



# ROLL CALL BRIEFING:

**September 2009**

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## Off-duty corrections officer shot in Chicago

*Associated Press - September 24, 2009 12:04 AM ET*

CHICAGO (AP) - Authorities in Chicago say an off-duty Cook County Correctional Officer has been shot outside his home on the city's southwest side.

Steve Patterson, a spokesman for Cook County Sheriff Tom Dart identified the victim of the Wednesday night shooting as Correctional Officer Jacob Cano. Patterson said Cano has worked at the Cook County Jail since 2003, and was

leaving his home to begin his 11 p.m. shift when he was shot in the back by an unknown assailant.

Officer Hector Alfaro of the Chicago Police Department's News Affairs Office says the victim was taken to Advocate Christ Medical Center in suburban Oak Lawn, where he was reported in stable condition.

Alfaro said no arrests had been made late Wednesday.



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## Robstown private prison fails inspection

CORPUS CHRISTI — State jail inspectors have warned the owner of a private Robstown facility to rectify 17 compliance issues immediately or face possible closure.

The Coastal Bend Detention Center was cited Monday for failing to classify inmates, check for contraband, improper staff training, jailers without proper state licensing and no tuberculosis screening plan, among other issues.

If the facility, owned by Lafayette, La.-based LCS Corrections, cannot correct its problems, especially the jailers' licensing, then the Texas Commission on Jail Standards could temporarily close it, commission Director Adan Muñoz said.

"I have to bring any remedial order before the (jail) commission, but this borders really close to complete incompetence," he said.

The jail opened in September 2008. Its first inmates arrived in March.

Jail warden Art Crews was replaced in August by Elberto "Bert" Bravo, who also is warden at LCS' detention facility in Hidalgo County, said Dick Harbison, LCS vice president of operations. The management shake-up should help fix the jail's problems, he said.

"My people know exactly what needs to be done," Bravo said. "I know the report looks bad. They say it is the worst they have ever seen. But honestly, we are going to be OK. It's just going to take me a little bit of time to do it."

The jail will be in compliance by late October, he said.

Within the past two weeks, Bravo hired two deputy wardens with more than 60 years of combined experience. He also laid off 26 jailers until they can get the correct state licensing. He fired another 10 for not doing what they were told, he said.

The detention facility was overstaffed and reassigned some of its 175 staff members to cover jailer positions, Bravo said.

The facility has a capacity for 1,056 inmates. When it was inspected last week it held 475, according to state inspectors. Most are undocumented immigrants housed in Robstown through a contract with federal agencies. Another 41 are inmates from Duval, Jim Wells and Kleberg counties, where jails are overcrowded, according to the jail standards commission.

### Compliance Issues

The Coastal Bend Detention Center in Robstown had 17 compliance issues after state inspectors reviewed the facility last week.

- Inmate toilet and shower areas have insufficient privacy shields
- Jailers are not being trained properly for fire drills



- Jailers are not being trained properly in the use of air packs
- No documentation outlining generator testing or the transfer of the facility's electric load at least once a month
- Inmates were not classified correctly
- Classification reviews were not conducted within 90 days of initial inmate custody assessments
- Classification workers didn't receive the required four hours of training
- Internal classification audit logs were not kept
- No tuberculosis screening plan had been approved by the health department
- Twenty-four officers did not have a required jailer's license or temporary jailer's license
- Hourly face-to-face prisoner checks were not performed
- The facility did not meet the state mandated 1-to-48 jailer-to-inmate ratio
- Personnel did not conduct required contraband searches
- Disciplinary hearings for minor inmate infractions were conducted by a single person rather than a disciplinary board
- Jail did not respond to inmates with grievances within 15 days or resolve issues within 60 days as required
- Inmates did not receive one hour of supervised physical education three days per week as required
- A fire panel doesn't show an inspection tag



## Alabama prison ruling backs public right to know

The Alabama Supreme Court struck a blow for the public's right to know how its business is being conducted when it ordered state corrections officials last week to make public their internal reports on inmate assaults at a state prison, as well as its findings in the death of an inmate.

Farron Barksdale, who was convicted of killing two Athens police officers, was found comatose in his cell at Kilby Correctional Facility just a few days after arriving there in 2007, and later died. His mother's attorneys have been seeking documents from the internal probe of his death.

The court ruled 5-0 that Alabama's Open Records Act "represents a long history of openness" and should be construed in favor of the public.

But the Supreme Court ruling, like an earlier lower court ruling, said the prison commissioner could black out sensitive information if it might subject a person to harm or jeopardize a pending investigation. That strikes a fair balance between the public's right to know and the ability of public officials to do their jobs.

Frankly, it is difficult to understand just why state corrections officials -- with the backing of Alabama Attorney General Troy King -- fought so hard to prevent the release of these additional documents, especially after Montgomery County Circuit Judge Eugene Reese included language in his earlier ruling allowing the Corrections department to black out certain sensitive information.

Prison Commissioner Richard Allen argued his case for continued secrecy in an Alabama Voices guest column in the *Montgomery Advertiser* in December. (See below to access the guest column.) But we did not find his arguments particularly persuasive, and apparently neither does the state Supreme Court. Allen argued that the Corrections Department had provided extensive records to the Barksdale family, which has filed a federal civil lawsuit over the incident.

But the Barksdale case aside, it is important that the taxpaying citizens of Alabama have as much access as possible to the records showing how their business is conducted. Unless there is a specific reason otherwise, such as ongoing criminal investigations, records should be open to the public. Otherwise, the citizenry cannot reasonably judge how well public officials are performing their jobs.

We applaud the Supreme Court ruling, and urge public officials at all levels of government in Alabama to keep it in mind when they are asked for access to public records. Public officials should look for ways to allow access, instead of looking for ways to deny it. And they always should be reluctant to expend public funds to defend secrecy in court.



## Putnam County Corrections officer's house was destroyed by a fire

INTERLACHEN, Fla. -- A Putnam County Corrections officer's house was destroyed by a fire. Now, investigators are saying it is the work of an arsonist. Firefighters were called to the officer's house in Interlachen on Saturday morning. No one was home at the time of the fire. Investigators are trying to determine if the fire was set in retaliation. The corrections officer shot and killed an inmate as he tried to escape from jail last month.

"We believe we have some positive samples of accelerants that were used," said Lt. Robby Stephens, of the State Fire Marshal's Office.

Investigators with the State Fire Marshal's Office said the home belongs to a Putnam County Corrections officer, and Channel 4 has learned it is the officer who shot and killed Michael Campbell last month.

Campbell is the jail inmate who was trying to escape the Putnam County jail, and the sheriff said he never heeded the guard's warnings to stop.

Now the question investigators have to wrestle with is whether this intentionally set fire was retaliation.

"Obviously motive is a concern for us," Stephens said. "It is a deputy sheriff who owns the property in Interlachen that burned late Friday, early Saturday morning."

Whoever did it had to know where they were going. The home is very isolated miles down a dirt road with no visible neighbors.

Now arson investigators are trying to find anything they can on the property that might lead to an arrest. But because the place is so remote, that task isn't easy.

"Witnesses are very important, especially in a case like this," Stephens said. "We're asking the public if they have any information to please contact us."

Anyone with information can call the arson hotline at 877-NO-ARSON.



## Grenade Tosses at Officers in Texas

It was a scenario U.S. law enforcement had long feared: A fragmentation grenade from Mexico's bloody drug war tossed into a public place.

Only the grenade thrower's bumbling prevented bloodshed in a south Texas bar - he neglected to pull a second safety clasp. But the act was proof that one of the deadliest weapons in Mexico's drug battle is a real threat to the U.S., and investigators are stepping up efforts to make sure it doesn't happen again.

While Mexican drug violence has been spilling across the border in the form of kidnappings and killings, grenades are a particular worry because they can kill large numbers of people indiscriminately, and they are a weapon of choice among Mexican cartel members.

"It's one thing to shoot someone - that's a very violent act. But to throw a grenade into a crowded bar or a crowded restaurant, that's a different type of criminal you are dealing with, a different mindset," said Bill Newell, special agent in charge of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives in Arizona and New Mexico.

In Mexico, there have been countless grenade attacks against police and rivals. Nearly a year ago, three alleged drug hit men threw several grenades into crowds of Independence Day revelers, killing eight people and wounding 106 others in an unprecedented attack on civilians.

The weapons are preferred by drug hitmen because they are cheap and easy to find. Many are left over from Central America's civil wars and sold on the black market to drug cartels. Some are brought in by weapons smugglers. Others are diverted from the region's militaries: In April, Guatemala seized 563 grenades after a shootout with Mexican drug cartel members, and officials later determined the grenades came from Guatemalan military bases.

The Mexican government says 1,600 grenades were seized in Mexico last year, a 170 percent increase from 594 in 2007. Already, 950 grenades have been recovered this year.





And there is evidence that those grenades are making their way north.

The grenade that failed to explode in the bar in Pharr, Texas, had the same markings as grenades thrown in October at the U.S. consulate in Monterrey, Mexico, and at a television station in early January in the same city. The grenade thrown at the consulate failed to explode, and no one was injured when the grenade hit the Televisa network's studio as it aired its nightly newscast.

But all three grenades were manufactured at the same time and place, and were at one point together in the same batch from South Korea. Their manufacture date was unavailable.

The United States and South Korea rank as the top two producers of the grenades seized in Mexico, according to the ATF.

Grenades were mostly isolated to southern Mexico in the early days of the drug war and gradually moved northward as the government's attack on the cartels intensified and drug traffickers sought heavier arms.

American firearms agents began taking a harder look at the grenade threat from Mexico after explosives popped up at spots not far from the U.S. border.

The Mexican military seized 165 grenades and 14 sticks of TNT belonging to the Gulf cartel in the November raid of a house in the border town of Reynosa, Mexico, a dozen miles south of McAllen, Texas. That same month, grenades were used as diversions in the fatal ambush of a state police chief a few miles south of Arizona in Nogales, Mexico.

The alleged gang member who threw the South Korean grenade into the Texas bar on Jan. 31 wasn't believed to have been acting on behalf of a cartel. Still, Hidalgo County Sheriff Guadalupe Trevino, whose office investigated the case, suspects there is a loose association between the gang behind the attack and Mexican cartel members.

After the grenade bounced off the floor and landed on a pool table, an off-duty police officer picked it up and threw it back out the door. No one was hurt, no arrests were made, and authorities are divided about whether the targets were rival gang members or off-duty police officers.

The incident led the ATF to issue a warning to law enforcement agencies along the border.

"We shared it with our deputies right then and there. We cautioned them that while it hasn't happened here, it could happen here," said Capt. Eben Bratcher, a spokesman for the Yuma County Sheriff's Office along Arizona's border with Mexico.

Criminals using grenades in the United States would mostly likely target people tied to the criminal world, rather than civilians. Cartel bosses wouldn't likely approve of grenade attacks on U.S. law enforcement, fearing that a strong push-back from the United States would disrupt business, U.S. law enforcement officials and security experts said.

In Mexico, cartels usually toss grenades at police and military outposts and rarely have thrown them into crowded businesses or other public places.

Grenade attacks north of the border would more likely be carried out by rogue cartel members or home-



grown gang thugs who assist cartels in home invasions and other crimes north of the border, law enforcement officers said.

"What's to stop some hothead from going off on their own and lobbing grenades at U.S. law enforcement officers?" said T.J. Bonner, president of the National Border Patrol Council, a union representing 16,000 U.S. Border Patrol agents.

The ATF feels so strongly about the threat grenades pose to the United States that they have sent bomb technicians to Mexico, Guatemala and El Salvador to train authorities there to identify and track grenades.

The grenades sold legally to help U.S. allies in the region are snatched by corrupt soldiers who get paid by former colleagues, then cover their tracks by altering paperwork. Grenades then wind through Central America and Mexico, selling for \$100 when bought individually and \$50 apiece when purchased in bulk, according to the ATF.

ATF officials said the United States keeps tight controls over its own grenade inventories and that it knows of no grenades recovered in Mexico that were taken directly from American military supplies.

Scott Stewart, a vice president for the global intelligence firm Stratfor and a former diplomatic security agent for the State Department, said an even more daunting challenge in trying to prevent grenade smuggling into the United States is the porousness of the border.

"If we have bales of marijuana coming in and kilos of cocaine coming in, it's hard to guard against a handful of grenades," Stewart said.



## Puerto Rican Officer Killed by Inmate

By **LAURA N. PEREZ SANCHEZ**

*Associated Press Writer*

SAN JUAN, Puerto Rico --

A 23-year-old prisoner being taken to jail to face car theft charges allegedly shot one police officer to death and gravely wounded a second, and then escaped in their squad car, authorities said Sunday.

Dozens of police and FBI agents mounted a manhunt across Puerto Rico for the suspect, Ricardo Lebron Berrios, who allegedly opened fire while he was being driven to a Bayamon jail late Saturday.

A Justice Department statement said Officer Jorge Sanchez Santiago was killed and Lt. Benjamin Santiago Fragoso was in critical condition with multiple gunshot wounds.

Early Sunday, police issued a brief, confused statement indicating an unknown gunman had ambushed the squad car along the highway as the two officers drove a prisoner from the eastern city of Humacao to a lockup outside San Juan.

But Justice Secretary Antonio Sagardia later told reporters a further review showed "there were no other people involved nor vehicles, eliminating the theory that the incident was an ambush."

Authorities would not say if they believed Lebron managed to wrestle a gun away from one of the officers. Sagardia only said that forensic tests indicated 9-mm bullet casings at the shooting scene matched the officers' service weapons.

After the shooting, the gunman apparently fled in the police car, leaving the officers lying on the roadside. The car was found abandoned early Sunday in the east coast town of Juncos.

Police said they planned to offer a reward for information leading to Lebron's capture. They did not specify an amount.

The killing boosted the number of homicides so far this year to 544 in the U.S. Caribbean territory, 28 more than during the same period of 2008.