7/8" diameter tool resistant steel bar in the window, Johnston was able to exit his cell and defeat the physical security of this building. He was able to accomplish this because staff allowed themselves to be used by Johnston in violation of Department policy and gave him access to these two necessary items.

His cutting of the bars should have been detected during security cell inspections. Department policy mandates that inmate cells be checked weekly and that all security devices such as bars, locks, windows, doors, and alarms be inspected. The inspections are to be logged, and the staff member who conducted the inspection are to be identified in the log. Huntingdon's RHU manual mandates that all cells in the RHU are to be inspected every three days on a regular basis. The responsibility to ensure adherence to these requirements rests with the RHU Lieutenant. Investigation reveals that the security inspections at Huntingdon were not properly documented. The RHU officers failed to identify the staff member who conducted the inspections. Although the log indicated that the cells were checked for security on a daily basis during the exercise period, or every three days when an inmate refused yard, no record was kept regarding who checked the cell. Huntingdon records indicate that Johnston's cell was checked on July 19, 22, 23, 26, 29 and 30. However, the cutting of the bars was not detected. Although the mesh screen made checking the bar difficult, it was not impossible. More importantly, a good inspection might have revealed that the screen had been tampered with.

Once he exited the building, Johnston gained access to the area containing the individual exercise units formerly utilized for RHU inmates. This area had been closed for several months following an incident in which inmates had been able to unravel the fencing in the unit and attack another inmate. Another exercise area located inside the wall had been used since that incident. The layer upon layer of wire mesh fabric which made up these individual exercise units served to partially obscure the observation of

the officer in Tower 3, who should have otherwise been able to observe the building line along which Johnston would have had to move once he exited his cell.

Johnston, presumably using the hacksaw blade, was able to cut the interior fence on the back of the first individual exercise unit closest to his cell and unravel the fencing. This gave him access to an area between that inside perimeter fence and the second perimeter fence. He first turned right and attempted to cut through the exterior perimeter fence, which is 14' high and made of higher gauge metal, in an area just under the windows of the RHU. We found a single cut in this area. We believe that he moved away from this area because he feared being discovered either by officers making rounds and looking through the windows of the RHU, or by officers in the adjacent parking lot area.

He then ran between the interior and exterior perimeter fences to a point where the interior perimeter fence intersects the rear sallyport gate structure. At that point he climbed under several rolls of razor wire, which placed him in the vehicle sallyport itself. Because the exterior perimeter fencing is made of a higher gauge steel than the interior fence, it could not be unraveled. He had to make 22 individual cuts in the fence, a process which must have taken some time. He then used the concealment provided by the greenhouses to get away from the facility.

Following the 1997 escape from Pittsburgh, the Department evaluated all of its perimeters. As a result of that evaluation we identified the perimeter at SCI Huntingdon as vulnerable. Consequently, in October 1997 a capital budget project in the amount of \$7.938 million was requested for security improvements at Huntingdon. This included the addition of a dual technology perimeter intrusion detection system (motion sensing

and microwave) on the RHU fence. Other security enhancements included a perimeter intrusion detection system on the perimeter wall, additional fencing with razor wire, and closed circuit television video surveillance monitoring.

Subsequently, I was obtained advice from Sandia National Laboratories of the U.S. Department of Energy, which for many years has been responsible for the physical security of the nation's nuclear installations. Sandia Labs conducted a vulnerability assessment for us in the spring of 1999 which outlined additional recommendations for the Huntingdon perimeter. An additional \$1.6 million was added to the capital project for FY'99-00. To expedite the project, the Department allocated \$197,000 in FY'98-99 operating funds for perimeter intrusion detection system enhancements and \$76,000 for video surveillance. This was done because it was felt that the upgrades were too important to wait for the capital budget project. Prior to the escape, Huntingdon had already ordered \$197,000 worth of perimeter intrusion detection system enhancements, including a dual detection system around the original wall, the yard and E, F, and G Blocks. The contract was awarded prior to the escape, and completion of that project is expected before the end of the year. Prior to the escape, Huntingdon had ordered over 100 cameras and related equipment.

To attempt this escape, Johnston had to not only believe that he could cut through the bars undetected but also that he could absent himself from the cell for a period of time without detection.

Huntingdon's RHU manual requires that all tiers and quadrants be patrolled in such a manner that all inmates in the RHU are personally observed by a corrections officer at least every 30 minutes, but on an irregular schedule. During the required tier

checks, the corrections officers use a "morse watchman" punch station system. This is used to punch in the time an officer performs a tier check. A record of the punch is maintained. A review of the records of this system revealed disparity among the various officers making the required tours. Some took as long as 45 minutes to complete the check, and another was completed within 7 minutes. Despite the fact that policy requires that these tours be conducted at least every 30 minutes, there were several officers who did not meet this standard, and in one case the interval was 70 minutes.

Department of Corrections' policy requires that officers see "flesh or movement" for an inmate to be recorded as present during a count. Huntingdon's local policy requires inmate counts at 1:00 A.M., 5:00 A.M., 10:00 A.M., 4:00 P.M., and 9:15 P.M. daily. And while facility policy and Department policy require inmates to stand for the 10:00 A.M., 4:00 P.M., and 9:15 P.M. counts, Huntingdon's RHU Manual only requires that inmates stand for the 10:00 A.M. count. More importantly, we have subsequently learned that it was the practice of officers in the RHU not to require inmates to stand even for the 10:00 A.M. count.

It is clear from the events of August 2, 1999 that the 5:00 A.M. and 10:00 A.M. counts were faulty. No "flesh or movement" could have been observed from Johnston, yet Officer Corley recorded him as present for the 5:00 A.M. count and Officer Tress recorded him as present for the 10:00 A.M. count.

Subsequent investigation also revealed that despite facility policy prohibiting inmates from affixing anything to lights, cell walls or windows, numerous lights had been altered by the inmates by covering the lights, resulting in dark cells, making inspection

difficult. Security inspections should have addressed this violation and required maintenance to make repairs. However, this was not done.

RHU Staff also breached RHU in-processing policies. Huntingdon's RHU Manual requires a thorough search of every cell prior to placing an inmate in that cell, and further requires that the condition of the cells be recorded on a cell condition form. RHU staff failed to follow this policy. Inmates were placed into cells without the cells being searched in advance, and there was poor documentation. Consequently, it cannot be determined exactly when the last search of Johnston's cell was conducted. Following the escape, we determined that Johnston possessed an excessive number of items in clear violation of policy. This occurred despite the fact that there was a search of the entire facility, including the RHU, on December 21, 1998, and an RHU shakedown conducted on March 13, 1999.

Had these inspections and searches been conducted as required, and had the staff performing them performed them in an adequate fashion, the compromise of the wire mesh screen and cell bar should have been detected prior to the escape. More importantly, however, without the ability to import the hacksaw blade and security screw implement into the RHU, Johnston would not have been able to escape. Had the officers on the block been making tier checks in an acceptable fashion and conducting the count in accordance with Department policy, his escape certainly would have been discovered far earlier than it was. Had his cell been properly searched and inspected, this escape could have been prevented.

That these practices were allowed to erode is the responsibility of middle and upper management.

Departmental inspections, primarily conducted during the day, require the review of records, but there is no way they can determine whether or not the officers who record having done cell inspections or officers who perform counts in the middle of the night do them assiduously. We have no choice but to rely on local management to ensure that good security practices are observed.

Likewise, we must accept the physical realities that we inherit. The Department recognized the weaknesses in the Huntingdon perimeter and took reasonable and prudent steps to correct them. Could or should the Department have moved more quickly? Certainly, in hindsight, I believe we should have. Nonetheless, our decision to use operating funds rather than capital monies indicates the urgency which we assigned to improving the Huntingdon perimeter.

There is no doubt that there was also an intelligence failure of major proportions at SCI Huntingdon which allowed this escape to occur. No connection was made between the discovery of hacksaw blades in the facility chapel several months earlier, the August 1998 discovery of a security screwdriver tip in a legal brief, and concerns raised by the Union at labor/management meetings about screws on security screens being tampered with in the RHU. Moreover, staff admitted passing items to inmates on perhaps as many as 300 occasions, 18 of them to Johnston, and at least half a dozen other inmates knew of and participated in this network. This should have been revealed through good investigation by the facility security office. We must, however, acknowledge that in the last several years the workload of facility security offices has increased substantially. We are re-evaluating the staffing in these units.

Escapes occur when multiple systems break down and multiple members of staff fail to perform their duties in the prescribed fashion. That is what happened here. No single system effectively guards against escape, and no multiple systems are entirely foolproof. The escape-proof prison has yet to be built.

While we cannot prevent all escapes, our Department is in the business of reducing the possibility that an escape will occur, and we do that by layer upon layer of redundancy. The perimeter is our last line of defense. Good prison security begins inside the facility. This escape occurred primarily because staff compromised their integrity, but it also occurred because of the failure of physical barriers and lax attitudes and complacency on the part of the staff, beginning well inside the perimeter. This was exploited by a dangerous, devious and intelligent inmate.

We have expedited the installation of video surveillance cameras. We have posted additional foot patrols around the RHU. We are spending substantial overtime here and elsewhere to address all physical plant shortcomings. And, while cost should not be determinative where public safety is concerned, the total cost of operating a corrections system is a matter of concern to all of us. We must consider other solutions.

Our systems are only as good as the people who observe the inmates, the people who maintain the facility, and the people who supervise the staff within these prisons. We have a sound training program, but we have to recognize that these jobs are tedious and often times unpleasant. Staff sometimes lose their focus.

The challenge to prison administrators is to continually energize our staff, to help them to understand the importance of what they do no matter how repetitive and mundane it may seem.

The public should recognize that escape happens rarely. The statistics are clear. This was the first successful escape from this prison in 10 years. Compared to comparable states, Pennsylvania has far fewer escapes.

Our goal is to have no escapes. The public should be confident that the system is overwhelmingly operated by conscientious men and women who are alert and vigilant and have public safety first in their minds.

Throughout this last year I have said repeatedly, including before this body, how proud I am of the 13,000 men and women of the Department of Corrections. Most of them perform extraordinary tasks under trying circumstances for little recognition, day in and day out.

It is not my purpose here today to make excuses. Rather, I have tried to lay out the facts to you as we know them, to share with you my conclusions about why this escape occurred, and to outline steps we have already taken to prevent future escapes. Sometimes individual members of our staff let us down. This helps us to recognize how excellent the performance of so many others is, and it invigorates us to work towards a day when all our employees perform to that standard.

On behalf of the 13,000 men and women of the Department of Corrections I apologize to the citizens of Huntingdon as well as to the communities in southeastern Pennsylvania who were traumatized by Johnston's return to their communities. With the support of the Governor and of the General Assembly we will continue to strive to improve the security of our prisons and prevent events such as this from ever occurring again. Thank you.