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Crime & Courts

Conn. tries to stop inmates seeking dirt on guards

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HARTFORD — Connecticut could join at least a dozen other states by restricting prison inmates from using freedom-of-information laws to get personal information to harass or threaten guards, prosecutors, or other inmates.

Inmates here and around the country have swamped systems with requests for guards' personnel and arrest records, files affecting the inmates' own legal cases, and details as mundane as meal ingredients.

While no Connecticut correctional officers have been harmed or harassed because no personnel records have yet been released, prison officials say they're fighting because they view such requests as a threat to the safety and security of staff and at the prisons.

From his cell in a Suffield prison, where he's serving an 86-year sentence for sexual assault, Richard Stevenson is trying to learn more about his guards. He's battled the Correction Department for the past year, seeking off-duty arrest records of more than 100 guards.

Stevenson, 45, contends he wants the information for a court appeal, and a Freedom of Information Commission officer initially approved his request — but prison officials want it blocked. They contend it will endanger the officers by giving an inmate juicy information he could use against a guard to his advantage.

"When an inmate is requesting information, it's not for anybody's good, especially when they're lifers, for vicious assaults or whatever," said Jon Pepe, president of the American Federation of State, County, and Municipal Employees Local 391, one of several locals that represents prison guards in the state. "These are not good people."

Washington, Arkansas, Michigan, Virginia, New Jersey, Texas, Louisiana, Wisconsin, Kansas, Alabama, Georgia, and Arizona have various laws, some dating to the mid-1990s, that limit or block inmate access to state open-record laws, according to prison union officials.

None apparently was prompted by violence against guards. Most — like those in Georgia, Michigan, and Texas — complained about the harassment potential and the cost and burden of compliance.

In Washington, a law enacted last year followed threats against several prosecutors by an inmate, Allan Parmelee, who's serving 17 years for firebombing his lawyers' cars. Parmelee had made hundreds of requests for photos, surveillance video, or personnel files on judges, prosecutors, prison guards, and others he's encountered in his legal case.

The personnel records requested by prisoners in Connecticut haven't yet reached the inmates because of the legal challenges made by the Correction Department. However, department officials point to a recent disturbance after one inmate learned from a local police report he requested under the open records law that another inmate had been an informant.

The full Freedom of Information Commission recently ruled to release the records Stevenson wants, but with the guards' names redacted. The Correction Department hasn't decided whether to appeal.

This case and several others, which pit the prisons department against the commission, are fueling a

renewed push to change state law and curb rising inmate requests for personnel records.

Prison officials say they worry about the possibility inmates could threaten and compromise an officer by telling other inmates about a potentially embarrassing arrest — and that sensitive personal information about staff, such as home addresses and names of family members, could get into the wrong hands.

While there are exemptions in Connecticut's right-to-know law to withhold public employees' personnel and health records, they're not airtight. It must be proven that the information would highly offend a reasonable person, and that there's no public interest in it.

Colleen Murphy, executive director of the state Freedom of Information Commission, said the panel opposes an across-the-board ban on releasing such records to inmates. There are situations, she said, where the information could benefit the inmate and possibly the state as a whole.

"They are uniquely situated to see if there is any wrongdoing going on in the other side of the fence," Murphy said.

Correction officials claim inmate requests are jamming the system, but the commission — which aims to treat inmates as other residents — disagrees. It says it has seen an increase in its workload, of which inmates' requests are only about 20 percent and manageable. A significant portion of the requests seek information about inmates' guards, officials say.

Paul Wright, editor of the Seattle-based Prison Legal News, said Connecticut's proposed limits are part of "a national clampdown" to isolate prisoners from the outside world.

He questioned whether guard protection is the real issue, since an inmate — or someone acting for him — already can glean information such as arrest records from the Internet and newspapers. He suggests prisons officials are trying to block information that would disclose poor prison conditions.

"This isn't occurring in a vacuum. It's kind of a full-court press," Wright said. "They don't want to give up the information. They know if they give up the information, it basically gives insight into how poorly run their institutions are."

Wright knows firsthand the information that an inmate can uncover using open records laws. While serving 17 years of a 25-year term in Washington State for killing a cocaine dealer he was trying to rob, Wright requested documents on all of the doctors working for the state's prison system.

He learned that some didn't have medical licenses and many had been disciplined for medical neglect.

"For the most part, the pattern here wasn't this is Marcus Welby and we have some issues," said Wright, who moved to Vermont after his release from prison in 2003. "These are crappy doctors."

In Florida, where right-to-know laws are among the nation's strongest, inmates are allowed equal access to public records under the state's constitution.

"To limit any access to any party or designated group — I don't think it would fly here in Florida," said JoAnn Carrin, director of the Office of Open Government.

Kansas Corrections spokesman Bill Miskell said his agency has considered banning inmates' access to information about staff — but questions whether it's workable.

"If the inmate can't get it," he said, "the inmate will have somebody on the outside write in and say, 'Please send me the information about this staff member or that staff member.'"

AP Writers Rachel LaCorte, John D. Hanna, Shannon McCaffrey, Kathy Hoffman, Jeff Carlton, and Gene Johnson contributed to this report.