

THE BROTHERHOOD

Racism and Intimidation Among Prison Staff at the Indiana Correctional Facility-Putnamville

Prisons are perhaps the most racially divisive institutions in America. Two million Americans are currently in prison, more than half of them people of color. At present rates of incarceration, one out of every four black men will go to prison in his lifetime, one out of every six Hispanic men, and one out of every twenty white men. {197}

Racism in prisons has long been more potent and more deadly than in the free world. From Parchman to Soledad to Attica, inmates of color have suffered confinement under a largely white rural officer corps not known for its racial tolerance. After decades of submission, black inmates asserted themselves in the 1960's and 1970's. More organized, cohesive, and assertive than white inmates, they came to be feared by white inmates and staff. Black solidarity was soon countered by a resurgent white supremacy fashioned around the core of familiar groups such as the Ku Klux Klan and newer groups such as the Aryan Brotherhood, Christian Identity, and Asatru cults. In many prison systems, Hispanic gangs formed third sides in triangles of hate.

Inmates are not the only members of the prison world involved in organized white racism. From Klan recruitment in New York to the staging of deadly race-based "gladiator fights" in California, correctional staff have been implicated as well. This report concerns long-standing allegations that a racist and violent subculture exists among some staff at the medium-security state prison in Putnamville, Indiana. Throughout the 1990s, charges were made that a staff group known as the Brotherhood engaged in racism and intimidation at the Putnamville facility with the full knowledge of senior administrators of the Indiana Department of Correction. Other charges were aired that the Brotherhood played a significant role in drug trafficking and corruption at the prison and in the surrounding community.

This report is based primarily on internal documents from the Department of Correction (referred to here as the "DOC"). These documents are referenced in the text in braces {} by the number assigned to them as they were acquired. Referenced documents are listed in Appendix C. For the reader's convenience, brief identifications of individuals named in the report are provided in Appendix B. Appendix D provides a chronology of events.

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The Putnamville Correctional Facility was established in 1915 as a penal institution for misdemeanor offenders. For nearly seven decades the prison, known as the "Indiana State Farm," housed a population that was largely alcoholic and non-violent. Inmates served their time working in the extensive farm and dairy operations and on state and county road crews. Administration was personal and informal; turnover rates among

staff were low. Old-timers described the institution as "one big family." Indeed nepotism among employees was widespread.

In 1983, Donald Hudkins retired after serving as superintendent for 15 years. He was replaced by Ed Cohn, a strong administrator who had most recently been assistant superintendent at the state's maximum security facility at Michigan City. {87d} Cohn's tenure as prison superintendent was brief, but the changes over which he presided were the most important in the prison's history. Within 18 months, the institution housed a majority of felons. The inmate population nearly doubled (it was later reduced and capped by court order at 1,650). New staff were hired. As is often the case when a prison is in flux, the number of escapes and attempted escapes soared.

Largely unnoticed amidst the dramatic changes at the prison during the early and mid-1980s was the gradual influx of a new type of employee, members of a group that was to become known as "the Brotherhood." Most of them worked on the "industrial side" of the prison—the dairy, machine shop, kitchen, and sewage plant. Only a few were uniformed officers. Indeed, in manner, dress, and lifestyle they often reflected their "biker" affiliations more than their employment at a correctional facility. Among the first hired were Robert Baker, Sr., and Charles Brann, the two men who would come to be regarded as the leaders of the Brotherhood. Over the years, they would continue to enjoy an especially close relationship with the rising star in the Indiana Department of Correction, Ed Cohn.

In April 1985, Cohn left Putnamville to become superintendent at the maximum security prison at Pendleton. (While at Pendleton, Cohn was fined a month's pay and placed on probation for a year for illegally shackling inmates for up to two weeks in positions in which they could neither stand up nor lie down. {87 a,b,c} He was just one of many senior DOC officials in trouble in the late 1980s. The state commissioner of correction, Gordon Faulkner, was convicted of misuse of DOC funds. Two deputy commissioners, the head of Internal Affairs, and the warden of the maximum security prison in Michigan City were each caught in high profile schemes to profit at public expense. It was an era when the DOC earned the sobriquet "Department of Corruption.")

Cohn was succeeded at Putnamville by two well-intentioned but weak superintendents, Gene Combs (1985-88) and Tom Hanlon (1988 -1990). During their tenure, Baker and Brann established themselves as powerful figures at the prison, Baker in the machine shop and Brann as head of the Prisoners' Dining Room (the "PDR"). One of Brann's young protégés in the PDR was Bob Baker's son, Bob Baker, Jr.

Two major sources of tension soon developed within the prison's staff: unions and race.

One of the first actions that Evan Bayh took on becoming Indiana's governor in 1988 was to sign an executive order legalizing state employee unions. Baker, Sr., was already leader of pro-union forces at the prison, first with the Teamsters and then (when the Teamsters withdrew) with the UAW. He quickly became identified with strong-armed union tactics including public threats of harm to his opponents. {38, 39, 43c, 46, 63, 64}

Inflammatory union material began to appear on staff bulletin boards; posters were circulated that showed a bloody body lying on the road with the caption "People who stand in the middle of the road to [sic] long eventually get run over." {1, 42a}

Numerous complaints were filed by employees regarding intimidation by Baker, Sr., and his followers during the late 1980s. {37a-h, 38, 39, 43c, 46, 59, 141, 153} Among those filing complaints was Jerry Collins, an investigator from the DOC's Internal Affairs Section, who reported a threatening exchange with a Teamster representative and Baker, Sr., at the prison. {39} Prison administrators did nothing about the complaints, even failing to act when a prison lieutenant, Michael Callahan, was assaulted by Baker, Jr., at a union meeting off-grounds. {11, 64} The assault took place in apparent retaliation for "persistent inspections" by Callahan of the Prisoners' Dining Room, where Baker, Jr., worked, and for a shakedown of the machine shop run by Baker, Sr., where prison officials suspected swastika rings were being manufactured. {37, 59}

When the UAW won the right to organize prison workers statewide, Baker, Sr., became the chief union steward at the prison. In 1993, he was placed on administrative leave to work full-time with the UAW as union liaison while remaining on the Department of Correction payroll. Unlike other union representatives serving as union liaisons, Baker retained responsibility for the institution from which he had come. He took the opportunity to immerse himself in the day-to-day affairs of the prison. With his direct links to Cohn, now Director of Security for all state prisons, Baker was widely viewed as exercising power within the prison that rivaled that of the superintendent.

Other problems were brewing at the institution. Nearly half of the prison's 1,600 inmates were black or Hispanic, but almost none of the 650 staff were. Complaints of racial harassment began to surface, most of them centered on the PDR (Prisoners' Dining Room) under Charlie Brann. In February 1989, a black inmate filed a complaint that Baker, Jr., had threatened and assaulted him, routinely called black offenders "niggers," "boot heads," "black whores," and "black motherfuckers," and gave preferential treatment to white offenders. {13a} His account was corroborated by ten offenders, five of whom were given, and passed, Voice Stress Analysis tests by investigators. {13b} Inmate witnesses expressed fear of retaliation by Baker, Jr., and Brann. {13b} In response, Supt. Hanlon met with Baker, Jr., to discuss "intimidation, extortion, racial slurs and favoritism." He pointed out to Baker that, "Offenders may not like us, they are subject to say anything and may even attempt to set employees up. If, though, we as employees are fair, honest and truthful and do not try to play games with the offenders, we'll have a good food service program and institution." {13e}

Baker, Jr., responded to Hanlon's gentle admonition by assaulting a black inmate who was kicked in the head while fellow employees in the PDR pinned him on the floor. The official investigation that followed noted that "[m]edical reports do indicate numerous injuries on [the inmate]." {14a} Baker, Jr., alleged that the inmate had assaulted him, a version of events that was supported by three of his PDR compatriots. The inmate's account, however, was corroborated by a white middle-aged employee who, the investigator noted, "was extremely reluctant to give her account of the incident for fear of

retaliation from Baker, who has allegedly forewarned her." She admitted "also witness[ing] other serious acts of misconduct" and worried that "something has to be done about Mr. Baker before it is too late." {14a} Her worries were echoed by a second employee near retirement age who described Baker, Jr., as "a dangerous man" and feared that "things were getting out of hand." {14a} As a consequence of the fight, the inmate was offered transfer to another institution while Baker went undisciplined.

To security staff at the prison, Baker, Jr., often seemed out-of-control. A sergeant described an altercation with an inmate in which Baker was yelling at the top of his voice. According to the sergeant, "Baker was more unruly than this offender ever thought of being." {36b} Soon thereafter, Baker got into yet another fight with a black inmate at the PDR. {40} The inmate was sent to segregation; Baker was reassigned to the prison sewage plant, another Brotherhood stronghold.

Baker, Jr., and his friends in the PDR were not the only staff involved in racist incidents. For example, on three occasions in 1988 and 1989, female officers reported being harassed by shouts of "nigger" and "nigger lover" by fellow staff on the staff shuttle bus. {44a,b,c} No effort was made by the administration to identify officers involved in these incidents (although that would not have been difficult to do) and the complaints were ignored. Other racist incidents reported by the prison's handful of black employees resulted in minor reprimands. {148, 149} Two employees in the hickory shop admitted bragging to a black inmate about membership in the Ku Klux Klan and about the way the Klan used to torture black people. The two employees later told investigators they were just kidding. They were not disciplined. {20} In reporting on the incident to the Chief Investigator of the DOC's Internal Affairs Section in February 1990, investigator Jerry Collins noted his concern that "allegations of [Putnamville] staff involvement in white supremacy organizations are being made" of which this was the "most recent." {20b} His superiors in Internal Affairs, however, advised that no further investigation was warranted. {20a}

In December 1990, Lt. Callahan wrote to the DOC Director of Internal Affairs, Evelyn Ridley-Turner, summarizing some of the year's events with threats and assaults against staff and inmates, and encouragement of "white supremacy and racism in the work place among employees and offenders." Callahan asked, "How long must dedicated and conscientious employees have to tolerate this type of behavior from fellow employees? How long will the Department (D.O.C.) continue to condone and permit this attitude and behavior to exist?" {64} The Department, as it turned out, was willing to condone and permit it for a very long time.

In 1991, Bruce Jordan became superintendent at Putnamville. He was more successful than his two predecessors in limiting Baker, Sr.'s influence over daily prison operations, but he did little to stem the racist tide at the institution. Once again, the PDR was at the center of Brotherhood activity. Several PDR employees openly sported Brotherhood tattoos {22a,c, 30, 53, 112}; others reportedly wore swastika rings at work. {30b,c} Swastika posters appeared on office walls (one with the caption "we need a few good men" underneath). {22a, 32a} As more PDR staff were hired who were sympathetic

toward the Brotherhood, conditions for staff and inmates who were not sympathetic became more precarious.

On at least eleven occasions between September 1992 and March 1994, staff and inmates in the PDR filed formal complaints regarding racial and sexual harassment, intimidation, physical assault, drug trafficking and corruption on the part of Brotherhood staff. {9, 12, 16, 21, 22, 32, 33, 34, 35, 48, 50} DOC investigators reported numerous incidents that were "racially motivated and very demeaning" that staff charged had been occurring "almost on a daily basis" over a long period of time. {22a} For example, white and black staff reported that the two black staff members in the PDR were regularly demeaned as "lazy niggers," "coons," and "goat farmers" who should be deported back to Africa. {22a,d} Brotherhood staff were charged with spitting in food being handed on a tray to a black inmate, assaulting black inmates, threatening staff and inmates, and vandalizing property. {9, 18, 21, 24, 32} Brotherhood employees routinely covered for each other in these investigations, and were almost as routinely exposed as liars (as when, on two occasions, Brotherhood staff members declared themselves witnesses to events for which they could not have been present). {16a, 24a} Time after time, investigators reported that witnesses expressed fear for their safety were they to cooperate with investigations. {12b, 13b, 14, 16a, 18d, 22a,b, 32a,b,c, 50c}

Throughout this period, the administration did nothing to protect employees and inmates from the Brotherhood. Indeed, in July 1993, at the height of complaints about racial and sexual harassment and intimidation in the PDR, prison administrators saw fit to choose Charles Brann as the prison's "Employee of the Month." {51a} In a memo to all prison employees, Superintendent Jordan "commended" the man who presided over the foremost site of racial harassment at the prison "for his dedication to this facility and its goals." {51b}

Two days after Brann was named "Employee of the Month," a white, female cook on his staff filed a formal complaint alleging that on numerous occasions PDR staff member Todd Barrow had harassed her in front of offenders, calling her "nigger lover" and "bitch." {12, 50} On the day she wrote the complaint, Barrow had countermanded an order she had just given an inmate. When she protested, Barrow "drew his arm back and said, 'I'll smash your fucking face right here bitch.'" {12a} Eight offenders (including two who Barrow named as his own witnesses) corroborated her account. DOC investigator Jerry Collins concluded that "all evidence" supported her accusation. {12b}

Barrow was no stranger to the administration. Hired in 1992, he was one of the PDR staff who sported a Brotherhood tattoo. He was perhaps the subject of more accusations and investigations during his first two years at Putnamville than any other employee, including complaints of threatening and assaulting staff and inmates, racial and sexual harassment, sleeping on the job, trafficking, and failure to report his arrest and conviction for leaving the scene of an accident. {9, 16, 18, 21, 22, 23, 29, 33, 34, 50} Staff wrote to their superiors expressing fears that Barrow might someday seriously hurt or kill another staff member or inmate. {34, 35} After one assault, even Charles Brann was willing to admit that he had a problem on his hands with Barrow. {16}

When the woman whose “fucking face” Barrow had threatened to smash informed him that she was going to report him, he replied (accurately), “it won't do you a fucking bit of good. They've got a shitload of letters on me and ain't done nothin'.” {12a} In February 1994, seven months after the incident, Barrow finally received his official “punishment,” a letter from the assistant superintendent informing him, “Your behavior in this matter constitutes a minor violation of agency regulations.” {105} He was counseled that his “behavior was inappropriate and disrespectful” and he was not to do it again. {105} Not to the woman he had threatened anyway. She had resigned in despair two months after the incident on her doctor's orders who, in a letter to the institution, cited the stress she had been under due to “unprotected harassment from Aryan brotherhood supervisors.” {4}

Barely one month after Barrow received his written reprimand, he was arrested for driving with a suspended license and false and fictitious registration. Two weeks later, he was accused of assaulting yet another inmate. {24, 104} It was at least the fourth time in two years that he had been investigated for physical assault on an inmate or staff member. {16, 24, 32, 33, 34, 104} Again, staff and inmates supported the inmate's account (including one inmate whom Barrow had named as his own witness). And once again, a fellow Brotherhood member was caught lying to protect Barrow. {24, see also 106} Furthermore, Internal Affairs Investigator Jerry Collins found clear evidence that Barrow had tried to alter official documents regarding the assault. {24}

On April 2, 1994, five days after Jerry Collins had submitted his report regarding assault and tampering of evidence by Barrow, Collins went to a local bar to celebrate his birthday with his sister and brother-in-law. When Barrow, Baker, Jr., and Brann walked into the same bar, Baker, Jr., took the opportunity to warn Collins to lighten up on Barrow and “not to listen to inmates and the stories they tell.” Collins' brother-in-law interceded, whereupon Baker, Jr., punched him. Collins called the police. When he went outside to wait for them, Baker, Jr., and Barrow jumped him and beat him severely. {110, 111, 112, 113}

The beating of Collins sent shock waves through the DOC. Baker, Jr., and Barrow were indicted and suspended with pay from the institution (when Baker, Sr., as head of the union, protested their suspension, they were permitted to work outside the prison perimeter while awaiting trial). {102} Within days of the beating, an anonymous five-page letter was circulated within the institution. The author, who identified himself as a long-time, loyal employee, made serious allegations about Commissioner Cohn, Superintendent Jordan, and members of the Brotherhood who, the author charged, now controlled the emergency response “Black Squad” as well as the prison's illicit drug trade. The writer expressed concern about the “violent and abusive atmosphere” in the prison created by the “rapidly growing. ...white supremacist group known as the ‘brotherhood.’” {53}

Joy Ryan, personnel director at the Indiana Girls' School, was among those who was shocked to hear of Collins' beating. She liked her job at the Girls' School, an institution

whose racially mixed staff she found congenial. Before the beating she had been offered the job of personnel director at the much larger prison in Putnamville, but had turned it down. Now, when she was asked by DOC's Central Office to reconsider, she agreed to the transfer. She was white, but nonetheless deeply concerned about issues of racial justice. She headed for Putnamville determined to do what she could to monitor the activities and limit the power of the Brotherhood. Among the instructions she received from her superiors at Central Office was to discover and reveal who had written the anonymous letter. Soon after her arrival at the prison, an original copy was slipped under her door.

Ryan almost immediately ran afoul of Baker, Sr. The prison's director and assistant director of personnel had left, and Baker found himself dealing with a personnel office that was no longer under his influence. Among other things, Ryan stumbled across the fact that Baker, though still a DOC employee on loan to the UAW, had never filed for any leave or vacation days for the past five years, instead setting his own hours and days off. When she mentioned this to her superior at Central Office (who acknowledged that it constituted "ghost employment"), she was told to drop the matter. On at least four occasions, Ryan notified her superiors that she had been threatened by Baker, Sr. who at one point warned her to be careful or someone would pull a "Nicole Brown Simpson" on her. When the state police passed on a tip that a threat had been made against a member of the prison administration, Ryan was deemed to be the likely target. Out of concern for her safety, she was offered and accepted one of the coveted staff houses on grounds.

Meanwhile, problems in the prison's emergency squad, the Black Squad, were spiraling out of control. Due in part to Baker, Sr.'s influence, membership in the Black Squad had been opened to all employees of the prison, not just uniformed officers as had previously been the case. During the early and mid-1990's, the Black Squad membership list was a virtual Who's Who of Brotherhood supporters including Baker, Jr., and Barrow (but not Baker, Sr., or Brann). Given the Black Squad's membership and ready access to all parts of the institution, it is not surprising that the group was suspected of engaging in questionable activities on and off grounds. {30, 53}

In late April, 1994, three weeks after the Collins beating, three uniformed members of the Black Squad, Lt. Michael Cherry, Correctional Officer David Whitehead, and Correctional Officer Erik Reagan, refused to take a surprise drug test—an offense for which the usual penalty was dismissal from the Department of Correction. {154, 176h} The drug test was apparently ordered by Superintendent Jordan after three sergeants reported marijuana odor in the supervisors' locker room immediately after Lt. Cherry's departure from the room. {31} This was not the first time Cherry and Whitehead had been in trouble at the prison. As a sergeant several years earlier, Cherry had been suspended for 10 days (later reduced to 3 days) for "harassment and abuse of offenders." {176} Whitehead, meanwhile, had been reprimanded just a year before his dismissal for telling a black female officer that someone had "sweated like a nigger." {149}

For a brief period during the spring and summer of 1994, the Brotherhood seemed to have lost its hold on the prison. While Cherry, Whitehead, and Reagan were suspended pending dismissal, Barrow and Baker, Jr., awaited the outcome of their respective felony trials for beating Jerry Collins. The case against them seemed strong. Collins, a respected DOC investigator, had been severely beaten, suffering permanent injury. His accused assailants had each had repeated scrapes with the law outside the prison. They certainly had plenty of reasons to resent Collins, who had served as investigator for some of their many infractions inside the prison, including Barrow's most recent assault on an inmate. Not only had Collins produced ample evidence that the assault by Barrow against the inmate had taken place, but he had also caught Barrow in a crude attempt to falsify documents. {24} Indeed, shortly before Collins was beaten, Baker, Jr., had demanded that Collins back off on his current investigation of Barrow. Although Collins was unable to identify all his attackers (Charlie Brann was present but not charged and another alleged Brotherhood member may also have been involved), Collins clearly recalled Barrow on top of him, smashing his fists into Collins' face, shouting, "Investigate this, motherfucker!" {113} Furthermore, the only eyewitness--who knew none of the parties involved--corroborated Collins' account. {111}

But at the trials before local juries in the fall of 1994, the judge barred testimony about why Collins was investigating Barrow at the prison or whether Barrow, Baker, Jr., and Brann belonged to "The Brotherhood." {127} Information about Baker's and Barrow's checkered past was also, of course, inadmissible. Instead of calculated retaliation against Collins for his conscientious investigations of a violent and racist subculture at the prison, the defense portrayed a boys-will-be-boys barroom fight. Furthermore, the lone eyewitness, an illiterate musician from Indianapolis, proved an easy target under aggressive cross-examination. Barrow's and Baker's friends thronged the courtroom in their support. When the jury delivered its verdict at 2 a.m., not a parking space could be found at the local county court house. The jury in Baker's trial hung on the charges of assault against Collins; Barrow was acquitted.

If the beating of Jerry Collins sent shock waves through the prison, the jury verdicts were seismic events. Barrow and Baker, Jr., returned to the prison triumphant. The Putnam County prosecutor's office soon announced that Baker, Jr., would not be retried. (In a lawsuit subsequently filed, and still pending, by Collins against the DOC, Collins accused Deputy Commissioner Cohn of personally interceding with the prosecutor's office to dismiss the charges against Baker, Jr., and not retry him.) {129} Over Collins' strenuous objections, he was transferred to another prison. {129} A month later, prison administrators backed off on disciplinary proceedings against Baker, Jr., on charges that he had failed to report yet another DWI arrest. {109} Deputy Commissioner Ed Cohn, meanwhile, announced that the attack on Collins by Barrow and Baker, Jr., was not work-related, and, therefore, was not subject to internal disciplinary action. {132} With the reinstatement of Lt. Cherry several months later (followed by Whitehead and Reagan), the Brotherhood scored a clean sweep. {57, 154, 176}

Central Office, meanwhile, issued new regulations requiring all disciplinary actions involving suspension or dismissal to be routed through it. {135} Even the most

egregious offenses by Brotherhood members and sympathizers now eluded punishment completely or resulted in slaps on the wrist. For example:

- When Superintendent Jordan tried to fire an officer who admitted wearing a Ku Klux Klan-style hood on the maximum security range and taunting a black inmate, he was overruled by Central Office (which decreed a 5-day suspension instead). {5}
- When Todd Barrow was fired by the women's prison in Rockville (where he had transferred allegedly due to rumors that black inmates at Putnamville had finally threatened to get him), Putnamville administrators were ordered to rehire him with back pay.
- When a PDR staff member was suspended for holding a knife to an offender's throat, prison administrators were again ordered to reinstate him.
- When another Brotherhood sympathizer was fired for failure to report repeated traffic convictions or reveal that he had been sentenced by the courts to a year's probation, he, too, was ordered rehired.
- When a staff member reported she had been threatened with retaliation by the Ku Klux Klan, the staff member who made the threats was not disciplined. The threatened staff member subsequently resigned out of concern for her own and her children's safety.

It was not uncommon for Baker, Sr., to communicate the order to override local administrators before word arrived from Central Office.

The Brotherhood was now in full ascendancy. Opponents privately noted the proliferation of swastikas, confederate flags, and other white supremacist and skin culture paraphernalia at the prison. Work rosters in the PDR were openly coded by race. {3} On visits to the prison, Deputy Commissioner Cohn associated prominently with Baker, Sr. On one memorable visit for Employee Appreciation Day, Cohn chose to sit in the back with Baker, Sr., rather than join other dignitaries in the front. The Commissioner of Correction, Chris DeBruyn, announced that year-long investigations of the prison conducted by the DOC, the FBI, and the state police had turned up no evidence of racism, intimidation, and corruption at the prison. DeBruyn dismissed allegations against the DOC as the work of a couple of disgruntled employees feeding false information to outsiders. {93} The formal filing of complaints by staff against Brotherhood members for their activities inside the prison all but ceased. (One alleged member of the Brotherhood even threatened to file an affirmative action complaint for “discrimination/ hostile work environment” due to affiliation with the Brotherhood.) {140} Staff who had opposed the Brotherhood quit their jobs if they could; those who could not quit retreated to the shadows of the institution. Only a few courageous staff members continued to resist. {63}

Despite exoneration of the institution by the DOC, FBI and state police, state Representative David Lohr from Terre Haute remained concerned about allegations of Brotherhood activity. Lohr, a conservative Republican serving his first term in the state legislature, was generally viewed as to the political right even within his own party. But he was opposed to racism, and sensitized to prison issues by the incarceration of his own son in a federal prison. Lohr provided the FBI and state police with a list of people who might be willing to talk. Included on the list were the names of Captain Mike Callahan (now Director of Safety at the prison and head of the canine corps) and Joy Ryan (the new Director of Personnel). When contacted by an FBI agent with whom both Ryan and Callahan were acquainted, they agreed to a meeting, as did Lt. Larry Huffman and another ranking staff member from the prison, all on a pledge of confidentiality from the FBI and state police. On July 3, 1995, the FBI agent, an Indiana state police detective, Rep. Lohr, and the four prison staff members who had agreed to attend met for several hours in a local motel sharing what they knew about activities of the Brotherhood at the prison. At the conclusion of the meeting, the FBI agent reiterated his pledge of confidentiality and asked participants not to discuss the meeting with anyone else. {67, 70, 71, 81, 86, 93, 165a}

Prison employees were prohibited from speaking to members of the news media, but Rep. Lohr was not. {71a, 72, 130, 165g, 177, 194} He made public his concerns about the prison, calling for a grand jury investigation. {93} His charges were supported by radio and television interviews with an officer from the prison whose identity was concealed. Governor Bayh asked for an investigation by none other than his new Commissioner of Correction, Ed Cohn. No one was surprised when Cohn reported finding no evidence of wrong doing.

In apparent response to charges of racism at the institution, Commissioner Cohn transferred two African-Americans to Putnamville, one a senior security officer and the other an administrator from Central Office. They became the first high-ranking employees of color in the institution's history. The number of black rank-and-file employees, however, remained pitifully small. Of the 650 employees, the number of black employees rarely rose above 10. Those who were hired learned quickly that they were not wanted, as was the case of the black cook whose car's tires were slashed while parked in a lighted staff parking lot protected by armed officers in a gun tower.

The FBI/state police investigation, meanwhile, had ended as soon as it had begun. Despite testimony from four senior staff members about racial problems at the prison, the FBI and state police investigators deemed they had obtained “no new information” and “suspended” their investigation, something the agents never bothered to tell their informants at the prison (although the superintendent of police did inform Rep. Lohr). {146} Unfortunately for two of the informants, Callahan (Director of Safety) and Ryan (Director of Personnel), a third informant, Lt. Huffman, proved unable to keep a secret. The following year, he became infatuated with a female correctional officer to whom he bragged about meeting with the FBI. When she later filed a sexual harassment complaint against him and another officer, she informed investigators from the DOC's central office

about what she had learned from Lt. Huffman regarding the FBI/state police meeting.
{185}

Commissioner Cohn moved decisively to root out disloyalty among his subordinates. On May 18, 1997, Callahan and Ryan were taken without prior warning or explanation to a state police station where they were interrogated separately by senior officials of the Department of Correction about whether they had ever spoken to the FBI or state police about internal DOC matters. Caught unawares, they did what they had promised the FBI and state police agents they would do: they denied any knowledge of the FBI/state police investigation. Over the ensuing weeks, Callahan and Ryan repeatedly tried to reach the FBI agent (who had been transferred out-of-state) and State Legislator Lohr (who was out of the country) to find out if they could be released from their own pledges of confidentiality regarding the meeting. They were unable to recall the name of the state police detective and, given their interrogation at a state police post, were already concerned that the state police might have betrayed them. {71, 86, 165a}

Commissioner Cohn, meanwhile, sought confirmation from the state police that Ryan and Callahan had, indeed, been state police informants. The state police detective who had pledged confidentiality to Callahan and Ryan was understandably reluctant to break his promise. At the request of Commissioner Cohn, the state superintendent of police, Melvin Carraway, ordered him to do so. According to a letter from Lt. Col. L. Dean Petree of the Indiana State Police to Michael Callahan:

. . . Indiana State Police Detective Larry Zook did not willingly release confidential information pertaining to you or anyone else who attended the meeting. Mr. Zook released information that was in the case report that identified individuals interviewed in conjunction with a criminal investigation. When the Department of Correction contacted Detective Zook, he only released information he was directed to provide by the Superintendent.

I spoke with Mr. Lohr and he related that he assured you the meeting you attended was confidential in nature. Mr. Zook and the FBI agent who attended the meeting recognized the need for confidentiality as it related to the criminal investigation and neither party willingly released information pertaining to the participants . . . I can assure you that Detective Zook did not willingly release any information pertaining to you or anyone else that attended that meeting." {67}

Detective Zook's reluctance to betray his pledge of confidentiality to informants must have been heightened by the knowledge that the person to whom he was revealing the names was one of the people who had been a target of the investigation, a person, moreover, who retained considerable power over the lives of the informants Detective Zook was betraying.

One month later, Ryan and Callahan were interrogated again, this time in the office of the prison's new superintendent, Richard Clark. As they had been unsuccessful in reaching

either the FBI agent or Rep. Lohr, they continued to deny knowledge of the FBI/police investigation. Despite their combined 34 years of exemplary state service, including 19 years at Putnamville, and their key positions as directors of personnel and safety management, Ryan and Callahan were fired. Commissioner Cohn publicly branded them liars. {81}

With the departure of Ryan and Callahan, two of the staunchest and most visible supporters of human rights at the institution had been removed. Superintendent Jordan, whose loyalty to Cohn had long since come under suspicion, had already been demoted and sent to a juvenile correctional facility. Jim Hendrix, who had been assistant superintendent at Putnamville for many years and had never been comfortable with the Brotherhood, was also demoted and transferred against his will to the women's prison in Indianapolis. Jerry Collins, who had challenged the Brotherhood and lost, had already been banished from the prison. Those who opposed the Brotherhood received another blow when Alan Burns, a training officer who had courageously stood up to the Brotherhood for years and had come under increasing pressure from them, died suddenly of a heart attack at age 39.

Bob Baker, Sr., meanwhile, was the recipient of a long-sought prize. For four years, Cohn had been requesting approval for a new position at the Farm, "Labor Relations Specialist," which Cohn had made clear was to be filled by Baker. Twice before, Cohn had been turned down by the state budget agency. In December 1997, two months after Cohn had fired Joy Ryan, he received clearance for the position and immediately appointed Baker, Sr., to it. (In doing so, Cohn apparently treated the position as if it were a political appointment, not a merit position as would have been appropriate under the Indiana Administrative Code. As a political appointee, Baker did not have to meet the minimum qualifications in education and experience or compete with other eligible candidates, which would have been required for a merit position.)

Baker, Sr., now occupied Ryan's old office and had unfettered access to all personnel files, quite an advantageous position for someone who had already gained enormous power at the prison through intimidation of staff. In addition, Baker assumed as part of his responsibilities the power to "receive, review, and make recommendations concerning labor grievances" by prison employees. {196g}

If anyone doubted the ascendancy of the Brotherhood at Putnamville, they need look no further than staff housing at the prison. Putnamville Correctional Facility, with 650 employees, has 25 houses on grounds that are rented for nominal amounts to select employees. {193} All utilities except telephone are provided free-of-charge to the lucky families occupying the houses, as are such services as lawn mowing, leaf raking, and snow shoveling. Weekly rents at Putnamville range from \$17 per week for the smaller houses to \$40 per week for the superintendent's residence. {193} For low paid correctional employees, residing on grounds constitutes a substantial subsidy, worth perhaps \$10,000 annually, tax free. Taxpayers provide that subsidy not so that the prison's superintendent or the commissioner of correction can dispense patronage, but rather to ensure that key personnel are available in a crisis. According to DOC policy:

The Department of Correction recognizes the need of having staff readily available on a 24 hour basis in order to maintain the safety and security of facilities Due to the limited number of state-owned residences, *the Department shall ensure that only those staff who are essential to the operation of the Department are offered the opportunity to reside in them.* {167, emphasis added}

Before Michael Callahan (Director of Safety) and Joy Ryan (Director of Personnel) were fired, they lived on grounds, as did Superintendent Jordan and Assistant Superintendent Hendrix before they, too, were involuntarily moved out of the prison. Callahan and Ryan were summarily evicted from their homes as soon as they were fired, despite their pending (and ultimately successful) appeals. They were forced out not so that “staff who are essential to the operation” of the prison could move in, but so that Charlie Brann, supervisor of the Prisoners’ Dining Room, and Todd Barrow, a cook, could move in. Almost immediately a third house was vacated, one of the nicest houses on grounds. The new occupant was none other than Bob Baker, Jr., a low level sewage plant worker. {165c}

Several months later, Assistant Superintendent Jim Hendrix (who had already been involuntarily transferred to the women’s prison) was told that he, too, must vacate his home, the nicest house on grounds. To no one’s surprise, Bob Baker, Sr., prepared to move in. In the year after Callahan and Ryan were fired, the only new occupants in staff housing would have been the two leaders and the two chief enforcers of the Brotherhood. But for once someone stood in Baker, Sr.’s way.

Major Tom Goodlow was the senior black officer who Commissioner Cohn had transferred to Putnamville in February 1997 to help quell earlier charges of racism. Whatever the short term appeal of transferring Major Goodlow to Putnamville might have been, it had a predictable outcome. Goodlow and Baker, Sr., almost immediately crossed swords. A year after taking over as the top security officer at the prison, Goodlow formally accused Baker, Sr., of creating a “hostile work environment” through “threats” and “unprofessional and tyrannical” behavior. {196} In August, 1998, the major wrote to his superiors asking for an end to the harassment. When he found out three months later that Baker, Sr., not he, was going to move into Hendrix’s old house, he filed an affirmative action complaint. {196 a,b,c,d,h,i} Goodlow was, after all, the senior security officer at the prison. Baker, Sr., however, was the prison’s “labor relations specialist,” and thus the gatekeeper for grievances at the prison. When Goodlow “declined to discuss the [complaint] with the facility representative,” the complaint was denied by the DOC. {196g} The “House of Contention,” however, remained vacant. When a new superintendent took over at the prison eight months later, he achieved a Solomonic solution by moving into Hendrix’s old house himself while the old superintendent’s house was “under repair.”

Ryan and Callahan, meanwhile, had filed suit in state court and complaints with the EEOC in October 1997 and had appealed their firing to the Indiana State Employees'

Appeals Commission (SEAC). After repeated delays on the part of the Department of Correction (to which SEAC all too readily acceded), a preliminary hearing was finally scheduled for April 1998. Before a hearing room packed with concerned citizens and clergy, DOC lawyers agreed without testimony to settle with Joy Ryan within five days. (In characteristic fashion, DOC officials broke that promise. The additional two months Ryan was forced to wait for re-employment constituted a considerable hardship.) Callahan, however, rebuffed all offers of settlement by the DOC.

In October, 1998, Callahan was finally offered the opportunity for public exoneration at a SEAC hearing. More than a year had passed since the DOC had fired him, evicted him from his home, and aggressively opposed his right to receive unemployment benefits. He and his family had suffered public humiliation, serious financial problems, and death threats. But their suffering was not entirely in vain. Local concern was growing over the firings and over allegations of DOC involvement in violence, racism, drug trafficking, and corruption at the prison and in surrounding communities. Hundreds of supporters planned to attend the October hearing, including numerous members of the clergy (among other supporters, the Episcopal bishop sent letters to all clergy in her diocese asking them to attend). The DePauw University radio station (which can be heard at the prison) announced its intention to broadcast the hearing live.

Testimony from the FBI agent who had promised confidentiality to Callahan and Ryan was certain to be embarrassing to the Department of Correction and the state police. Worse yet, DOC officials were finally going to have to defend the charge they had filed against Callahan of participating in "*unauthorized meetings*" with the state police and FBI. {71a} Within the hearing of inmates, DOC staff, and the citizens of Indiana, they were going to have to justify a policy whereby employees could be dismissed for speaking to police or FBI agents about criminal conduct within the DOC without prior permission from the commissioner, even when the commissioner was a target of the criminal investigation.

Late on the night before the hearing, DOC lawyers informed Callahan that if he refused to settle, DOC attorneys would not contest the case the next day. He would receive back pay and could return to his old job at the prison where his and his family's lives had been repeatedly threatened; but he would not receive attorneys fees (substantial by that time), nor the right to re-occupy his house. {198} If he agreed to settle that night, however, he would receive attorney's fees and related expenses, a promotion, and a job in Central Office. For his family's sake and his own safety, Callahan felt he could not refuse. The DOC then took the precaution of illegally placing a gag order on the settlement and on the contents of the interview with the FBI agent, thus making the information unavailable to the public. Callahan was even prohibited from providing details of his firing and rehiring to a prospective employer were he to be interviewed for a new job. {165f, 169}

Callahan and Ryan had been rehired (though a year-and-a-half later have still not received attorney's fees and related expenses as required in their settlements), but the Brotherhood was stronger than ever. In the wake of the settlement, 56 community leaders in Putnam County, including 21 clergy representing every major Protestant and

Jewish congregation in the county seat of Greencastle, signed a public letter expressing their concern over ongoing abuses within the Department of Correction. The letter concluded:

Although it appears Michael [Callahan] has regained employment with the Department of Correction, we remain deeply troubled for the following reasons:

- 1) *No public apology has been made by the Department of Correction to Michael Callahan and his family.*
- 2) *No explanation has been made to the people of Indiana for the shameful treatment of an exemplary employee or for the waste of over \$100,000 of public funds in this matter.*
- 3) *No access has been given to members of the community or news media to important information that would have been made public at the hearing including the FBI testimony.*
- 4) *Most important, no progress has been made in investigating serious allegations of institutionally-sanctioned racism and violence at the prison, or equally troubling allegations of drug trafficking and corruption at the prison and in surrounding communities.*

In light of these events, we join together in stating the following:

We will consider any future threats or acts of violence against any individuals involved in this situation to be attacks on us all. This sort of violence and intimidation has no place in our community.

We call upon the governor and state legislature to initiate a truly independent investigation of racism, violence, drug trafficking, and corruption at the Indiana State Farm and in the Department of Correction.

Finally, to Michael and Diana Callahan and others at the State Farm who have brought honor upon themselves throughout this long ordeal, we would like to express our deep appreciation for your steadfast courage and faith. You are a blessing to our community. {85}

The Civil Rights Division of the US Department of Justice heeded the community's call for an investigation. In early June 1999, the Department of Justice informed the Indiana Attorney General that Putnamville was under formal investigation for civil rights abuses. One week later, Governor Frank O'Bannon met with Ed Cohn and members of the Indiana Black Legislative Caucus. O'Bannon responded to allegations against his commissioner and the Department of Correction by ordering yet another state police investigation, a move that Commissioner Cohn publicly welcomed. {94a}

While the US Department of Justice held out the possibility of a “truly independent investigation,” though one limited in scope to civil rights offenses, the new state police investigation appeared doomed from the start. The state police had, after all, seriously compromised their credibility by betraying informants during their last “investigation.” Worse yet, they had allowed state police facilities to be used by DOC officials to interrogate employees about whether they had participated in the earlier investigation and then had raised no objections when their erstwhile informants were fired. Informants who had already been betrayed were unlikely to cooperate a second time around. Anyone else who had useful information would know what had happened to Michael Callahan and Joy Ryan when they had crossed Commissioner Cohn and to Jerry Collins when he had crossed the Brotherhood. And they only needed to look at who occupied the prison’s personnel office, or across the highway to see who was still occupying the prison’s coveted houses, to know that nothing at the prison had changed.

* * * * *

On those rare occasions when public officials, law enforcement officers, or members of the news media in Indiana have addressed allegations of staff misconduct at Putnamville, they have usually focused on the question of whether the prison harbors a “secret racist group” {94c} known as the Brotherhood. In doing so, they consciously or unconsciously deflect attention from the seriousness of the situation at Putnamville and at similar prisons across the nation. What is *not* important is whether the Brotherhood exists as a formal organization with membership lists, initiation rites, by-laws or established means of succession. Nor is it important whether the group has a political or social agenda beyond self-aggrandizement of its members, especially its leaders.

What *is* important is that a racist subculture has been allowed to flourish in a state prison; that the members of that subculture have used violence, intimidation, and harassment against other staff and inmates over the course of many years to gain power at the prison; that they have used that power to shield their friends and punish their foes; and that they have done all of this with the full knowledge and active protection of their superiors including the state commissioner of correction.

In shrugging off the problem, Commissioner Ed Cohn has noted that every prison has its petty racists and there isn’t much that he (or anyone else) can do about it. {81} He is right on the first premise, but wrong on the second. The principal sins reported here are not those of lowly prison cooks and sewage plant workers who are violent, impulsive, and racist. Rather they are primarily the sins of their superiors who have failed for years on end to sanction or restrain them. The higher the rank, the greater the culpability—all the more so since the Brotherhood’s activities have been open knowledge in Indiana for years. It is a culpability owned not only by Commissioner Cohn, but also by the State Board of Correction to which the commissioner theoretically reports, by the governor’s top staff member for corrections, Bob Small, with his encyclopedic knowledge of the Brotherhood and unstinting support for Cohn, Superintendent of State Police Melvin Carraway who permitted misuse of state police facilities and ordered betrayal of state police informants, and by members of the Indiana press corps who, like most of their

counterparts nationwide, have chosen to ignore the key role they must play in prison oversight.

Putnamville, unfortunately, is not an aberration. Ever since the Aryan Brotherhood was formed in California prisons in the 1960s, white supremacist groups have played key roles in US prisons. They now exert enormous influence over the lives of millions of men and women who live and work in our vast prison archipelagos. They may also play an important role in recruitment for extremists groups outside of prisons. At the very least, they undermine national efforts at racial reconciliation. As states rush to build more prisons in rural communities—where staff are mostly white and inmates are mostly men of color—these problems are likely to grow worse. Putnamville should be viewed for what it is—a well-documented example of a growing national problem of organized white racism in prisons.

* * * * *

To remedy the specific problems documented in this report, we urge adoption of the following 10 proposals in regard to the Indiana Department of Correction:

1. Remove staff from positions of power at Putnamville who have abused, harassed, and intimidated other staff members and inmates and hold accountable those administrators who have tolerated these actions.
2. Fully compensate Michael Callahan and Joy Ryan for all expenses incurred by their firing and rehiring and restore to them all the protections and privileges they enjoyed as employees before their firing, including staff housing. Compensate Jerry Collins for the suffering he has endured as a victim of assault at the hands of Brotherhood members and allow him to return to Putnamville if he desires.
3. Enhance recruitment and protection of minority staff at Putnamville and other rural prisons.
4. Prohibit the wearing or displaying of racist symbols by employees in all correctional institutions.
5. Standardize eligibility for staff housing at all facilities rather than allowing it to be used as a form of administrative patronage.
6. Eliminate DOC regulations and practices that punish DOC employees for assisting in investigations of abuse.
7. Extend whistle-blower legislation to protect all employees of the DOC.
8. Establish an independent office to investigate complaints against the DOC.
9. Strengthen the Board of Correction and ensure that senior administrators are answerable to that Board.
10. Establish a citizens advisory board for the DOC whose members are nominated by religious, civic, educational, business, and professional organizations and grant that board unfettered access to all Indiana state prisons.

THE BROTHERHOOD

Racism and Intimidation Among Prison Staff at the Indiana Correctional Facility-Putnamville

EPILOGUE

July 2001

The state police investigation of Putnamville ordered by Governor O'Bannon in June 1999 lasted 10 months. During that time, several well-publicized acts of violence raised questions about white supremacist activity in other Indiana prisons. The Department of Correction denied any link between these events and problems at Putnamville—and, indeed, in the immediate sense, there was none—but in combination they would prove to have an impact on prison policy in Indiana.

Aryan Brotherhood Violence: On Nov. 17, 1999, Sasezley Richardson, a 19-year-old African American, was carrying a bag of diapers down a quiet street in Elkhart, IN, when he was shot in the head by two white teenagers. One of his killers had recently been released from the Juvenile Correctional Facility in Plainfield, IN, where he had allegedly joined the Aryan Brotherhood, a “blood-in, blood-out” gang pre-eminent among white supremacist inmates in U.S. prisons.¹ His accomplice purportedly wanted to join the Brotherhood and to earn a coveted “spider web tattoo” which, the *Indianapolis Star* reported, “indicates the wearer has killed a black person. It’s a symbol common in white supremacist gangs,” what one expert referred to as the “class ring” for white supremacists. {171}

Several months later, the mother of a young white inmate at Westville Correctional Facility, the state’s largest prison, charged that her son had been repeatedly threatened and abused by members of the Aryan Brotherhood for refusing to join the gang, and that prison officials had done nothing to protect him. Her attorney produced numerous wire transfers to substantiate charges that Aryan Brotherhood members and some prison employees were extorting protection money from inmates’ families. {227 b,e,g; also i,l}

Meanwhile, Philip Wood, another white inmate at Westville, was critically burned after being run through the prison’s industrial dishwasher. A prison official initially advised his family that the likely culprits were black inmates. When Wood woke from a coma three months later, however, he accused members of the Aryan Brotherhood of putting him in the dishwasher in retaliation for his ratting on the Brotherhood. A spokeswoman for the Department of Correction responded by claiming that Wood, who suffered third degree burns over most of his body, had placed himself in the dishwasher. {227 c,d,g,m}

¹ This was not the first racist incident linked to the Plainfield juvenile prison. Several years before Richardson’s murder, black staff at Plainfield had received a venomous “Message From Your Grand Wizard” in their mailboxes. {156} At the adjoining adult correctional facility in Plainfield, a white supremacist recruitment poster was tacked to the staff bulletin board and a sergeant was demoted when he showed his Klan membership card to a black officer. {160}

Putnamville Investigation: While Philip Wood still lay in a coma, police investigators were wrapping up their inquiry into Putnamville. Over an eight month period, Sgt. Mark Mitchell and a team of six detectives had interviewed several hundred current and former Putnamville employees and inmates and reviewed documents.²

On April 24, 2000, State Police Superintendent Melvin Carraway invited me to a private briefing on the results of the investigation. After negotiation, two members of the Greencastle clergy, Rev. Rick Miller of Gobin Memorial United Methodist Church and Rev. Bill Wieland of St. Andrew's Episcopal Church, were permitted to attend the briefing as well. Sgt. Mitchell presented his team's findings at the briefing which was also attended by Deputy Police Superintendent Don Brackman.³

Sgt. Mitchell reported at the briefing that most of the 285 Putnamville employees and inmates that the police interviewed had disavowed any knowledge of the Brotherhood and that none of them could or would provide concrete evidence of any criminal activity by alleged Brotherhood members. A number of prison employees said they had never heard of the Brotherhood and that any racism at the prison merely reflected underlying

² In September, 1999, Sgt. Mitchell and State Police Superintendent Melvin Carraway met with me at my home to request my cooperation with the investigation. Over the next few weeks, I gave Sgt. Mitchell copies of a preliminary version of my report on the Brotherhood, an annotated list of documents on which the report was based, a detailed chronology of events keyed to the documents, and a list of employees I suspected were associated with the Brotherhood. However, I did not give police investigators copies of the documents themselves. As I wrote to Supt. Carraway in November 1999, "due to the earlier betrayal of informants by the Indiana State Police (and the subsequent firing of those informants by the DOC), I had promised informants who provided documents to me that I would not turn the documents over to either the State Police or the DOC." {225c} Instead, I asked investigators to try to obtain the documents directly from the prison. I had good reason to believe that Putnamville employees linked to the Brotherhood had destroyed many of the official documents on which the report was based when they first learned about the police investigation during the summer of 1999, not knowing that I already had copies of the documents. As I wrote to Supt. Carraway, "Ever since Commissioner Cohn fired Joy Ryan and moved Bob Baker, Sr., (the alleged leader of the Brotherhood) into her office at Putnamville, we have been concerned about the integrity of documents at the prison. Indeed, as we discussed at our [September 1999] meeting, a major advantage of having your investigators obtain the documents directly from the prison would be that we would then know if any of the documents were missing." {225c} I reiterated to Supt. Carraway that I was willing to provide police with copies of any documents that were missing from the prison, as long as I received "assurances that copies of documents we supplied would not be used in any way to protect those who may have destroyed originals." {225c} Sgt. Mitchell later informed me that police investigators did not attempt to obtain the documents from the prison, but instead obtained copies of many of them from the US Department of Justice Division of Civil Rights, which had in turn received them from me in 1998. Why the state police used that route still puzzles me.

³ Rev. Miller and Rev. Wieland were also present at the September 1999 meeting with Supt. Carraway at my home.

Except in regard to one minor matter, the April 24 meeting was "on-the-record." I took detailed notes which I then reviewed with Sgt. Mitchell several days later. In the fifteen months since the briefing, Supt. Carraway has declined to issue a written report on the investigation. Thus, the highlights presented here constitute the only public written account of the state police investigation. I welcome any written clarifications that police investigators may want to make, which I would be pleased to post along with this report on the internet at www.prisonjustice.org.

racism in the surrounding community. Furthermore, investigators found no evidence of corruption at the prison, nor were they able to substantiate any assaults that had taken place within the statute of limitations.

Indeed, according to investigators, the problem at Putnamville consisted of nothing more than “two competing factions” among prison employees. One group did things to make the other group think that there was a Brotherhood and then did nothing to squelch the rumors, leaving the impression that something “nefarious” was going on. Sgt. Mitchell presented a number of examples of this behavior:

- Four staff members we had identified as likely Brotherhood members acknowledged that they had some form of Brotherhood tattoo. (At the briefing, the police displayed photos of the Brotherhood tattoos on Todd Barrow’s and Bob Baker, Jr.’s arms. However, investigators neglected to look for the “spider web tattoo” that Baker, Jr., reportedly has on his elbow, nor did they question him about it.)
- Some alleged Brotherhood members wore swastika rings at work until they were ordered to stop doing so by the prison’s superintendent in the late 1990s. (Though Bob Baker, Sr., denied it, investigators reported that Baker, Jr., had acknowledged that his father had given him a swastika ring made in the prison’s machine shop. According to Baker, Jr., however, it was a “reverse swastika” that he wore not as a white supremacist symbol but rather as a symbol of Native American heritage.)
- Some staff wore gang-style clothing at work and at staff parties. (Police investigators displayed an enlarged photo that they said was taken at an emergency response team party attended by Supt. Jordan in 1994 or 1995. Baker, Jr., is shown “bobbing for beer” with his head in a bucket and his buttocks in the air. Prominently dangling from his rear pocket is a colored handkerchief, worn in a style known in prison and gang parlance as “flying colors.”)
- All alleged Brotherhood members freely admitted to investigators that they had engaged in long-term recreational use of illicit drugs, predominately cocaine and marijuana, and admitted using these and other illicit drugs at staff parties, especially emergency response squad parties at the home of the squad commander, Lt. Michael Cherry. However, they all denied trafficking with inmates inside the prison.
- Employees occasionally made public professions of membership in “the Brotherhood.” For example, when a dune buggy became stuck on Lt. Cherry’s property during one party, prison employees told the tow operators to make out the receipt to “the Brotherhood” (an enlarged copy of the receipt was on display at the briefing). Later, according to the towing operators, a prison employee who worked part-time as a DJ broadcast a “big thank you” from “the Brotherhood” over the air.

Police investigators also could find nothing inappropriate in Commissioner Cohn's actions vis-à-vis alleged Brotherhood members. They determined that:

- The employees' union and the State Employees' Appeals Commission were responsible for overturning disciplines imposed on alleged Brotherhood members, not Commissioner Cohn.
- Putnamville Supt. Richard Clark acted alone when he placed Barrow, Baker, Jr., and Charles Brann in housing after the commissioner fired Michael Callahan and Joy Ryan and they were evicted from their homes.
- The commissioner acted appropriately in requesting that normal hiring procedures be waived when Baker, Sr., was named "Labor Relations Specialist" because he had determined that Baker was "overqualified." Supt. Clark had requested the pay raise for Baker, not Commissioner Cohn.
- Commissioner Cohn met with prosecutors after Baker, Jr.'s trial for the Collins' beating ended in a hung jury, but the commissioner did not use undue influence to have the charges dropped.

Supt. Carraway concluding the briefing by stating that problems at Putnamville in the 1990s boiled down to "two groups that simply disliked each other, like kids in a school yard, going back and forth, tit for tat."

Our Response: We had, of course, had low expectations of the state police investigation from the start. After all, two previous police investigations had exonerated the DOC. This one was unlikely to be any different, especially as it carried the burden of police betrayal of informants stemming from the preceding investigation. Moreover, we had made it clear that we did not want another police investigation because we did not believe that problems at the prison were primarily criminal in nature.⁴

Even given our low expectations, the police briefing was disappointing. The chief law enforcement officer in the state had trivialized problems at the prison as ones involving two groups of bickering children. The fact that one of these two "schoolyard" groups had distinguished itself by engaging in well-documented acts of racism and intimidation and open use of illicit drugs, and the other "schoolyard" group had distinguished itself by objecting to this behavior, seems not to have troubled senior police officials. (Although drug use among Brotherhood members was fairly open knowledge in the community surrounding the prison, their candor in admitting long-term use of cocaine and marijuana to police was almost as surprising as the readiness of police investigators to believe their protestations that they had never trafficked at the prison. Police officials also seemed unfazed by the irony of open use of cocaine and marijuana by prison employees who are

⁴ As I later stated before a legislative committee, "Our goal has never been criminal indictments. We are not trying to transform prison employees into prison inmates. We are trying to change a climate within the Department of Correction that tolerates—indeed incubates—racism and intimidation." [See Appendix A]

paid by the state to supervise inmates, many of whom are in prison solely for using cocaine and marijuana.)

In once again failing to acknowledge even rudimentary problems at the prison, police investigators left us with only two options: to quietly drop our quest for reforms at the prison, or to release our report publicly along with references to all substantiating documents. By our choosing the second option, members of the public, DOC employees, inmates, and their respective families would at least be able make their own judgments about events at Putnamville and the accuracy of the police investigation.

On the day following the briefing, we held a press conference at the State House and released the report in hard copy and on the internet at www.prisonjustice.org. Immediately afterwards, Supt. Carraway held his own press conference. Under the headline “Racist network in prisons unfounded,” the *Indianapolis Star* quoted Carraway as saying, “Nowhere did (the investigation) show there’s a connected network of individuals, talked about over the years as the Brotherhood.... There has to be some activity, some point, where a Brotherhood existed. There’s none.” According to the *Star*, Carraway cited “‘factions’ of white employees who have feuded internally within the prison since the 1980s. That alone, [Carraway] said, ‘perpetuates the notion of a Brotherhood.’” {228}

Legislative Response: Although the state police had once again publicly exonerated the Department of Correction, publicity about problems at Putnamville, Westville, and other Indiana prisons was beginning to take its toll. Commissioner Cohn brought further embarrassment by stating on television that it was not his fault that some of his employees were “one breath away” from being inmates themselves.

Legislative leaders responded to growing concern about the DOC by appointing a bipartisan interim study committee, the “Corrections Matters Evaluation Committee,” chaired by Rep. Vernon Smith, a Democrat from Gary, IN. I was invited to be the first witness before the committee.⁵ After reviewing events at the prison and the complicity of senior administrators, I urged committee members to support legislation that would provide enhanced oversight of the Department of Correction and to invite Commissioner Cohn to come before the committee to answer our charges. (The text of my comments is contained in Appendix A.)

In a welcome gesture of support, Terry Thurman, the Region 3 Director of the UAW (comprising all of Indiana and Kentucky), joined me during the testimony and pledged the union’s support for the reforms we had requested. In the tradition of Walter Reuther,

⁵ Supt. Carraway testified a day earlier before the Senate standing committee on corrections, chaired by Sen. Robert Meeks. When only Sen. Meeks and members of the news media showed up, Carraway presented an abbreviated version of our April briefing, and reiterated that the state police investigation had uncovered no “actionable” problems at Putnamville, that is no actions on the part of staff that could lead to indictments. Indeed, according to the superintendent, investigators could not substantiate any of our concerns regarding racism and intimidation at the prison. In accepting Supt. Carraway’s report, Sen. Meeks, a former state trooper himself, declared, “I go to my confidence in the Indiana State Police.”

Thurman's presence put Putnamville employees on notice that union leadership would no longer tolerate any link between the UAW and the Brotherhood.

At the conclusion of the testimony, committee members voted unanimously to request that Commissioner Cohn testify at the next hearing. Four days later, Cohn took a leave of absence from the Department of Correction that would last four months. He resigned after the November election without ever testifying before the committee. Members of the committee, meanwhile, voted unanimously to introduce prison reform legislation into the next session including legislation that would establish an independent prison ombudsman's office and revive the virtually moribund Indiana Board of Correction.⁶

Soon after the 2001 legislative session convened, Governor O'Bannon appointed a new commissioner of correction, Evelyn Ridley-Turner, an African-American who had worked for the Department of Correction for 27 years, most recently as Deputy Commissioner of Correction for Juvenile Services. Hopes that her appointment might signal a new era in the DOC received a setback a few days later when, during a television interview, she initially denied that she knew that the Correctional Training Institute's graduation pin, in use for 30 years, had what appear to be the letters "KKK" prominently engraved on it. {229b}⁷ According to an internal memo produced by reporters, however, she was one of eight senior administrators present in an executive staff meeting seven months earlier when the pin was discussed. According to the minutes of the meeting, "The CTI pin has caused concern *once more* – some calls as to why would KKK be on the pin." {229a; emphasis added} The day after the story was aired on television, the new commissioner ordered all staff to immediately remove the offending pins from their uniforms and to "discontinue wearing tie tacs, charms and belt buckles or carrying money clips or cigarette lighters with the old CTI emblem while on duty or being identified as an employee of the Indiana Department of Correction." {229c}

While Ridley-Turner was settling into the commissioner's office, the "ombudsman" and "Board of Correction" bills were wending their way through the legislature. The House adopted the Board of Correction bill unanimously and the ombudsman bill with only one dissenting vote, but both bills faced impassioned opposition in the Senate. Senators Robert and Bud Meeks, brothers who had made their careers in law enforcement, attacked the bills as unnecessary interference in prison governance and, in the case of the ombudsman bill, a waste of taxpayers' money. Although both senators had been defenders of the outgoing commissioner, they admonished their colleagues not to visit the

⁶ The committee also voted unanimously to sponsor bills that would provide whistleblower protection for correctional employees; ban the wearing or displaying of racist symbols by any employee in a correctional facility; stop the prison system from grossly overcharging inmates for telephone calls; mandate collection of data on race for inmates in community corrections; and require testing of inmates for HIV and hepatitis. Of these, only the HIV-hepatitis bill was adopted by both House and Senate. The "whistleblower," "racist symbols," and "community corrections" bills never received committee hearings while the "telephone" bill ran into heavy opposition from Indiana's 90 county sheriffs for whom lucrative jail telephone contracts are a major source of revenue. The "telephone" bill was eventually consigned to a summer study committee.

⁷ A photo of the pin can be seen at www.prisonjustice.org.

“sins of the father [Ed Cohn] on the ‘son’ [Evelyn Ridley-Turner].” They maintained that the DOC had adequate internal means of investigating tens of thousands of complaints filed annually by inmates, and that 3,000 visiting clergy already served as informal ombudsmen.⁸ In any case, as Senator Robert Meeks told his colleagues, Supt. Carraway had personally assured him that there was no evidence that the Brotherhood had ever existed.

Senator Richard Bray rose in reply. A former law-and-order prosecutor from Martinsville, IN, Senator Bray has been in the legislature since 1974. Putnamville prison lies just north of his rural, almost entirely white, and deeply conservative district. He had, as he pointed out, spent much of his career trying to fill up Indiana prisons, and he wished the new commissioner of correction the very best. But he confessed to deep concern over things that had been happening in the state prison system, including trafficking by employees “and the Brotherhood.” “Yes,” he addressed his colleagues, “I can assure you that the Brotherhood did exist. There is no doubt about it.” Noting that serious problems had persisted within the prison system for “a long time under Republicans and Democrats,” Senator Bray told his colleagues that an ombudsman’s office was long overdue as a safety valve for both inmates and officers. On three separate votes, his colleagues overwhelmingly agreed.⁹

The victory for prison reform was short lived. On May 11, 2001, one week after the legislature had adjourned for the year, Governor O’Bannon vetoed both prison reform bills, two of only nine bills he would veto during the entire legislative session.¹⁰

As I write this in July 2001, Ed Cohn is no longer commissioner, but almost every other key player in the Brotherhood saga remains in place.¹¹

⁸ The senators may not have been aware of the DOC’s regrettable history of retaliating against clergy who speak out about prison conditions. The most notable example is the case of Father Joe Ross, a Catholic priest who volunteered on death row at the Indiana State Prison in Michigan City for five years. In 1999, Father Ross was banned from Michigan City after he testified before a legislative committee for 90 *seconds* against the death penalty. When some legislators angrily protested his expulsion, Commissioner Cohn reinstated him, but only after Father Ross agreed never to discuss Indiana prisons or the death penalty in any context outside the prison, religious or otherwise, without prior written permission from the DOC.

⁹ The ombudsman bill was introduced simultaneously into both House and Senate while the Board of Correction bill originated only in the House. The Senate version of the ombudsman bill passed the Senate 31 - 16. The House version of the same bill later passed the Senate 34 - 15. Meanwhile, the Board of Correction bill, which had already passed the House, died in Senate committee on a 5 - 5 vote. The House subsequently amended the Senate version of the ombudsman bill to include the entire Board of Correction bill. The House then passed the combined bills 81 - 14. The full Senate then passed the combined “ombudsman-Board of Correction” bill by 33 - 9. Thus, two prison ombudsman bills were passed by the full legislature, one of which contained the Board of Correction bill within it, while the other did not.

¹⁰ Governor O’Bannon also vetoed the HIV-hepatitis testing bill. The legislature can override the vetoes, but not until the 2002 session, a long time in politics and in prison.

Michael Callahan is still assigned to the DOC Central Office while Joy Ryan works in the personnel office of another Indiana prison. Although they were fired in October 1997 and rehired in June and October 1998, they had to wait until early 2001 to receive all their back pay and attorneys' fees.

Bob Baker, Sr., is still Labor Relations Specialist at Putnamville. Soon after the Superintendent of State Police declared that the Brotherhood never existed, Baker won his battle with Tom Goodlow, the black major who had had the temerity to stand up to the Brotherhood (see p. 13 above).

Goodlow, who was demoted and transferred out of Putnamville in July 2000, has recently brought suit under the federal Ku Klux Klan Act against the Department of Correction and the Brotherhood. {231} His appeal before the State Employees' Appeals Commission regarding his transfer and demotion, currently scheduled for September 20, 2001, in Indianapolis, may provide a rare opportunity for members of the public to see and hear key players in the ongoing Brotherhood saga.

Charlie Brann remains head of the PDR where Todd Barrow and other employees long associated with the Brotherhood still work. On July 11, 2001, the PDR was once again in the news when four inmates in protective custody found ground-up razor blades in their food. Family members charged that inmates in protective custody frequently find their food contaminated with insects, spit, and other debris. Brann and Barrow continue to occupy Callahan's and Ryan's former houses at the prison, courtesy of Indiana taxpayers. Bob Baker, Jr., also remains in coveted prison housing at taxpayers' expense.

The DOC, meanwhile, remains as defensive as ever about problems at the prison. In May 2001, members of the "Commissioner's Facility Review Team" visited Putnamville. Materials prepared for the review team state:

Putnamville Correctional Facility has operated under a cloud of criticism for the last five (5) years due to investigations of alleged staff misconduct that have sparked media, legislative, and public scrutiny. Although the alleged incidents of unprofessional and unethical behavior occurred five (5) and ten (10) years in the past, the institution has still not fully recovered from the tarnished image perpetuated by the media. {230}

Perhaps Putnamville's image would be less tarnished if the DOC no longer harbored and rewarded employees at the prison who have disgraced the Department of Correction, their community, and their state by violent, racist and abusive behavior.

¹¹ Cohn is presently executive director of the National Major Gang Task Force, a private organization that has had substantial impact on the way inmate gangs (known as "Security Threat Groups") are identified and managed in prisons.

THE BROTHERHOOD
Racism and Intimidation Among Prison Staff
at the Indiana Correctional Facility-Putnamville

Appendix A
Testimony by Kelsey Kauffman
Corrections Matters Evaluation Committee
August 11, 2000

I have been invited to testify before you today about allegations of racism and intimidation among correctional employees.

During the past week, I prepared a fairly general overview of problems at the Putnamville prison and in the Indiana DOC to present to you. But yesterday afternoon I attended a different hearing before a different committee: the Senate Committee on Corrections. The sole witness was Superintendent of State Police Melvin Carraway. He, too, was speaking about allegations of racism and intimidation at Putnamville. He repeated, in an abbreviated fashion, what he had already told representatives of the Greencastle community last April: that after an 8-month investigation the state police were unable to find any “actionable” problems at the prison. That is, no staff member had done anything at the prison that could lead to an indictment. Indeed, according to Mr. Carraway, the state police couldn’t find any evidence to substantiate any of our concerns regarding racism and intimidation at the prison. After cursory questioning by the chair of the committee, Senator Meeks is quoted in today’s *Indianapolis Star* as saying that he is satisfied with the investigation because “I go to my confidence in the Indiana State Police.”

So I am putting aside the statement I had prepared and instead will use this time to challenge such assertions.

To begin with, we never wanted nor asked for another state police investigation. When 21 ministers from our town and 35 other leading citizens signed a letter in December 1998 requesting a “truly independent investigation” regarding “institutionally sanctioned racism and intimidation at the prison,” we did not mean another state police investigation. Why? Two reasons.

First, in a previous investigation, the state superintendent of police, Mr. Carraway, personally ordered a detective to betray the identities of two senior staff members at the prison who had offered evidence against the Brotherhood. Furthermore, Supt. Carraway allowed Commissioner Ed Cohn to use a state police post to interrogate these two employees about whether they had ever spoken with the FBI or state police about the Brotherhood.

As a direct consequence of this betrayal, Commissioner Cohn fired these two staff members despite their long and exemplary service to the state. What charge was placed against them? “Unauthorized contact with the state police and FBI.”

I have been involved in prison investigations in five states and two countries. I can tell you that gaining the trust of prison staff is difficult but crucial, and that once that trust has been violated you might as well go home.

The second reason that we did not want another police investigation—and we made this clear at the time—is that problems at the prison are not primarily criminal in nature. Our goal has never been criminal indictments. We are not trying to transform prison employees into prison inmates. We are trying to change a climate within the DOC that tolerates, indeed incubates, racism and intimidation.

The state police investigation has accomplished only one thing: it has shielded those senior officials who through their actions and inactions have created that climate.

We have waited patiently over the past three years for someone in the O’Bannon administration to acknowledge and address these problems.

After the two employees who had “unauthorized contact” with the state police and FBI were fired, many people in the community were outraged at their dismissal. We began our efforts on their behalf quietly by collecting documents and talking with friends and parishioners who worked at the prison. We collected more than 1,000 pages of documents from the prison and the DOC itself regarding racism at the prison. We then spent months carefully cataloging and summarizing the documents and creating a detailed chronology of events. When we felt certain of our facts, I wrote an earlier version of the report you have in your hands. This was the spring of 1998.

We knew exactly what to do with that report and all of the supporting documentation. We would *not* take it to the news media. We would *not* release it publicly. We would take it straight to the Governor. We would take it to him because *we* knew that if *he* knew what was going on at the prison, he could and would do something about it.

We were wrong. The governor’s staff already knew all about the Brotherhood. And they had no intention of doing anything.

So we sought other constructive avenues for bringing about change. Hundreds of people in the community became involved: attending hearings, participating in prayer vigils, writing letters, requesting documents.

Still we did not release the report.

When the most recent state police investigation was announced a year ago, we protested it immediately. But we cooperated with the police. And we kept our peace.

Until April 24 of this year when Supt. Carraway met with Rev. Rick Miller of Gobin Memorial Methodist Church, Rev. Bill Wieland of St. Andrews Episcopal Church and me to present the results of that investigation.

At that meeting, police investigators informed us that all “targeted individuals,” that is, all employees identified as likely Brotherhood members, had admitted to sustained use of illicit drugs, especially marijuana and cocaine. And that they had done so at parties hosted by the prison lieutenant who was the leader of the emergency squad to which most of them belonged.

Yet these same investigators were unable to find any evidence of racism at the prison. Instead, according to Supt. Carraway, they found two groups of employees who disliked each other “like kids in a school yard.” Despite hundreds of pages of documents from the prison itself attesting to racism and intimidation among a select group of employees, protected and sanctioned by senior administrators, they were unable to find any evidence.

That was more than we could take.

It was not until after we left the meeting with Supt. Carraway that Rev. Wieland, Rev. Miller and I made the decision that we had no choice but to publicly release the report and the documentation that substantiates that report:

That was two *years* after the documents were assembled and the report was written. Two *years* after we had first gone to the governor’s office about the problem.

All we have ever asked of senior officials in this administration is for them to say to us that they know they have a problem of racism and intimidation at the prison; that they are taking it seriously; that they understand the community’s concern; and that they will take specific, concrete steps to address the problem. That’s all we wanted.

I would like to stress that this is not a partisan matter. I’ve voted for Frank O’Bannon three times. Many, perhaps most, of the people here supporting this testimony today are Democrats. It makes the situation all that more painful and frustrating for us.

The time has come for someone to put the commissioner of corrections—not the superintendent of police, but the *commissioner*—in this chair, preferably under oath, and ask hard questions based on the DOC’s own documents.

Why are staff allowed to use racist epithets, wear racist tattoos and clothing, and post racist items at work without consequence? Read along with me on paragraph 2, page 5 of the report.

On at least eleven occasions between September 1992 and March 1994, staff and inmates in the PDR filed formal complaints regarding racial and sexual harassment, intimidation, physical assault, drug trafficking and corruption on the part of Brotherhood staff. {9, 12, 16, 21, 22, 32, 33, 34, 35, 48, 50} DOC

investigators reported numerous incidents that were "racially motivated and very demeaning" that staff charged had been occurring "almost on a daily basis" over a long period of time. {22a} For example, white and black staff reported that the two black staff members in the PDR were regularly demeaned as "lazy niggers," "coons," and "goat farmers" who should be deported back to Africa. {22a,d} Brotherhood staff were charged with spitting in food being handed on a tray to a black inmate, assaulting black inmates, threatening staff and inmates, and vandalizing property. {9, 18, 21, 24, 32} Brotherhood employees routinely covered for each other in these investigations, and were almost as routinely exposed as liars (as when, on two occasions, Brotherhood staff members declared themselves witnesses to events for which they could not have been present). {16a, 24a} Time after time, investigators reported that witnesses expressed fear for their safety were they to cooperate with investigations. {12b, 13b, 14, 16a, 18d, 22a,b, 32a,b,c, 50c}

These aren't vague allegations being made by uninformed citizens. These are abuses of power substantiated by the Department of Correction's own documents.

Did anything happen to staff who engaged in these abuses? Absolutely not.

What about the officer who put on a KKK-style hood, paraded down the maximum security range and taunted a black inmate? This is a form of twisted humor that seems to have appeal across state lines. Indeed, I have found six verified instances in recent years when officers have worn Klan garb inside prisons and taunted black inmates: in Connecticut, Florida, Maine, Massachusetts, Wyoming, and of course, Indiana. In each of the other five states the offending officers were dismissed. But not Indiana. Central Office overrode the superintendent's request to fire the officer and decreed a five-day suspension instead. What sort of message does that send?

Or take the example of a white officer in a different Indiana prison: He referred over an open microphone to two black men outside the prison as "niggers." When nothing happened to him, some of the handful of black officers at the prison objected. The white officer eventually apologized for his "bad choice of words." ("If I had known the speaker phone was in use I would not have used the same wording.") He was reprimanded; nothing more.

What about the swastikas and confederate flags? What about those officers who wore gang style symbols at work? Or the racist tattoos.

Supt. Carraway would have us ascribe no importance to the fact that at least 4 of the alleged members of the non-existent Brotherhood sport Brotherhood tattoos. Ask anyone in prison—staff or inmate—and they will tell you that tattoos are potent symbols in prisons. Ask any of them how they would interpret a "Brotherhood tattoo." They won't tell you that it brings to mind "amber waves of grain". No. In prisons, "Brotherhood" means white supremacy in its ugliest forms.

What about the state police assertion that all employees suspected of belonging to the so-called “Brotherhood” had admitted to using illicit drugs, especially marijuana and cocaine. Does this give you no pause for thought? These men are hired to supervise inmates many of whom are there solely because they, too, have used illicit drugs.

Commissioner Cohn has dismissed these problems and many others by saying that he can’t help it if many of his employees are “petty racists.” It is not his fault that many of his employees are, as he said this week, “only a breath away from being inmates themselves.”

Of course, he can help it. He is in charge. That’s his job. But there is ample evidence that he isn’t trying to stop the racism, the intimidation, the corruption.

Let him come here and explain why he fired the two senior staff members who had the temerity to talk to the FBI and state police about the Brotherhood.

Let him explain why the African-American major at Putnamville—the only black senior officer in the history of the prison—has been ordered transferred out of the prison after filing numerous complaints of racism and harassment.

Let the commissioner explain why two low-level employees with perhaps the worst records of racism and violence at Putnamville, who severely beat the DOC’s own Internal Affairs’ investigator, were rewarded with taxpayer-subsidized housing intended for emergency prison personnel.

Don’t accept superficial explanations. And if his explanations don’t satisfy you, put the former director of safety—who the commissioner fired—in this chair. Put the former director of personnel—who the commissioner fired—in this chair. Put the former major—who the commissioner transferred out of the prison—in this chair.

Ask the commissioner why he is quick to transfer or fire senior staff who oppose racism and intimidation at the prison. Why doesn’t he transfer Brotherhood members instead?

The problem of white supremacy among prison employees is not confined to Putnamville; nor to Indiana. Yet some states have substantially worse problems than others. Beyond the racial make-up of administrators, employees, and inmates, the most important variable seems to be the way in which administrators respond to racism within the ranks.

On this measure, Indiana fails miserably. More than anything else, employee racism is a problem at Putnamville because senior administrators from the commissioner on down have allowed it to be a problem. Indeed, without the protection of some senior administrators, I believe there would be no problem.

The vast majority of employees at the prison are honest, hard working people. They are members of our community, our neighbors and our friends, and they do not countenance

what has happened. But they have also seen what has happened to those who have stood up to the Commissioner and his men.

There are several measures I urge the legislature to take to respond to these problems:

- (1) All correctional employees and volunteers, including members of the clergy who serve in prisons, should be protected by whistle blower legislation. Other states provide whistleblower protection for prison employees. First amendment rights are important to correctional employees themselves, but they are also important to us, for they are the men and women that the rest of us must rely on for information about abuses within the correctional system. And there should never, ever be another state employee charged with having “unauthorized contact with the FBI and state police.”
- (2) The Board of Correction must be strengthened and made more independent. I hope you have read the entirely accurate editorial in the *Star* of last March regarding the total failure of the current Board of Correction to carry out the legislature’s mandate to oversee the Department of Correction. Prisons are by their natures closed societies. Without proper oversight, you are guaranteed to have the types of abuses discussed here today and on Channel 13 this week. At the very least, I hope you will pressure the governor to appoint individuals to the board who will take the legislature’s mandate seriously.
- (3) The state legislature should establish a citizen’s advisory board whose members are drawn from religious, civic, educational, business, and professional organizations. Members of that board should be granted the right to inspect any prison at any time. There is ample precedent for such boards in other states and comparable nations. They have a distinguished history.
- (4) An independent office should be established to investigate complaints against the DOC as is the case for the Federal Bureau of Prisons.
- (5) Eligibility for taxpayer subsidized housing at prisons such as Putnamville should be standardized. It should no longer be permitted to be used by the DOC as a form of patronage, especially not as a reward for individuals who have disgraced the Department of Correction, our community, and this state by engaging in racist, violent and abusive behavior.

Thank you.

THE BROTHERHOOD
Racism and Intimidation Among Prison Staff
at the Indiana Correctional Facility-Putnamville

Appendix B:
Brief Identifications of
Individuals Named in Report

Baker, Robert, Sr.: one of two alleged leaders of the Brotherhood; hired in 1981 as a correctional officer; worked as plant and maintenance foreman 1982-93; on paid leave from DOC to work for UAW (union that represents correctional workers) 1993-97; named labor relations specialist (personnel officer III) by Commissioner Ed Cohn, 1997 - present; assigned office of former Director of Personnel, Joy Ryan; thwarted by Major Goodlow in attempt to move into assistant superintendent's old house in 1998.

Baker, Robert, Jr.: alleged member of Brotherhood; has Brotherhood tattoo and allegedly also a "spider web tattoo" (which according to Indiana news accounts connotes that he has killed a person of color); hired in 1985 as cook II in Prisoners Dining Room; subject of numerous complaints by other staff and inmates re racism, violence and intimidation, as well as arrests outside the prison; moved to sewage department as sewage disposal operator II, 1990 – present; arrested in 1994 for beating of DOC Internal Affairs investigator Jerry Collins, hung jury, not retried; occupies one of nicest staff houses on the prison's grounds.

Barrow, Todd: alleged member of Brotherhood; has Brotherhood tattoo; hired in 1992 as cook II in Prisoners' Dining Room; subject of numerous grievances and charges for racism, violence, and intimidation directed against fellow staff and inmates; arrests for driving offenses, leaving scene of an accident, and 1994 beating of DOC Internal Affairs investigator Jerry Collins (who had been investigating Barrow for brutality against an inmate); acquitted by local jury of battery on Collins; transferred to Rockville prison, fired, reduced to 90 day suspension, rehired at Putnamville; now cook II at Putnamville; occupies Joy Ryan's former house on prison grounds.

Brann, Charles: one of two alleged leaders of the Brotherhood; hired in 1982 as food service employee; around 1990 became head of the Prisoners' Dining Room—foremost site of racial harassment at the prison; present at 1994 beating of Jerry Collins but not charged; seriously injured in 1996 shoot-out at motorcycle rally in Virginia; currently occupies Michael Callahan's old house on grounds; remains head of the PDR.

Burns, Alan: training officer at Putnamville known for his opposition to the Brotherhood; died of a heart attack in 1998 at age 39.

Callahan, Michael: hired as correctional officer at Putnamville in 1981; rose quickly through ranks to become captain, director of safety, and K-9 commander at prison; one of

most prominent opponents of the Brotherhood; fired by Commissioner Cohn in 1997, charged with having “unauthorized meetings” with the state police and FBI during investigation of the Brotherhood; rehired under community pressure in 1998; currently assigned to work in DOC Central Office in Indianapolis.

Cherry, Michael: lieutenant at Putnamville; member of Brotherhood-dominated emergency squad (the Black Squad); suspended in 1990 for harassment and abuse of inmates; fired in 1994 for refusing to take a surprise drug test; rehired on appeal; transferred to Reception and Diagnostic Center (state correctional facility in Plainfield, IN).

Clark, Richard: superintendent of Putnamville, 1997-99.

Cohn, Ed: superintendent of Putnamville prison, 1983-85; superintendent Pendleton prison 1983-85; while at Pendleton, fined one month’s pay and placed on administrative probation for one year for illegally shackling inmates; DOC state director of security 1989-93; DOC deputy commissioner, 1993-96; DOC commissioner, 1996-2000; currently director of the National Major Gang Task Force.

Collins, Jerry: Internal Affairs investigator for DOC assigned to Putnamville during early 1990s; assigned to investigate many of the cases involving Brotherhood members at the prison; while in the process of investigating brutality charges against alleged Brotherhood member Todd Barrow in 1994, Collins was severely beaten by Barrow and Baker, Jr.; when juries acquitted Barrow and hung on battery charges against Baker, Jr., Collins was transferred out of the prison against his will; now suing the DOC and Commissioner Cohn for transferring him and allegedly trying to block retrial of Baker, Jr.

Combs, Gene: superintendent at Putnamville, 1985-88.

Goodlow, Thomas: black major transferred to Putnamville in 1997; filed affirmative action and EEOC complaints against Bob Baker, Sr. and former superintendent Richard Clark for racial harassment and discrimination; demoted to lieutenant and transferred to Miami Correctional Institution in July 2000; currently suing Department of Correction and the Brotherhood.

Hanlon, Tom: superintendent of Putnamville, 1988-1990.

Hendrix, Jim: long-time assistant superintendent at Putnamville; required to transfer to women’s prison in 1998.

Hudkins, Donald: superintendent of Putnamville prison, 1968-83.

Huffman, Larry: lieutenant at Putnamville; attended 1996 meeting with FBI/state police; romantic entanglement with a female correctional officer at Putnamville and subsequent allegations of sexual harassment led to Commissioner Cohn finding out about the FBI/state police investigation.

Jordan, Bruce: superintendent of Putnamville, 1990-1997.

Lohr, David: one-term Republican state legislator from Terre Haute whose complaint regarding Brotherhood activities led to the 1996 FBI/state police investigation.

Petrie, L. Dean: Lieutenant Colonel in Indiana State Police.

Reagan, Eric: correctional officer at Putnamville; member of Brotherhood-dominated emergency squad (the Black Squad); fired in 1994 for refusal to take surprise drug test; regained job on appeal.

Ryan, Joy: Personnel Director at Putnamville from 1994 until fired in 1997 for concealing “unauthorized meetings” with state police and FBI regarding the Brotherhood; rehired under pressure in 1998; now works in personnel office of another state prison.

Whitehead, David: correctional officer at Putnamville; reprimanded in 1993 for racial slur; member of Brotherhood-dominated emergency squad (the Black Squad); fired in 1994 for refusal to take surprise drug test; regained job on appeal.

Zook, Larry: state police detective involved in brief state police/FBI investigation of the Brotherhood in 1996; secretly met with Callahan, Ryan, and Huffman as part of the FBI investigation; later revealed their identities to Commissioner Cohn when ordered to do so by Superintendent of Police Melvin Carraway.

THE BROTHERHOOD
Racism and Intimidation Among Prison Staff
at the Indiana Correctional Facility-Putnamville

Appendix C:
Documents Cited

[Note to researchers interested in obtaining copies of documents: Formal documents (e.g., “Report of Investigation,” “Notice of Tort Claim”) are cited by title, date and, where applicable, author. Other documents are cited with as much identifying information as possible without compromising identities of individuals who might be put at risk. Whenever possible, researchers should request documents directly from the Indiana Department of Correction. Requests to review items that cannot be obtained from the DOC can be sent care of the Russell J. Compton Center for Peace and Justice, Religious Life Center, DePauw University, Greencastle, IN 46135.]

Page number(s) on which each document is cited in the text are noted in brackets at the end of each citation.

1. Undated [circa 1989], UAW campaign poster. [3]
3. 1/95 inmate work roster for Prisoners’ Dining Room; the letter “B”, “W”, or “O” appears at the end of each offender’s number signifying “Black,” “White,” or “Other.” [9]
4. 9/22/93 letter of resignation without notice by [PDR staff member who was threatened by cook Todd Barrow] to Charles Brann, Food Service Supervisor, with accompanying notes from physicians. [6]
5. (a) 6/22/95 memo from Supt. Bruce Jordan to Correctional Officer Paul Meadlo;
 (b) 5/25/95 memo from Richard Zuel, Unit Team Manager, to Paul Meadlo;
 (e) 4/12/95 memo from Meadlo to Capt. Graham;
 (f) 4/12/95 memo from [officer on range] to Capt. Graham;
 (g) 4/12/95 memo from Sgt. Smock to Capt. Graham. [9]
9. 2/7/94 statement (7 pp.) by [PDR staff member] to Internal Affairs investigator Jerry Collins detailing sexual and racial harassment and other abuses of staff and inmates by PDR staff members. [5]
11. 6/1/90 memo and attachments from Internal Affairs investigator Jerry Templeton to Acting Supt. Philip Badger. [3]

12. (a) 7/10/93 memo [from PDR staff member] to supervisor Charles Brann re threats and intimidation by PDR staff member Todd Barrow;
(b) 7/14/93 "Report of Investigation" by Internal Affairs investigator Jerry Collins re allegations. [5, 6]
13. (a) 2/1/89 "Report of Investigation" by Internal Affairs investigator Keith Butts;
(b) 2/8/29 memo from Internal Affairs investigator Quentin Storm to Internal Affairs investigator Keith Butts;
(e) 4/12/89 memo from Supt. Tom Hanlon to "Investigative File #89-2-E-029." [3, 5]
14. (a) 8/25/89 "Report of Investigation" by Internal Affairs investigator Jerry Collins;
(b) 11/1/89 "Case Addendum" attachment to above. [3, 4, 5]
16. (a) 8/30/93 "Report of Investigation" by Internal Affairs investigator Jerry Collins;
(b-k) 8/23/93 – 8/26/93 associated memos and statements re investigation. [5, 6]
18. (a) 9/3/92 "Report of Investigation" by Internal Affairs investigator Jerry Templeton;
(b) 9/28/92 "Report of Supplemental Investigation" by Templeton;
(c–e) 8/29/92 – 9/9/92 associated notes and statements re investigation. [5]
20. (a) 2/20/90 "Report of Investigation" by Internal Affairs investigator Jerry Collins;
(b) 2/12/90 memo from Collins to Frank Love, Chief Investigator, Internal Affairs Section of DOC. [4]
21. (a) 2/3/94 "Report of Investigation" by investigator Jerry Collins;
(b) 1/16/94 grievance filed by [inmate] regarding racial and sexual harassment in PDR;
(c) 1/31/94 "Notice of Tort Claim" by inmate Edwin Antas against DOC;
(d) 2/16/94 memo from Collins to Supt. Jordan;
(e-i) related notes, letters, memos. [5]
22. (a) 1/31/94 "Report of Investigation" by investigator Jerry Collins;
(b-j) related notes, memos, letters, statements by complaining staff and inmates. [4, 5]
23. (a) 10/28/93 "Report of Investigation" by Internal Affairs investigator Jerry Collins;
(b) 10/27/93 memo from Collins to Supt. Jordan. [5]
24. (a) 3/28/94 "Report of Investigation" by Internal Affairs investigator Jerry Collins;
(b) 3/24/94 memo from Internal Affairs investigator David Wire to Collins re above;
(c) 3/21/94 "Notice of Tort Claim" filed by inmate Deward Philpott against DOC re assault by Barrow [5, 6, 8]
29. Undated [circa 1994], list of Internal Affairs investigations regarding Todd Barrow [5]
30. (a) 9/13/94 memo from investigator Jerry Collins to Chief of Internal Affairs;

- (b) 9/10/94 memo from [officer] to Supt. Jordan regarding Brotherhood members wearing swastika rings and making threats;
- (c) 9/10/94 memo from [sergeant] to [lieutenant] re above;
- (d-f) notes and memos re above and gang-like behavior of Brotherhood members and the Black Squad (emergency squad). [4, 7]
31. (a) 4/19/94 memo from [supervisor] to Supt. Jordan re marijuana odor in staff room;
- (b) 4/24/94 memo from [second supervisor] to Supt. Jordan re above. [7]
32. (a) 2/4/94 memo (5 pp.) from [PDR staff member] to investigator Jerry Collins alleging racism, sexism, assault, intimidation, harassment, corruption, theft, posting of swastikas by Brotherhood members in PDR;
- (b) 2/26/94 "Offender Grievance" filed by [inmate in PDR];
- (c-d) 2/25/94 related memos from [inmate] [4, 5, 6]
33. (a) 12/3/93 "Report of Investigation" by investigator Jerry Collins;
- (b-e) related memos and notes. [5, 6]
34. 11/24/92 memo from [PDR staff member] to Assistant Superintendent Jim Hendrix reporting harassment and assault by Todd Barrow against other PDR staff. [5,6]
35. 12/11/92 memo from [PDR staff member] re four incidents of harassment by Todd Barrow of staff and inmates in PDR. [5]
36. (b) undated [circa late May 1989] memo from [sergeant] to Lieutenant K. Barger re 5/22/89 incident involving Robert Baker, Jr. [4]
37. (a) 2/24/89 employee grievance by [correctional officer] regarding belligerent, obstructive behavior by Bob Baker, Sr., including threats against the officer and his family, during an attempted shakedown of the machine shop;
- (b-g) 2/17/89 – 2/20/89 series of memos by 6 officers and supervisors substantiating charges against Baker, Sr.; addressed to Supt. Thomas Hanlon, administrator Brian Smith, and Internal Affairs;
- (h) 3/8/89 memo from Supt. Hanlon to Patrician McKinney, DOC Personnel Supervisor, regarding complaint with an attached notation from Brian Smith stating Baker refuses to apologize and that "no further relief is offered at this level." [3]
38. undated [circa 7/89] memo from [correctional officer] to "Members of the State Task Force—Meeting on 7/13/89" regarding intimidation, threats of violence, and misuse of state equipment by Robert Baker, Sr. [2, 3]
39. 2/21/89 memo from Internal Affairs investigator Jerry Collins to Supt. Thomas Hanlon. [2, 3]
40. 12/4/89 memo from [lieutenant] to Capt. J. N. White regarding fight between inmate and Robert Baker, Jr. [4]

42. (a) 7/22/89 “Merit Employee Complaint” by [correctional officer] regarding “inflammatory” material posted on union bulletin board. [3]
43. (c) 8/8/89 “Merit Employee Complaint” by [correctional officer] regarding threats and verbal abuse made by Bob Baker, Sr., against complaining officer at public meeting in prison library. Notes on bottom of grievance form from Brian Smith, Unit Team North Manager (“While your complaint appears to be well documented, I can offer no relief at this level.”) and Supt. Thomas Hanlon (“Disciplinary may be appropriate as a result of Mr. Baker’s actions in a public meeting, but my action will not be driven by your complaint. The complaint is denied.”) [2, 3]
44. (a) 5/24/89 memo from [correctional officer] to Mr. B. Smith, Lt. Barger, Lt. Baker, and Sgts. Huffman and Thomas regarding shouts of “nigger” from staff shuttle bus on 5/18/89.
 (b) undated memo [circa 5/20/89] from [second correctional officer] to “Who It May Concern” re 5/20/89 incident of staff on shuttle bus shouting “nigger.”
 (c) 9/26/88 memo from [third officer] re third incident. [4]
46. 5/10/89 “Merit Employee Complaint” filed by [sergeant] regarding threats of physical harm by Bob Baker, Sr. [2, 3]
48. 2/11/94 list of incidents of racial and sexual harassment and dereliction of duty on the part of Charles Brann, Todd Barrow and 4 other staff in PDR; compiled by [PDR staff member] and received by “Ind State Farms Investigations.” [5]
50. (a) 8/20/93 “Unity Team (UAW) Grievance Form” filed by Todd Barrow regarding allegations he threatened [a PDR staff member];
 (b) 8/26/93 memo from Asst. Supt. James Hendrix to Barrow;
 (c) 8/24/93 memo from Hendrix to Supt. Jordan about pre-deprivation meeting regarding Barrow;
 (d-k) related memos, letters, statements, investigative notes from staff and inmates. [5]
51. (a) 7/12/93 certificate signed by Supt. Bruce Jordan naming Charles Brann “Employee of the Month;”
 (b) 7/8/93 memo from Supt. Jordan to all employees re above. [5]
53. undated [circa 4/94] anonymous 5 pp. letter. [4, 6, 7]
57. (a) 5/19/95 settlement re grievance #94-U-660-190 & 191, filed by David Whitehead; signed by William Johnson, Division Director; signature by UNITY Team illegible; agreement rescinds dismissal, replaced by suspension with return to work as of 10/30/94 with grievant “made whole” from then;
 (b) 5/19/95 settlement re grievance #94-U-660-188 & 189, filed by Erik Reagan; signed by William Johnson, Division Director; signature by UNITY Team illegible; agreement

rescinds dismissal, replaced by suspension with return to work as of 11/20/94 with grievant “made whole” from then. [8]

59. 2/20/89 “Merit Employee Complaint” by [sergeant] regarding behavior of Baker, Sr., during shakedown of machine shop. [3]

63. 6/28/95 memo from [administrator] to Superintendent Bruce Jordan regarding efforts by Bob Baker, Sr., and Bob Baker, Jr., to intimidate staff and justify the Brotherhood. [2, 9]

64. 12/10/90 memo from Lt. Michael Callahan to Evelyn Ridley-Turner, Director, Division of Internal Affairs. [2, 4]

67. 10/1/97 letter from Lt. Col. L. Dean Petree, Indiana State Police, to Michael Callahan. [10, 11]

70. 8/13/97 memo from Michael Callahan to Melvin Carraway, Superintendent, Indiana State Police. [10]

71. (a) date illegible [circa May 1998] “Brief of Respondent;” “Before the State Employees’ Appeals Commission In the Matter of the Appeal between Mike Callahan, Petitioner, and Putnamville Correctional Facility, Respondent.” [10, 11, 14]

72. 2/1/97 DOC Administrative Procedures No. 00-03-10, “Distribution of Information.” [10]

81. 10/5/97 “Pair suing to regain DOC positions,” James A. Gillaspy, *Indianapolis Star*. [10, 12, 16]

85. 12/4/98 “DOC’s settlement with Callahan unsettling,” letter to the editor of the Greencastle, IN, *Banner Graphic* signed by 56 residents of Putnam County, including 21 ministers. [15]

86. (a) 6/25/98 letter from Kelsey Kauffman to Bob Small, staff member for Governor O’Bannon;

(c) 4/8/99 letter from Kauffman to Small. [10, 11]

87. (a) 5/19/88 “State investigates shackling of prisoners: Reformatory chief suspended as probe starts at Pendleton,” Howard M. Smulevitz, *Indianapolis Star*;

(b) 8/3/88 “Superintendent disciplined for shacklings,” *Indianapolis Star*;

(c) 11/5/88 “Shackled inmates may get \$90,000,” *Indianapolis Star*;

(d) 12/10/83 “Cohn takes over State Farm reins,” Barbara Carhart, *Banner Graphic*, Greencastle, IN. [2]

93. 6/21/95 "Lawmaker urges ISF investigation," *Banner Graphic*, Greencastle, IN. [9, 10]

94. (a) 7/29/99 "State Police check racism rumors," Kyle Niederpruem, *Indianapolis News*; [15]

(c) 7/29/99 "State Police probe racism allegations at Putnamville: Correctional facility investigated after persistent rumors of 'Brotherhood,'" *Banner Graphic*, Greencastle, IN. [16]

102. (a) 4/4/94 agreement re Unity Grievance #94-U-660-173-174 by Todd Barrow and Bob Baker, Jr., regarding lock-out of institution following beating of Internal Affairs investigator Jerry Collins. Robert Baker, Sr., signs as representative of the Unity Team (UAW union); signatures for "Employing Agency" and "State Personnel" illegible;
 (b) 4/4/94 memo from Supt. Bruce Jordan to Barrow re "Institutional Lock-Out;"
 (c) 4/12/94 memo from Supt. Jordan to Barrow rescinding lock-out. [6]

104. (a) 4/6/94 letter from Asst. Supt. James Hendrix to Barrow notifying him of pre-deprivation hearing on charges that Barrow "physically abused an offender;"
 (b) 4/22/94 memo from Hendrix to Barrow advising Barrow that charges against him are substantiated, suspending him for 10 days and warning him that "recurrence of a similar incident will precipitate more severe disciplinary action which could lead to dismissal."
 [6]

105. 2/21/94 memo from Asst. Supt. James Hendrix to Todd Barrow re "Record of Counseling." [6]

106. (a) 4/20/94 memo from Capt. S. Baker to Supt. B. Jordan re middle of the night phone call from PDR staff member seeking DOC numbers of two offenders;
 (b) 4/21/94 memo from [officer] to Capt. Baker re above. [6]

109. (a) 10/11/94 memo to Robert Baker, Jr., from Asst. Supt. Brian Smith re "Pre-Deprivation Meeting Notification" for failure to cooperate in a departmental investigation, failure to report arrest resulting in felony charges, and conduct unbecoming staff;
 (b) 8/23/94 "Criminal Chronological Case Summary" re Robert Baker, Jr., Clay Superior Court; charges OVWI, BAC, Speed (74/55), Felony OVWI, Felony B.A.C. [8]

110. 4/2/94 Greencastle (IN) Police Department incident report and associated statements re assault on Jerry Collins. [6, 8]

111. 4/18/94 state police interview with [witness to assault]. [6, 8]

112. (b) 6/6/94 interview with Charles Brann, Food Service Supervisor, by state investigators. [4, 6]

113. 6/2/94 interview with Jerry Collins by state investigators. [6, 8]

127. 9/94 "Altercation provoked or not provoked? That is the question," Joe Thomas, *Banner Graphic*, Greencastle, IN. [8]
129. 9/13/96 "Correctional officer files lawsuit against DOC staff, inmates: Ex-investigator says commissioners failed to act on his reports about supremacists," Susan Schramm, *Indianapolis Star*. [8]
130. 3/15/95 DOC Administrative Procedures No. 00-03-101, "Distribution of Information." [10]
132. 4/12/95 letter from Jerry Collins to Comm. Chris DeBruyn. [8]
135. (a) 12/4/94 memo from William Kromann, DOC Human Resources Director, to "All Superintendents and All Personnel Directors re Disciplinary Action." [8]
140. 6/21/95 memo from [Affirmative Action Coordinator] to Supt. Jordan re complaint filed by [sergeant] for "Discrimination/hostile work environment due to perceived affiliation with a group (Brotherhood)". [9]
141. (a) 5/18/89 memo from [lieutenant] to Mr. B. Smith, UTN Manager, re "Incident in the ODR" involving Robert Baker, Jr., Charles Brann and [PDR staff member] in front of inmates;
 (b) 5/18/89 memo from [another lieutenant] to Mr. R. Zuel re "Incident in ODR" as above. [3]
146. 8/2/95 letter from Lloyd Jennings, Superintendent, Indiana State Police, to state representative David Lohr. [10]
148. (a) 1/24/92 memo from [Affirmative Action Expediter] to Supt. Bruce Jordan;
 (d) 1/21/92 memo from Capt. J.N. White, Shift Supervisor, to [officer] re "Written Reprimand for Inappropriate and Offensive Remarks." [4]
149. (a) 3/22/93 memo from [Affirmative Action Coordinator] to Supt. Bruce Jordan re "Racial Remarks. . . ."
 (b-e) associated statements and memos;
 (f) 3/22/93 memo from Lt. K.L. Barger, Shift Supervisor, to Officer David Whitehead re "Written Counseling;"
 (g) 3/30/93 memo from Supt. Bruce Jordan to Steve Jones, Director, Affirmative Action, State Personnel, re "Affirmative Action Complaint;"
 (h) 3/29/93 memo from Major W.C. Lundy to Supt. Jordan re complaint against Whitehead;
 (i-j) associated memos. [4, 7]
153. 2/28/89 memo from [officer] to Lt. Robert McClure, Indiana State Police, re threats made by Bob Baker, Sr. [3]

154. (a) 11/18/94 memo from Supt. Bruce Jordan to Jennifer Dworkin Vigran, Director State Personnel Department, re "Michael Cherry/return to status";
 (b) 11/19/94 "Record of HRMS Action" re Cherry;
 (c) 11/21/94 "Record of HRMS Action" re Cherry;
 (f) 5/1/95 "Findings of Fact and Conclusions of Law" by State Employees' Appeals Commission "In the Matter of Appeal Between Michael Cherry Petitioner, and Indiana State Farm Respondent." [7, 8]

156. Undated (circa July 1995); "Message From Your Grand Wizard," (2-page typewritten message placed anonymously in mailboxes of black staff members at the Indiana Juvenile Correctional Facility in Plainfield). [18]

160. 11/19/95 "Klan incident reveals divisions at prison," James Gillaspay, *Indianapolis Star*. [18]

165. (a) 10/23/99 "A vigil to focus on prison," James Patterson, *Indianapolis Star*; [11]
 (c) 11/6/99 "Questions trail deal at prison," James Patterson, *Indianapolis Star*; [13]
 (f) 2/12/00 "Worker's speech is prohibited," James Patterson, *Indianapolis Star*; [14]
 (g) 3/11/00 "A wrong viewpoint for the job," James Patterson, *Indianapolis Star*. [10]

167. 9/16/98 DOC Administrative Procedures No. 04-06-102, "The Assignment and Maintenance of State Residences." [13]

169. (a) undated [signed by Ryan on 6/26/98 and by Comm. Ed Cohn on 7/6/98], "Release and Settlement Agreement," "Before the State Employees' Appeals Commission in the Matter of Appeal between Joy Ryan Petitioner, and Putnamville Correctional Facility Respondent;"
 (b) undated [signed by Callahan 12/1/98 and by Commissioner Ed Cohn on 11/24/98], "Release and Settlement Agreement," "Before the State Employees' Appeals Commission in the Matter of Appeal between Michael Callahan Petitioner, and Putnamville Correctional Facility Respondent." [14]

171. 11/24/99 "Killing might have been an isolated crime," Kyle Niederpruem, *Indianapolis Star*. [18]

176. (e) 12/26/90 memo from Philip Badger, Acting Superintendent, to Sgt. Michael Cherry re "Disciplinary Suspension Without Pay;"
 (f) 3/12/91 memo from Supt. Bruce Jordan to Cherry re "Amendment to Disciplinary Action;"
 (h) 11/17/94 "Notice; Findings of Fact and Conclusions of Law," State Employees' Appeals Commission "In the Matter of Appeal between Michael Cherry Petitioner, and Indiana State Farm Repondent;"
 (i) 5/12/94 "Record of HRMS Action" re Cherry;

(j) 6/27/95 "Notice; Findings of Fact and Conclusions of Law," State Employees' Appeals Commission "In the Matter of Appeal between Michael Cherry Petitioner, and Indiana State Farm Respondent." [7, 8]

177. 2/99 "Indiana Department of Correction Information and Standards of Conduct," policy 04-03-103. [10]

185. (a) 12/12/96 memo from Lonnise Roberson, Program Director Affirmative Action and Non-Discrimination, and Willard Plank, Chief Investigator, Internal Affairs, to Commissioner Ed Cohn, re "Sexual Harassment Complaint." [11]

193. (b) undated [circa 2/00] lists of all occupants of staff houses at state correctional facilities (and, for Putnamville, a list of all occupants 1991-1999), with biweekly rents; provided in response to request under Indiana Public Access Law. [12]

194. (b) 2/8/00 letter from Kelsey Kauffman to Pam Pattison, Public Information Officer, re staff contacts with news media;

(c) 2/9/00 letter from Pattison to Kauffman;

(d) 2/21/00 letter from Kauffman to Pattison;

(e) 2/22/00 letter from Pattison to Kauffman. [10]

196. (a) 8/21/98 "Merit Employee Complaint," filed by Maj. Thomas Goodlow regarding Bob Baker, Sr.;

(b) 11/16/98 memo from Supt. Rich Clark to Robert Baker, Sr., Labor Relations Manager, re State Housing Request;

(c) 11/17/98 memo from Supt. Rich Clark to Maj. Thomas Goodlow, re Request for Change in State-Owned Housing Assignment;

(d) 11/20/98 "Charge of Discrimination," filed by Maj. Goodlow with Indiana Civil Rights Commission;

(g) 1/5/99 memo from H.R. Rigney, Personnel Officer (Putnamville) to Danny Harter, EEOC/Commission Representative, re complaint by Maj. Goodlow;

(h) 1/7/99 memo from Lonnise Roberson, Program Director Affirmative Action, to Danny Harter, EEOC Representative, re "Racial Discrimination Charge" by Goodlow;

(i) 5/13/99 letter from Karen Ferguson, Civil Rights Analyst, Employment Litigation Section, U.S. Dept. of Justice, Civil Rights Division, to Mr. Thomas Goodlow, re "EEOC Charge Against State of Indiana, Department of Corrections, Putnamville Correctional Facility." [12, 13]

197. 10/21/98 "Frustration with Crime Wave, and Criminals, Led To a Huge Surge in the Construction of Jail Cells," *Wall St. Journal*. [1]

198. Undated [circa fall, 1999] letter from Diana Callahan to Senator Richard Lugar. [14]

225. (c) 11/10/99 letter from Kelsey Kauffman to Superintendent of Police Melvin Carraway [18]

227. (b) 8/8/00 “Guards, other inmates extorting prisoners, families say,” Tonya Maxwell, *Indianapolis Star*.
- (c) 8/29/00 “Prosecutors aren’t pursuing charges in prison burning,” *Indianapolis Star*.
- (d) 10/12/00 “Man denies entering prison dishwasher on bet,” *Indianapolis Star*.
- (e) 8/9/00 “Feds investigating extortion allegations at Westville,” *Michigan City News Dispatch*.
- (g) 8/8/00 “Eyewitness News Features: Westville,” *WTHR-13*.
- (i) 8/16/00 “Extortion victim calls FBI for help,” *Greensburg Daily*.
- (l) 3/3/01 “Inmate tells of attacks; Wabash man asks for local judge to cut term at Westville,” Sandra Wiley, *Huntington Herald Press*.
- (m) 7/1/00 “Dishwasher victim is critical,” James Patterson, *Indianapolis Star*. [18]
228. 4/26/00 “Racist network in prisons unfounded,” Kyle Niederpruem, *Indianapolis Star*. [22]
229. (a) 6/12/00 minutes from Executive Staff Meeting, DOC Central Office. [23]
- (b) 2/20/01 “Lapel pin causes controversy,” *WTHR-13*. [23]
- (c) 2/20/01 Executive Directive #01-04, issued by Commissioner Evelyn Ridley-Turner. [23]
230. May 2001 “Putnamville Correctional Facility Summary Description” (prepared for Commissioner’s Facility Review Team), DOC. [25]
231. 6/13/01 “Former officer at Putnamville sues state,” Zach Taylor, *Terre Haute Tribune Star*. [25]

THE BROTHERHOOD
Racism and Intimidation Among Prison Staff
at the Indiana Correctional Facility-Putnamville

Appendix D:
Chronology of Events

All events refer to Putnamville prison unless otherwise noted.
 Numbers in brackets at end of entries refer to list of "Documents Cited."
 Dates in brackets indicate approximate date.

1915

4/12/15 Indiana State Farm opened as minimum security facility in Putnamville, IN

1981

8/2/81 Robert Baker, Sr., hired as correctional officer

8/3/81 Michael Callahan hired as correctional officer

1982

11/1/82 Charles Brann hired as food services, S3

1983

1//83 Charles Brann receives letter of reprimand for sanitation [78]

12/5/83 Donald Hudkins retires after 15 years as superintendent.
 Ed Cohn leaves position as assistant superintendent at maximum security prison in Michigan City and becomes new superintendent at Putnamville

12/19/83 Thomas Goodlow hired at Indiana State Prison-Michigan City

1984

Changeover begins at prison from minimum security farm for misdemeanants to medium/maximum security prison for felons; inmate population rises rapidly

1985

4/20/85 Ed Cohn leaves Putnamville, becomes superintendent at maximum security prison in Pendleton

5/8/85 H. Gene Combs new superintendent

11/18/85 Robert Baker, Jr., hired

1986

2/86 Charles Brann receives letter of reprimand for “work schedule” [78]

3/17/86 Michael Cherry hired

7/86 Jack Duckworth, superintendent of maximum security prison in Michigan City, and Sam Puckett, head of DOC Internal Affairs, suspended for one week for operating lucrative car repair racket involving four prisons

1987

5/12/87 Commissioner of Correction Gordon Faulkner pleads guilty to charge of conspiracy to commit theft, a felony; as part of plea bargain, charges of theft and ghost employment dropped (Faulkner sent an aide to Texas at government expense to shakedown a company seeking a large contract with the DOC; Faulkner used the money for campaign contributions to Gov. Robert Orr’s election campaign; prosecutor Stephen Goldsmith says Faulkner treated the DOC as a personal fiefdom) [201]

1988

5/19/88 Ed Cohn asked to take leave with pay from position as superintendent at Pendleton for illegal shackling of inmates [87]

7/88 Charles Brann receives letter of reprimand for failure to follow policy [78]

8/3/88 Ed Cohn resumes duties at Pendleton, fined one month’s pay, one year’s probation [87]

9/20/88 Lawsuit filed in federal court to cap inmate population at Putnamville

9/26/88 [Officer] called “nigger lover” by staff on shuttle bus [44c]

11/1/88 Gene Combs resigns as superintendent; Philip Badger acting superintendent

11/19/88 Thomas Hanlon named superintendent

[1988] Gov. Evan Bayn signs executive order legalizing state employee unions

1989

- 2/1/89 Ten inmates in Prisoners' Dining Room [PDR] make complaint regarding racism and physical abuse by Cook II Robert Baker, Jr. [13]
- 2/17/89 Machine shop shakedown; six officers and supervisors file complaints re abusive, belligerent, threatening behavior on the part of machine shop supervisor Robert Baker, Sr. [37, 59]
- 2/21/89 Jerry Collins reports intimidation, threats by Robert Baker, Sr., and Teamster Union official at the prison [39]
- 2/28/89 [Officer] reports threats by Robert Baker, Sr., to Indiana State Police [153]
- 4/11/89 In response to inmate complaints of racial harassment and physical abuse by Robert Baker, Jr., Supt. Thomas Hanlon writes to Baker, Jr., if "we as employees are fair, honest and truthful and do not try to play games with the offenders, we'll have a good food service program and institution." [13]
- 5/10/89 [Sergeant] files complaint regarding threats of physical harm by Robert Baker, Sr., when sergeant leaves Teamsters. ("You don't work at the [prison] 24 hours a day, only 8 hours a day.... If you know what's good for you, you had better watch your step.") [46]
- 5/18/89 Staff in Officers' Dining Room report confrontation and disruptive behavior by Charles Brann, Robert Baker, Jr., and another PDR staff member in front of inmates [141]
- 5/18/89 [Officer] reports shouts of "nigger" from staff shuttle bus [44a]
- 5/20/89 [Officer] reports shouts of "nigger" from staff shuttle bus [44b] {n.b., three separate officers filed complaints 44 a, b, c regarding three separate incidents}
- 5/22/89 [Sergeant] reports obstructive behavior by PDR¹² staff while security staff trying to handle violent, belligerent offender. "[Robert Baker, Jr.,] was more unruly than this offender ever thought of being." [36]
- 7/22/89 [Officer] files complaint regarding posting of inflammatory, threatening material on union bulletin board located in area frequented by staff and inmates [42]
- 8/2/89 [Officer] files complaint regarding threats and verbal abuse by Robert Baker, Sr. [43]

¹² PDR = Prisoners' Dining Room

- 8/9/89 [Inmates and staff] report that Robert Baker, Jr., assaulted [inmate] while other PDR staff pinned the inmate to the floor. Staff who were witnesses describe Baker, Jr. as a “dangerous man” and express fear of retaliation by Baker, Jr., if they tell the truth about what happened. Investigators recommend inmate be transferred to another institution [14]
- 8/13/89 Ed Cohn leaves post as superintendent of Pendleton prison to become statewide director of DOC Division of Security
- 12/4/89 Fight between Robert Baker, Jr., and [inmate] in Prisoners’ Dining Room. [40]

1990

- [1990] Robert Baker, Jr., moves from PDR to sewage plant
- 2/20/90 [Inmate] reports two shop supervisors for bragging about membership in the KKK. Internal Affairs investigator notes that “allegations of [prison] staff involvement in white supremacy organizations are being made” of which this was the most recent example. Head of DOC Internal Affairs division instructs that no investigation is warranted. [20]
- 5/24/90 Lt. Michael Callahan reports he was assaulted by Robert Baker, Jr., at a union meeting off grounds. [11]
- 10/22/90 Agreement between UNITY (United Auto Workers) and state; UNITY to represent correctional workers
- 12/10/90 Lt. Michael Callahan writes director of DOC Internal Affairs concerning threats and assaults against staff and inmates by Robert Baker, Jr., and encouragement of “white supremacy and racism in the work place among employees and offenders.” [64]
- 12/26/90 Michael Cherry suspended 10 days (later reduced to 3) for “harassment and abuse of offenders” [176]

1991

- 4/4/91 Bruce Jordan named new superintendent at Putnamville
- 4/29/91 Robert Baker, Jr., arrested for OMVWI

1992

- 1/20/92 Affirmative Action Expeditor files complaint with superintendent regarding racist comment by [officer] in front of staff and inmates (“JFK got killed and nothing happened, but they killed that nigger and we got a holiday.”); notes that this is the second time the officer had been reprimanded for racist comments and that the offending officer views reprimands as “no big deal.” [148]
- 2/17/92 Todd Barrow hired as Cook II
- 5/14/92 Robert Baker, Jr. arrested for OMVWI
- 9/3/92 Todd Barrow accused of spitting in the food tray of [black inmate]; officer filing complaint voices concern about possible retaliation by Barrow [18]
- 11/24/92 [Black staff member] reports harassment, physical assault by Todd Barrow and harassment of other staff by Barrow; fears Barrow could kill him [34]
- 12/11/92 [PDR staff member] reports four cases in last month when Todd Barrow harassed inmates or staff; fears someone is going to get hurt [35]

1993

- 3/17/93 David Whitehead tells black staff member that someone “sweated like a nigger,” receives letter of reprimand; Affirmative Action Coordinator notes that other staff tried to cover for Whitehead [149]
- 5/7/93 Robert Baker, Sr., placed on paid leave to work full-time for UAW-UNITY Team (union representing correctional workers)
- 6/21/93 Ed Cohn named Deputy Commissioner for Program Services
- 7/8/93 Supt. Bruce Jordan names Charles Brann, head of PDR, “Employee of the Month” [51]
- 7/10/93 [PDR staff member] reports Todd Barrow regularly calls her “bitch,” “nigger lover,” threatens to “smash your fucking face right here” in front of inmates; inmates substantiate complaint (including inmates Barrow designates as his witnesses); all inmates cite Barrow’s open racism, use of racial epithets (“that’s what makes black people niggers”); inmates report Barrow threatens them if they cooperate with investigation; Barrow fails entire voice stress analysis test [12]
- 8/93 Todd Barrow arrested for leaving scene of accident in Bainbridge, IN; pleads guilty, 180 day suspended sentence, restitution

- 8/30/93 Todd Barrow accused of kicking inmate; Internal Affairs investigator reports staff and inmate witnesses in PDR are fearful of talking; Charles Brann (head of PDR) says he believes inmate and thinks he has problem on his hands with Barrow; fellow PDR staff member caught clearly lying to protect Barrow; Assistant Supt. James Hendrix tells Internal Affairs investigator Jerry Collins not to proceed with investigation [16]
- 9/21/93 [Staff member whose “fucking face” Todd Barrow had threatened to smash] resigns; doctor cites stress due “unprotected harassment from Aryan brotherhood supervisors” [4]
- 10/93 Charles Brann receives letter of reprimand for sanitation [78]
- 10/28/93 Internal Affairs investigator Jerry Collins informs Supt. Bruce Jordan that Todd Barrow failed to report arrest and conviction for leaving scene of an accident in 8/93, as is required [23]
- 12/3/93 Todd Barrow investigated for fight with inmate in PDR [33]
- 12/5/93 Michael Cherry promoted to lieutenant
- 12/13/93 [Staff member in PDR who opposes Brotherhood] has truck vandalized in staff parking lot [32]
- 12/31/93 Charles Brann arrested for trespassing in Bainbridge, IN

1994

- 1/31/94 Nine PDR staff members report racial and sexual harassment, discrimination, use of racial epithets, posting of swastikas by Charles Brann, Robert Baker, Jr., Todd Barrow, and other staff in the PDR; incidents “racially motivated and very demeaning;” “occurrences are very widespread and have been almost on a daily basis;” two black staff members in PDR regularly demeaned as “lazy niggers,” “coons,” and “goat farmers” who should be deported to Africa; staff allege corruption, dereliction of duty, favoritism by supervisors toward Aryan Brotherhood members some of whom openly sport Brotherhood tattoos; Internal Affairs investigator reports that staff making complaint and inmate witnesses all express fear of retaliation by Brotherhood staff. [22]
- 2/2/94 Assistant Supt. James Hendrix sends letter to Todd Barrow informing him that calling a fellow staff member a “nigger lover” and “bitch” and threatening to smash in her “fucking face,” all in the presence of inmates, was “inappropriate and disrespectful” and “constitutes a minor violation of agency regulations;” Hendrix warns Barrow not to do it again [105]

- 2/3/94 [Inmate] files grievance regarding racial and sexual harassment by Charles Brann, Todd Barrow, and two other PDR staff; five PDR staff support inmate's allegations [21]
- 2/4/94 [PDR staff member] notifies Internal Affairs Office of racism, assault, harassment and discrimination on part of Charles Brann, Todd Barrow, and other Brotherhood members in PDR; Brotherhood members have swastika posters on office walls with captions "we need a few good men" and "power to the people" and swastikas etched into Plexiglas in office; charges Brotherhood members with stealing and falsifying timesheets; expresses frustration with administration for failure to act on previous complaints; expresses fear of retaliation, as does an inmate witness [32]
- 2/7/94 [Second PDR staff member] notifies Internal Affairs of ongoing racial and sexual harassment and intimidation of staff and inmates over past three years by Charles Brann, Todd Barrow, and associated PDR staff; charges dereliction of duty on the part of Brann and associates, including use of tainted meat and failure to fulfill special dietary requirements of inmates on special medical diets [9]
- 2/11/94 [Third PDR staff member] provides prison investigative office with list detailing racial and sexual harassment by Charles Brann, Todd Barrow, and associated PDR staff [48]
- 2/25/94 [Inmate worker in PDR] files grievance over retaliation by Todd Barrow, Charles Brann, and others for cooperating with Internal Affairs investigation into earlier allegations; inmate requests transfer out of the PDR [32]
- 3/4/94 Todd Barrow arrested for driving with suspended licence
- 3/18/94 Todd Barrow accused of assaulting [inmate worker in PDR]; medical reports, photographs, and staff and inmate witnesses corroborate charges; Barrow denies charges, states he was off-duty; Barrow charges inmate with lying because Barrow had written-up the inmate for an infraction [24]
- 3/24/94 Internal Affairs investigator Jerry Collins uncovers clear evidence that Todd Barrow had lied about his whereabouts at the time of the assault and falsified documents implicating the inmate [24]
- 4/2/94 Todd Barrow, and Robert Baker, Jr., beat Internal Affairs investigator Jerry Collins with their hands and feet in a parking lot outside a local bar; Charles Brann is present at beating; Collins suffers permanent injury [101; 110-116]
- 4/4/94 Supt. Bruce Jordan places Todd Barrow and Robert Baker, Jr. on "institutional lock-out"—leave with pay [102]

- 4/12/94 In settlement (negotiated for the union by Robert Baker, Sr.) of grievance filed by Todd Barrow and Robert Baker, Jr., Superintendent Bruce Jordan rescinds lock-out, but restricts Barrow and Baker, Jr., from working inside the prison [102]
- 4/14/94 Charges that Todd Barrow assaulted an inmate on 3/18/94 are substantiated at pre-deprivation hearing; Barrow is suspended for 10 days and informed that if he does it again he may face dismissal [104]
- [4/94] Approximately one week after beating of Jerry Collins, anonymous 5-page letter is circulated at prison; charges Dept. Comm. Ed Cohn with serious irregularities regarding state emergency squads; cites “rapidly growing trend of a white supremacy group” among staff; alleges Brotherhood members verbally and physically abuse staff and inmates, wear gang colors and display tattoos at work, use and sell drugs, control emergency “Black Squad;” alleges that Cohn bullies subordinates and “leads by example...that laws, policy, and rules don’t apply to him;” lists Brotherhood members at prison and staff who oppose them. Letter receives widespread attention at prison and at Central Office of DOC which launches effort to discover identity of the author [53]
- 4/24/94 Three sergeants report that they smell marijuana odor in supervisor’s room after Lt. Michael Cherry leaves [31]
- 4/27/94 Lt. Michael Cherry, c/o Erik Reagan, and c/o David Whitehead (members the Black Squad) refuse to take surprise urine drug test; suspended 30 days pending dismissal [154, 176]
- 6/7/94 Todd Barrow arrested for driving with suspended license and false and fictitious registration; pleads guilty
- 6/20/94 Joy Ryan transfers as Personnel Director from Girls’ School (DOC juvenile facility) to Putnamville at request of DOC Central Office
- 6/94 Joy Ryan files complaint regarding threats by Robert Baker, Sr.

Joy Ryan instructed to request new Labor Relations Specialist position from state budget office to which Robert Baker, Sr., would be appointed; state budget office disallows
- 8/23/94 Robert Baker, Jr., arrested in Clay Co. for speeding, drunk driving [109]
- 9/94 Acting Supt. James Hendrix informs Personnel Director Joy Ryan that an anonymous phone call made to state police reported threats against a prison administrator fitting her description; she is offered, and accepts, a house on grounds

- 9/13/94 [Lieutenant] reports to Supt. Bruce Jordan that staff members are wearing swastika rings, Brotherhood tattoos, threatening staff; Black Squad members engaging in gang-like behavior off grounds [30]
- 9/14/94 Local jury deadlocks on charges that Robert Baker, Jr., assaulted Internal Affairs investigator Jerry Collins (and acquits him of charges that he assaulted Collins' brother-in-law earlier in the evening) [124]
- 10/18/94 Robert Baker, Jr., informed that he faces disciplinary charges for failure to report 8/23/94 arrest and failure to cooperate in June with Internal Affairs investigation into Collins beating [109]
- 10/19/94 In Todd Barrow jury trial for beating Jerry Collins, judge dismisses charge of criminal recklessness causing serious bodily harm; jury acquits on battery charge
- 10/28/94 DOC Commissioner Chris DeBruyn rescinds disciplinary action against Robert Baker, Jr. [126]
- 11/17/94 Michael Cherry wins appeal before State Employees' Appeals Commission over dismissal from prison for refusing to submit to drug test, but is denied back pay for five-month period during which he was suspended [176]
- 11/21/94 Supt. Bruce Jordan demotes Michael Cherry from lieutenant to sergeant on the grounds that he had committed the disciplinary infraction (refusing to take a drug test) during the probationary period after his appointment to lieutenant [154, 176]
- 11/21/94 Ed Cohn promoted to Senior Deputy Commissioner for Operations
- 12/4/94 DOC Central Office requires that all future disciplinary actions with penalty of suspension or greater must go through Central Office [135]

1995

- [1/95] PDR work rosters coded by race [3]
- 2/9/95 Todd Barrow receives written reprimand for refusing to do a job that a black staff member did not have to do [28]
- 3/18/95 Garage receipt signed "Brotherhood, Inc.," with Michael Cherry's home address [2]
- 3/26/95 Sergeant Brad Alspaugh informs Personnel Director Joy Ryan that he wants to file an affirmative action complaint for "discrimination/hostile work environment due to perceived affiliation with a group (Brotherhood)." [140]

- 4/11/95 Internal Affairs investigator Jerry Collins is involuntarily transferred out of Putnamville by Central Office; Collins is informed that due to “bad blood” at Putnamville he was “no longer effective” there; in appeal, Collins notes that his 11/94 evaluation was excellent; charges that Dept. Comm. Ed Cohn met with prosecutors to prevent retrial of Robert Baker, Jr., and that Cohn had announced that the attack on Collins was “not work related” (and thus that Todd Barrow and Baker, Jr., would not be subject to internal disciplinary action) [132]
- 4/12/95 Officer Paul Meadlo wears Ku Klux Klan style hood on maximum security range and taunts black inmate; Supt. Bruce Jordan requests dismissal but is overridden by Central Office which decrees 5 day suspension [5]
- [5/95] Cook II Todd Barrow transfers to women’s prison in Rockville at his own request (allegedly due to threats by black inmates)
- 5/1/95 Michael Cherry wins appeal before State Employees’ Appeals Commission regarding loss of certification for firearms and chemical agents imposed in wake of his refusal to take drug test; Appeals Commission reiterates that Cherry is not to receive back pay during 5/12/94 – 11/18/94 disciplinary suspension [154, 176]
- 5/19/95 UNITY (UAW union) settles with DOC to rescind dismissal of David Whitehead and Erik Reagan for refusing to take a drug test; discipline is to be suspension without pay from 5/12/94 – 10/30/94; they are to “be made whole” (i.e., receive back pay) from 10/30/94 (for Whitehead) and 11/20/94 (for Reagan) [57]
- 6/21/95 DOC Comm. Chris DeBruyn states that year-long investigations by the DOC, state police, and FBI of allegations of racism, intimidation and corruption at the prison had found no evidence to substantiate charges. State Representative David Lohr calls for grand jury investigation of Putnamville, says employees will not speaking openly of abuses for fear of losing their jobs. (“I don’t believe they would be protected with department investigators or any state police or the FBI.”) DeBruyn asserts that allegations are being made by a couple of disgruntled workers feeding false information. DeBruyn states that he plans to appeal in court the State Employees’ Appeals Commission’s decision to reinstate Michael Cherry, Erik Reagan and David Whitehead (no evidence that such an appeal is ever made) [93]
- 6/27/95 Michael Cherry wins appeal before State Employees’ Appeals Commission regarding demotion to sergeant [154, 176]

- 6/28/95 [Senior administrator at prison] writes to Supt. Bruce Jordan regarding threats and intimidation by Robert Baker, Sr., and Robert Baker, Jr., and their on-going involvement with the Brotherhood [63]
- 7/3/95 FBI agent James Buckley and State Police Detective Larry Zook meet secretly, (at their request and initiative) with Putnamville Director of Safety Michael Callahan, Director of Personnel Joy Ryan, Lt. Larry Huffman, one other Putnamville supervisor, and State Rep. David Lohr to discuss allegations regarding racism, intimidation, and corruption at the prison; Buckley and Zook promise confidentiality to their informants [67, 70, 71, 81, 86, 165]
- [7/95] One or more Putnamville employees speak with disguised voice(s) on radio about racism at the prison; Gov. Evan Bayh asks Dep. Comm. Ed Cohn to investigate
- 8/2/95 Indiana State Police superintendent informs Rep. David Lohr (but not the four informants from the prison) that he had suspended the Putnamville investigation (“our investigator has interviewed four individuals concerning allegations of civil rights violations and inappropriate conduct within the DOC...and has advised me that no new information has been obtained”). [146]

1996

- 1/96 Charles Brann receives letter of reprimand for failure to follow orders [78]
- 1/96 On orders of Central Office, Todd Barrow, who had been fired from Rockville prison, is reinstated at Putnamville with 90 day suspension served [78]
- 4/96 Charles Brann receives letter of reprimand for removing letters of reprimand [78]
- 6/17/96 Charles Brann in shoot-out in motel in Richmond, VA, while attending motorcycle rally; Brann and Sondra Johnson are shot in motel room by Johnson’s husband who then allegedly kills self. (Brann and Sondra Johnson, who allegedly were lovers, were both badly injured. Brann, who was shot in the head and hand, was hospitalized for several weeks.) [75]
- 7/15/96 Ed Cohn named Commissioner of Correction
- 9/23/96 Former Putnamville Internal Affairs investigator Jerry Collins files suit against the DOC for covering up the Brotherhood and retaliating against him for his efforts to expose the Brotherhood [129]
- 9/96 Personnel Director Joy Ryan threatened by Robert Baker, Sr. (tells her she needs to be careful or someone will “pull a Nicole Brown Simpson” on her)

- 12/6/96 Comm. Ed Cohn calls DOC Director of Affirmative Action to tell her that a female employee from Putnamville would be calling to file allegations against a lieutenant [185]
- 12/12/96 Female officer at Putnamville makes sexual harassment allegations regarding Lt. Larry Huffman and another officer with whom she had had an affair; in memo to Comm. Cohn, the Affirmative Action director cites Huffman for "bragging about meetings with the FBI and the Brotherhood" [185]

1997

- [1/97] Sondra Johnson Berry (who was shot along with Charles Brann on 6/7/96) arrested for cocaine dealing
- [2/97] EEOC complaint filed by Sandra Dugan against Charles Brann goes to mediation
- 2/97 [Second female staff member] files gender discrimination action against Charles Brann [183]
- 2/23/97 Major Thomas Goodlow transferred to Putnamville, first black high ranking officer in prison's history
- [3/97] Asst. Supt. James Hendrix reassigned to women's prison in Indianapolis
- [3/97] Charles Brann makes suicide attempt
- 3/97 Todd Barrow suspended for 30 days for making false statements, neglect of duty, horse play [78]
- [4/97] Supt. Bruce Jordan reassigned to juvenile facility
- 5/1/97 Richard Clark, formerly assistant superintendent at smaller Branchville Correctional Facility, named new Putnamville superintendent
- 5/18/97 Joy Ryan, Director of Personnel, and Michael Callahan, Director of Safety, are taken from Putnamville prison without warning to an Indiana State Police post where they are interrogated separately by three senior officials of the DOC about whether they had ever spoken to the FBI or State Police about the Brotherhood and corruption in the DOC; Ryan and Callahan deny any knowledge of the investigation [71, 86, 165a]
- 5/23/97 Sondra Johnson Berry pleads guilty to cocaine dealing [76]
- 6/20/97 Joy Ryan and Michael Callahan interrogated second time in Superintendent Richard Clark's office [71]

- 8/20/97 Pre-Deprivation meeting held while Joy Ryan and Michael Callahan are on sick leave; recommend both be fired [71]
- 8/25/97 Sondra Johnson Berry sentenced to 30 years, 10 suspended for drug dealing; Charles Brann testifies on her behalf at sentencing hearing [76]
- 8/25/97 Callahan and Ryan appeal firing [71]
- 8/26/97 Supt. Richard Clark denies relief [71]
- 9/23/97 Joy Ryan and Michael Callahan fired [81]
- 10/3/97 Joy Ryan and Michael Callahan file suit against Comm. Ed Cohn, Supt. Richard Clark and the DOC in US District Court [81]
- 10/6/97 Joy Ryan and Michael Callahan appeal firing to State Employees' Appeals Commission [71]
- [11/14/97] Charles Brann moves into Michael Callahan's old house on grounds [86c, 165c]
- 12/11/97 State Budget Office approves new request by Comm. Cohn for creation of Labor Relations Specialist position at Putnamville, appoints Robert Baker, Sr., as non-merit employee; Baker, Sr., moves into Joy Ryan's old office containing all personnel records of prison employees [86c, 175]
- 12/14/97 Lt. Michael Cherry transfers to state prison in Plainfield, IN [175]
- 1997 Gov. Evan Bayh awards Comm. Ed Cohn the "Council of the Sagamores of the Wabash," Indiana's highest honor

1998

- 1998 Comm. Ed Cohn named to three-person executive board of the National Major Gang Task Force, a private group that plays a major role in the way state correctional systems handle members of white supremacist groups and other gangs in prisons
- [1/98] Todd Barrow moves into Joy Ryan's old house on grounds; Robert Baker, Jr., gets third house [86c, 165c]
- 4/23/98 State Employees' Appeals Commission holds preliminary hearing regarding dismissal of Joy Ryan and Michael Callahan; hearing room is filled to capacity with supporters of Ryan and Callahan; DOC offers Ryan and Callahan settlement moments before hearing is to begin; Ryan accepts, Callahan refuses

- 6/18/98 Retired Putnam County Judge Sally Gray, State Representative Susan Crosby, and prison researcher Kelsey Kauffman meet with Bob Small, Gov. Frank O'Bannon's top aid for corrections, to air charges of racism and intimidation at Putnamville and betrayal of informants by the state police; Small declines to read the report, but offers to turn it over to the state police; Kauffman refuses [86a]
- 7/6/98 After two-month delay, DOC finally settles with Joy Ryan; settlement requires her to transfer to temporary position at Boys' School and to seek employment in another agency; DOC places illegal gag order on settlement [91, 165f, 169]
- 8/21/98 Major Tom Goodlow files grievance regarding "unprofessional and tyrannical" behavior and harassment on the part of Robert Baker, Sr., resulting in a hostile work environment (Goodlow is only senior black officer at prison) [196]
- 8/23/98 Alan Burns, Putnamville training officer who was a long-time opponent of the Brotherhood and had come under increasing pressure from them, dies of a heart attack at age 39
- 10/21/98 On the night before Michael Callahan was finally scheduled for a hearing before the State Employees' Appeals Commission regarding his firing, and after Callahan had rejected all settlement offers by the DOC, attorneys for the DOC inform him that if he refuses to settle they will not contest his firing, thus forcing him to return to Putnamville (where, due to repeated death threats, his safety was in question) and preventing him from recouping attorney's fees. Callahan reluctantly agrees; DOC immediately places an illegal gag order on the settlement [85, 165a,f, 169, 198]
- 10/98 Comm. Ed Cohn receives distinguished service award from the Indiana Correctional Association (of which he is a past-president)
- 11/7/98 Supt. Richard Clark requests that Robert Bottoms, president of DePauw University in Putnam Co., IN, stop student reporters from making freedom-of-information requests about the Callahan-Ryan case (in the wake of requests that have proved embarrassing to the DOC); Bottoms declines to muzzle student reporters [97]
- 11/98 Student reporters at DePauw challenge prison's ban on inmate correspondence with the student radio station, WGRE, which had aired reports on racism, corruption and intimidation at the prison and had invited inmate response [77]
- 11/20/98 Maj. Thomas Goodlow files complaints with EEOC and Indiana Civil Rights Commission regarding discrimination and harassment based on race on the part of Robert Baker, Sr., and Supt. Richard Clark

- 12/1/98 Michael Callahan returns to work; assigned to Central Office [169, 173]
- 12/4/98 56 leading citizens in Putnam County, including 21 clergy and the president and 3 previous presidents of the school board, sign open letter that questions the settlement with Callahan and the gag order placed on the settlement; expresses concern over “institutionally sanctioned racism and violence” at the prison and “allegations of drug trafficking and corruption at the prison and in surrounding communities;” calls for a “truly independent investigation” of the prison and DOC; and voices appreciation to Michael Callahan and his family for their “steadfast courage and faith” [85]
- 12/4/98 DePauw students stage protest rally at state capitol regarding racism at Putnamville [165a]

1999

- 6/99 Civil Rights Division, US Department of Justice, informs Indiana Attorney General’s office that Putnamville is under formal investigation for civil rights violations [165d]
- 6/8/99 Members of the Indiana Black Legislative Caucus meet with Governor Frank O’Bannon regarding allegations of “institutionally sanctioned racism and violence” at Putnamville and corruption in the DOC; in response, O’Bannon requests yet another investigation by the Indiana State Police
- 6/13/99 Richard Clark leaves position as superintendent at Putnamville; reassigned as assistant superintendent at the much smaller Branchville facility (same position he held before becoming superintendent at Putnamville)
- 6/14/99 Al Parke named new superintendent at Putnamville
- 10/26/99 Ten local clergy and 100 community members hold vigil outside Putnamville prison
- 11/12/99 Joseph Burnham, former Putnamville employee and alleged Brotherhood member, arrested on 8 counts of dealing marijuana and methamphetamines [170]
- 12/31/99 Compton Center for Peace and Justice files formal complaint with Public Access Office re denial of access to public records by the DOC (complaint substantiated, 1/26/00) [172]