

York . . .

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she said. But the policy changes were posted in the halls and made available to every woman. Copies also were placed in a folder on each floor for the women's inspection, she said.

Lee G. Bryant, administrative assistant to Correctional Director Vitek, said copies of new departmental rules adopted Jan. 8, 1978, had been posted in all living areas and could be obtained by inmates for their personal use. Bryant compiled a report detailing conditions at the center after inmates released the petition.

Although Bryant's report allegedly refuted all the inmate complaints, both Bryant and Vitek refused to reveal the reports contents.

Bryant read from the study in a reporter's presence but would not release it. Among other things, the report dealt with rules and policy changes.

Not aware of changes

According to DenHereter, the staff was not always aware of such changes. It did take time for policies to be changed, she said, and sometimes the staff was not aware of the changes.

Although it is hard on the staff to be required to be familiar with three rule books in addition to memos, they have to be used until the new Department of Correctional Services rule book is published, she said.

Not only were there charges that inmates were written up from differing rule books, but the inmates claimed in the petition that discipline was not always fair and equitable.

Discrimination and favoritism weigh heavily in the administration of discipline, an inmate charged.

"Discipline is unfair. It depends solely on the individual involved," she said.

According to Stephens, favoritism enters into disciplinary decisions. Two women were confined in the solitary confinement center, the "hole," for 40 days for homosexual activities while two other women were confined for only 20 days for the same charge, she said.

However, Bryant maintains rules are enforced in a fair and impartial manner.

Discipline is an individual matter, Bergen said. Two women may have committed the same infraction but one may have broken the rule five times while it may be the first rule infraction for the other inmate, she said.

"Each case has to be weighed individually and each woman sentenced individually," she said.

According to Bryant, the petition circulated by inmates was an attempt to embarrass Bergen in hopes she would make concessions to their demands.

The petition was an attempt by a small group of residents to resist the efforts of Bergen to tighten security at the center, Bryant said.

Discipline legal

Disciplinary action is in accordance with the new regulations which have been formulized. This has somewhat upset residents who were used to more informal proceedings, he said.

According to Wiley, the former instructor at the center, Bergen has improved the situation for the residents.

The inmates are more fairly and equally treated, he said, and they are now functioning more in line with correctional directives.

However, Wiley did claim that Bergen has directed some disciplinary decisions made by the center's Board of Inquiry and has instructed board members to state that the disciplinary actions were their own. He did state that this practice was not unique to Bergen's administration but also common to past administrations.

Several other former employees also stated similar beliefs about the disciplinary board.

Won't dictate decisions

But Bergen said, "There would be no reason for me to dictate decisions to the Board of Inquiry. If an inmate is not happy with a sentence, she can always appeal it to me

and the decision can be adjusted.

"The Board of Inquiry operates exactly as it is supposed to under law. If I was doing anything wrong, I would not hold this position. The reformatory is too open, and it would not be possible to do anything illegal."

Wiley also charged that staff relations had not been as equitable as they should have been. Although "Bergen treated me immensely fair," he said, he sensed that Bergen did not care about the staff.

And Bergen once was harshly critical of the chief correctional officer's performance, he said. Wiley said he did not feel Bergen should reveal her feelings about staff members to other employees.

Questioned about the incident, Bergen refused comment.

There also is an intolerance of mistakes, the former employees complained.

Afraid to be wrong

"There was a great deal of tension which resulted from a fear of making mistakes," one former employee said. It created a work environment in which there was a reluctance to act for fear of making a mistake and an environment which encouraged people to cover up their errors, he said. It became difficult to work at the reformatory because of the atmosphere, the former employee said.

Although Bergen said mistakes should not be encouraged, she added, "I am tolerant of errors."

There is no fear or apprehension of an overly severe reaction to mistakes, said Janise Axdahl, an instructor selected by Bergen to discuss the charges. "Supt. Bergen has always supported me, even when I made an error."

But because inmates allegedly report to Bergen about the performance of staff members, an atmosphere of fear has been created, a former employee said. It appears that the superintendent will accept the word of an inmate over the word of a staff member, she said.

However, Bergen said that although both inmates and staff members talk to her about occurrences at the center, "it has been very seldom that a staff member has not been supported when charged with misconduct by an inmate."

In addition to the fear the former employees claimed they felt for their jobs, several claimed that many staff members are disgruntled because some of their duties have been stripped.

A former counselor complained that she no longer had the authority to allow inmates to make phone calls and that employees had to obtain permission to make personal calls.

Even small decision-making has been taken away from the staff and placed in Bergen's hands, the employee alleged.

Should be satisfied

The duties which have been taken away were duties the staff never should have had, according to Darlene Percival, a counselor at the center selected by Bergen to discuss the former employees' charges.

Counselors should not have been authorizing phone calls, coordinating recreational activities or transporting inmates to appointments, she said.

"I feel much more comfortable with counseling now since those duties are no longer required of me," she said. Counselors should not be required to offer services beyond their speciality, counseling and making professional.

Inmates have complained that their phone calls are limited and that their mail is censored and sometimes prevented from leaving the center.

And according to Stephens, the former kitchen supervisor, the petition had to be carried out of the reformatory secretly by an employee because it would have been stopped from being mailed out.

Several letters which were mailed to an attorney and the Department of Corrections never reached their destinations, an inmate claimed. She alleged the mail had not been sent out.

Although mail is opened and checked for contraband,

it is never read or barred from being mailed, Bergen said. The inmates receive mail regularly and mail is sent out daily, she said.

In addition to complaints regarding mail censorship, the inmates' petition criticized the institution for what the inmates called inadequate medical staff and medical care.

Short-supply doctor

Although the center maintains a staffed nurse station 24 hours a day, a doctor is on the grounds only once a week, a former inmate said.

"It is a never-ending battle to receive adequate medical care at the center," the inmates stated in the petition. An inmate added.

But according to Bergen, better medical facilities can not be found at another institution the size of York. In addition to a doctor's weekly visit, the institution also often makes use of specialists around the state.

"The inmates probably receive better medical care than people on the outside," she said.

Inmates claim the recreational facilities and activities have been limited to the reformatory's grounds. Inmates are no longer allowed to go downtown shopping or to go to movies, Stephens said. Activities are limited to the gym, she said.

However, two full-time recreational directors have been hired and Bergen has set up an exercise room, bought a kiln and a potters wheel, the superintendent said. The women also are allowed to go to movies and play softball downtown and go to church and swimming in York. The recreational program has been improved and expanded, Bergen said.

Under Bergen's administration the inmates know what is expected of them and where they are going, Wiley said. Although the inmates may be disgruntled with the tighter security and enforcement of the rules, many good things take place at the center, he said, adding that judgment should not be made on the institution for another six months because the women are not accustomed to the changes.

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