

## CHAPTER ONE

Thursday morning at nine o'clock, Nate Jillian sat at his desk with his usual cup of coffee, black with sugar. He started his work day as he typically did, reading the letters, or "kites," that prisoners had sent to him. Regulations stated that they were confidential. They were sealed and could be sent to any institutional personnel.

Jillian read through the first few kites quickly. As expected, there were the predictable requests to be seen. Each prisoner complained of his own particular set of problems and demanded to see Jillian personally.

Jillian tore open the last kite, noticing nothing unusual in the way it was addressed. It was a simple message: "Check out Lyles death. It was no accident."

Jillian started for a moment, then reached for his roster of prisoners. Printed in pencil on the kite were the name "Jones" and the number "144639." Jillian thumbed through the alphabetized list of prisoners until he came to "Jones." None of the fourteen prisoners with that name had the number 144639. He went through the list again, this time carefully searching for 144639. It was missing. No prisoner had been assigned that number.

Shit. He remembered Lyles, a middle-aged African-American about fifty-seven years old. Jillian had seen him in the prison infirmary. If he remembered correctly, Lyles had had headaches and Dr. Phillips, the full-time Prison Physician, had asked Jillian to evaluate him. Jillian didn't think much about Lyles after that, especially with all the prisoners that his staff was responsible for. Now, someone was letting him know that Lyles had died, and that

## DELIBERATE INDIFFERENCE

his death was not an “accident.”

Shit. Jillian heard the voices of his instructors at the Department of Prisons Training Center. “Never trust a prisoner. You never know if you’re being manipulated or not. If you have a problem, go to your boss. He or she will know what to do.”

\* \*

About the same time as Jillian was reading his kites, Sergeant Jesse Callum was hailed by a prison guard named Flood.

“Sergeant Callum, we have a problem,” Flood said, in a matter-of-fact voice. “It’s Murphy. He’s tied a sheet around his neck like a cape and he’s jumping up and down on his bed, saying something about being free. Also, he’s holding a piece of green plastic in front of his eyes, saying that he’s protecting himself from all of us and that we can’t get him now.”

“All right,” sighed Callum. “Let’s take him to the hole.”

Callum and Flood handcuffed Murphy, a white male about fifty years old, and escorted him to the “hole,” a maximum security segregated unit at Centennial. Here, up to 250 prisoners were housed at one time, in single cells, usually for different institutional rule infractions. Men who showed unusual behavior were also taken there prior to being evaluated by the prison Psychology staff.

The Security men let Murphy keep his bedsheet and plastic visor, although, at first, they suggested firmly that he would be better off if he left them on his bed. They relented when he resisted and doggedly clutched the two objects, pulling the bedsheet closer to his body and whimpering. Only then did he submit to being handcuffed and led away.

“Here’s another one for you, Lane,” Callum said to the guard in charge of the Segregation unit. “I don’t know what you’ll want to do with him. I called the Doc and he said that someone would be here soon to see him.”

“We’ll handle him, Jesse,” Callum was told.

## DELIBERATE INDIFFERENCE

After Callum and Flood left to go back to their posts in C unit, Lane marched Murphy to a cell on the third floor of Segregation. Wordlessly, they moved through a door that Lane had to unlock and unbolt on each side, climbed two flights of stairs, and proceeded through another door that had to be carefully unlocked and relocked. They proceeded down a corridor of cells until they came to one that was not occupied with prisoners on either side. When Murphy was inside, his handcuffs were removed. He was allowed to keep his bedsheet and the piece of green plastic.

\* \* \*

That same Thursday morning, in a windowless, climate-controlled office at the headquarters of the Department of Prisons in Branford, Elaine Tims was trying to catch up on some of the latest Departmental directives that had been handed down by the Assistant Director of Prisoner Services, Sally Marsh. She was half listening to a local university classical music station and had brewed herself a cup of Earl Grey tea.

As Tims was leafing through a ten page directive on the revised protocol for restraining prisoners, her secretary knocked and came into her office without waiting for an answer. Tims looked up, glaring at her for entering so curtly. “Yes, Janet?” she said, following her question with a partial smile.

“Have you heard about Arnie?”

“Arnie? . . . Oh, you mean Doctor Hawkins?” Tims did not like secretaries to call administrative professionals by their first names. “What about him?”

“I think he’s being transferred to Black Falls Correctional. He must’ve done something to be transferred there. It’s nowhere, not even a small town nearby.”

It had been a while since Tims had heard Hawkins’ name mentioned. She knew him from the time they both worked at Stanton Correctional. The Prison Psychiatrist, he had habitually

## DELIBERATE INDIFFERENCE

overmedicated the prisoners, as he felt that they should get whatever medication they needed in order to make prison life tolerable. When the relatives of the medicated prisoners began to complain, he was assigned to a new job, Psychiatric Coordinator for the ten prisons in the northern part of the state, an apparent promotion. Now, if the rumor was correct, he had been transferred once more, to Black Falls Correctional, the State's maximum security prison reserved for the most dangerous felons. Tims wondered if he had been an embarrassment again.

"Thanks for the information, Janet. . . . If you'll excuse me, I've got some papers that I need to read and sign today."

With a smile, and an "Oh, talk to you later," Janet waltzed from the room.

As Tims turned back to her paperwork, she thought of the past nine months and of that first meeting at the Department of Prisons Training Center. Upwards of 125 Department employees, including Assistant Directors, Regional Prison Directors, Wardens, Deputy Wardens, Prison Psychiatrists, and Prison Psychologists were summoned by Director Forrester for what he had labeled as an "historic opportunity" for the Department.

At exactly the appointed starting time, the Director and his Assistants paraded into the auditorium. A political appointee of Governor Franzia, Forrester was an African-American former warden with a neatly trimmed moustache and a perpetual half-smile, who was typically taken for someone ten years older than his reputed age of forty. When Tims had seen him at headquarters, he was always nattily dressed, and today was no exception, as his three-piece black suit with light gray pinstripes testified.

Forrester mounted the podium and was introduced by one of the Assistants. He began to speak, looking around the room constantly, eyes focused on no one, smiling at everyone.

"Ladies and gentlemen," he pronounced, in a thin voice, "I am glad to see all of you here today. This is a very historic occasion for us in this Department. Yesterday, I met with the Governor, who

## DELIBERATE INDIFFERENCE

praised our work as a department, but who also cautioned us against feeling that our work was over and we could rest on our laurels.

“Now some of you may be aware that one of our sister states—Ohio—was recently hit with a major class action lawsuit from its prisoners. There had been substantial documentation that mentally ill prisoners were not being serviced properly. Rather than fight the lawsuit, that state settled it with a consent decree, agreeing to make major changes in the mental health services that were provided to prisoners. The Governor has instructed me to see to it that such a lawsuit does not happen in this state, and that we take appropriate preventive and corrective action, if any is needed.

“That, ladies and gentleman, is why we are meeting today. We do not want to be accused of ‘deliberate indifference.’ We want to do the right and just thing by our prisoners. That is our mandate as civil servants.

“Attorney Brimton will explain further about the suit and what this legal term, ‘deliberate indifference,’ means. One of his colleagues has worked with Ohio’s Department of Corrections to set up a program that is in accord with the mandate of their consent decree and we have hired Mr. Brimton to help us do the same. In the end, this will help us carry out our mission to help make our prisons more secure and inhabitable for both staff and prisoners.”

Forrester introduced Brimton, a man of indeterminate ethnicity in his late fifties. He was informally dressed, wearing tan pants, a light brown sports jacket, a white shirt, no tie. He was a large man, about six feet four inches and 230 pounds. He was clean shaven and had curly hair on the longish side.

The attorney leisurely mounted the podium. After thanking the Director and the audience for being asked to speak, he explained why he had been hired as a consultant for the Department.

“As Director Forrester has told you, the state of Ohio has agreed to a consent decree which makes it liable for improving the services that are provided to mentally ill prisoners in that state’s prisons.

“The rationale for the decree, which came out of a class

## DELIBERATE INDIFFERENCE

action lawsuit, is that there was a violation of the Eighth Amendment to the Constitution of the United States, namely the right to just and equitable punishment. Severe abuses in the treatment of the mentally ill were documented: mentally ill prisoners were unidentified and misdiagnosed; frequently, days would go by during which many of them did not receive medication; mental health treatment services were limited, so that many of the mentally ill were unable to receive help that could have benefited them; and there was a marked shortage of personnel available to treat these men. Those were the major problems. . . . One of my associates was asked to act as an impartial evaluator that judged the appropriateness of services to the mentally ill in Ohio's prisons. He strongly recommended that, rather than fight the charges, they attempt to remedy the situation.

"This brings me to another concept relevant to the case and to your situation in this state: 'Deliberate Indifference.' This has to do with the deliberate disregard of the risk of harm to prisoners, when there is knowledge that such a possibility exists. According to this doctrine, it is the prison's responsibility to adequately care for its prisoners and the Department is liable for lawsuits if this does not happen.

"Now, Ohio did not admit that there was deliberate indifference in its policies towards its mentally ill prisoners. Neither, though, did they admit that there was no deliberate indifference. The consent decree did not address this issue. Instead, it made reference to specific problems, that there was an obligation to correct them, and set up a timetable for the implementation of corrective procedures.

"My colleague was appointed as an overseer by the Court to ensure that those new procedures were implemented in a timely manner. As you can imagine, he is being paid quite a lot of money. But it's better than years of litigation, with a probable loss in the long run anyway. There's this old saying that lawyers have: either pay us now or pay us later—A little legal humor there." Brimton smiled slyly to his audience, his head rotating so that his eyes locked

## DELIBERATE INDIFFERENCE

on selected individuals. He paused and sipped water from a glass on the podium. “More seriously, though, as you can see, it makes a great deal of sense to learn from Ohio’s experience and adopt a proactive stance, rather than be hit with a lawsuit, with its embarrassing consequences for the Department.

“As Director Forrester indicated earlier, I have been hired to help all of you, in all of the State prisons, work out a program that serves the interests of the mentally ill prisoners, and monitor that program, so that nothing smacks of ‘deliberate indifference.’ This will take time, months and years, to put into effect, but I and my staff will be working with you all the way. We will evaluate your needs, make suggestions for changes, and evaluate how those changes are coming about. Think of us as part of your family, helping you to, as the Director said, ‘do the right thing.’ I think that it will benefit all of us in the long run.”

After Brimton’s speech, the Director introduced Assistant Director Sally Marsh to the group. Marsh was a white woman in her early forties with red hair that flowed down onto her shoulders, controlled by a variety of waves that created the impression she was wearing a wig. She was rather heavily made up and wore a royal blue dress that revealed substantial cleavage. She spoke in quick and direct sentences.

“Thank you, Mister Director. Good morning. I don’t know most of you in this room and you may not know me. I used to work with the mentally ill as a clinical supervisor at Crosswood Correctional, in the southeastern part of the state. A few weeks ago, Director Forrester asked me to be the Assistant Director for Prisoner Services. My job, he told me, would be to head the team that would be responsible for making the changes that we felt were necessary in order to insure that the mentally ill prisoners receive the right kind of services. With some slight reluctance, not knowing what would eventually be involved, I accepted the job and its challenge. The Director has assured me of his support and devotion to this project and I would now like to publicly thank him for his vote of confidence in me.” Marsh turned to look at Forrester, leading an

## DELIBERATE INDIFFERENCE

applause that was joined by a scattered few. Showing no signs of embarrassment, she faced the assemblage again and completed her presentation.

“I want to extend that vote of confidence to all of you. Without you, and the work that you will be asked to do in the coming months and years, this reworking of our programs and services could not be done. I want to stress this right here, at the outset of this project. This has to be a team effort. Without that, I don’t think we’ll be able to do what we’ve set out to do.

“With that end in mind, we are committed to teamwork. We will be having week-long training classes at each prison that will teach you how to work together as a team. These classes will be given each month, on an indefinite basis, and staff from all areas of prisoner services, including social workers, food service workers, nurses, correctional officers, and administrators, will be attending them. Along with this training, we plan to create work teams that will tell us what programs need to be changed, how they need to be changed, and what new services are needed. All of you in this room will be part of those teams. You are professionals. We value your input. We want you to make these changes work. You’re out in the field. You’re familiar with what’s working and what’s not working. And what needs to be done to correct any problems.

“I want to conclude by saying, on behalf of the Department, that we want to encourage divergent thinking. We want all of you to be creative in your solutions to problems. You don’t have to do things in the ways they have always been done. Feel free to come up with new and innovative approaches. We will take those seriously. As I said, you are the experts. Tell us in Branford what needs to be done.”

Over the succeeding months, Tims found herself going to numerous meetings. She was asked to chair several committees that were established by Marsh for the purpose of making recommendations for policy changes. Two of those committees had to do with the role of psychological testing and the use of restraints, respec-

## DELIBERATE INDIFFERENCE

tively, in the prisons. It was her job to recruit committee members, arrange for the dates and places of the meetings, and submit the committee report to the Administration. She enjoyed the enthusiasm of the committee members and the way in which they worked together as a team. She was pleased with the role that she was being asked to play in the change process. Up to that time, she had interacted mostly with the Psychologists in the field, but since the meeting called by the Director, she had the promise of being a key player in the Administration.

After the first report, on the use of psychological testing, was handed in, and Tims was continuing to diligently meet with her second committee, Tims received a position paper which outlined the revised policy concerning the use of psychological testing in the State prisons. As she reviewed it, she could feel herself tense and flush. She sat back in her chair and laughed aloud in disbelief. Standing up, she pushed her chair backwards until it hit the wall, walked briskly to her door, opened it, and asked Janet in sharp, well-defined, tones. "Would you please find out for me if Ms. Marsh is in? I need to talk to her."

Janet got back to her quickly, saying that Marsh was indeed in and would be able to talk with her now, although she didn't have much time, as she had to get to another meeting in a half hour.

Tims' steps were audible as she entered Marsh's outer office, three corridors away. She bypassed Marsh's personal assistant and rapped on the open door of the interior room.

"Oh, Elaine. Please come in." Marsh spoke with a lilt in her voice. She was wearing a bright red suit, and her hair was pulled back in a pony tail. There were dark circles under her eyes that not even her heavy makeup could disguise. "What can I do for you?"

"Ms. Marsh," Tims said, holding the position paper in front of her, "Can you please explain this policy to me? I don't understand why it contains almost none of the recommendations my committee made concerning testing. Testing is being dismissed as irrelevant, except in some special cases when it's been ordered by a Psychiatrist. Isn't it Departmental policy to have Psychologists test prison-

## DELIBERATE INDIFFERENCE

ers at their own discretion? After all, we're the only ones licensed to do testing and we've been doing it for many years in the Department quite successfully."

"This doesn't have to do with Psychology, Elaine." Marsh glanced at her watch nervously. "This policy is based on Brimton's recommendation. He's found that the job of identifying the mentally ill and providing them with services can be done without ordering a lot of psychological tests. I agree with him. We can save ourselves a lot of time and money, and free the Psychologists to do other things."

"Like what?" Tims asked, struggling to conceal from her voice any trace of sarcasm.

"Like more treatment," Marsh answered quickly, her voice still friendly. "There's an awful lot of treatment that needs to be done, and both you and I know that the Psychology staff at all the prisons have been complaining for a long time that they don't have enough time or personnel to do treatment properly. So I think that reducing the time spent on testing is a good decision and will help all of us, staff and prisoners, in the long run. Don't you think so?"

"But testing is our specialty. It's what Psychologists have been doing for at least twenty-five years in the prisons, since the time of my predecessor, Mitchell."

"Don't worry, Elaine," Marsh said, a half-smile still present, her voice unchanged. "If there is any testing to be done, the Psychologists can do what is necessary. Rest assured of that. Besides, this position paper is not written in gold. If things don't work out, we can always come up with something else. Brimton's our consultant. We're not bound to do exactly what he recommends. And now, I have to go to a meeting with the Director. Duty calls."

Tims wondered exactly what that duty was, and to whom.

In the months after her meeting with Marsh, it was not unusual for Tims to arrive at work and find policy directives in her mailbox that were at variance with the recommendations of the

## DELIBERATE INDIFFERENCE

planning committees. Many of these directives were written by her new boss, Dr. Craige, a psychiatrist who worked for Marsh and who had been hired as the Department administrator of prisoner mental health services. Without consulting Tims or any of the field psychologists, Craige had given psychiatrists the ultimate decision-making power when it came to diagnosing and treating mentally ill prisoners. As the new policies kept coming in, Tims kept in mind what Marsh had said to her: none of these directives were written in gold. If they were found to be problematic, suitable adjustments could be made.

\* \* \* \*

Jillian was puzzling over the anonymous kite when a call came in from Security about a prisoner named Murphy. Jillian informed the caller, whose name he did not quite grasp, that Murphy would be seen as soon as possible. Also, he needed to get the necessary paperwork, as soon as possible, so the referral could be documented. Although he didn't especially want to evaluate anyone today, his staff had all been assigned other tasks to carry out; by default, he felt left with the responsibility.

After the phone call, Jillian refilled his coffee cup from the urn in his secretary's office. His secretary, a large-boned woman in her early thirties named Joan who had the habit of wearing dresses that revealed her oversized bosom, looked up from her typing and asked him if anything was wrong. He asked her why she suspected anything was the matter. She smiled mysteriously. "Oh, I don't know, it's the way you're looking out the window, that's all." Jillian answered with a weak smile and excused himself.

Nursing his coffee, Jillian looked around his office. It was a modest room, rectangular, about ten feet by fifteen feet, with metal bars, cracked, yellowed shades on each of the two windows, and furniture from the Depression era. That normally would have excited Jillian, except that, over the years, the furniture was showing its age. It had not been well-maintained: bookcase glass was

## DELIBERATE INDIFFERENCE

broken and there were many chips and scratches in the fine mahogany. The same could be said for the room in general, although this was not the way he wanted it. He had to make a special request to have his waste basket emptied or his gelatin lime-green linoleum floor swept and mopped. Dusting of the furniture was out of the question. Also, from time to time, cockroaches crawled across the floor. It wasn't as if Jillian hadn't asked his supervisor, Ms. Hanson, if his office couldn't be cleaned on a regular basis. He had, several times over the past months, and she had always said that she would look into the matter.

Jillian's office was in the South wing of the main Administration building, or A Building as it was called by the prison personnel. Because a larger building housing prisoners faced immediately east across a small courtyard, little sunlight came in through the windows, and Jillian had to rely on two overgrown fluorescent fixtures to illuminate the room. He had done his best to make the office as personal as possible, bringing in familiar mementoes, such as seashells and scenes of the ocean, and postcard reproductions of his favorite artist, Miro.

Jillian had many duties as the Prison Psychologist. They had been described to him at his formal interview fourteen months ago. At that time, though, they were abstract to him, and he didn't worry about whether he could manage them or not. He felt secure in his ability to plan and run therapy groups, make good clinical diagnoses and treatment decisions, and had no problem being clear that prisoners were not your friends and that you didn't go out of your way for them. What he wasn't clear about, though, was whether or not he could supervise a professional staff, never having had the chance, as he had always worked solo. Yet that was now the core of his work: to implement programs that promoted the adjustment of prisoners and their rehabilitation and keep them up and running. That was not all, however. Brief psychological assessments had to be done on prisoners within three days of their arrival at Centennial, preparole psychological evaluations had to be completed by the firm deadlines established by the Parole Board, and

## DELIBERATE INDIFFERENCE

the psychological crises of prisoners—including hunger strikes, suicide attempts, sudden violent outbursts, self-mutilations, and other unforeseen behaviors that disrupted the regular prison routines—had to be responded to appropriately and in a timely manner. Furthermore, as the director of the Psychology Department, Jillian had to verify that his staff’s work was documented according to the strict requirements of the Department of Prisons Administrative office in Branford, and attend meetings, both at Centennial and in Branford, where he would report to other administrators how the Psychology Department at Centennial was faring.

After a morning of editing the monthly psychological parole evaluations, and correcting some of his staff’s psychological test interpretations and diagnoses, Jillian ate his lunch at his desk. As he munched on his deli turkey, thinly sliced on wheat bread, and drank his Coke, he reread the kite laying on top of a stack of unread professional journals: “Check out Lyles death. It was no accident.”

Jillian had no idea what that message meant or what to do about it. In all his months at Centennial, he had never encountered a situation like this and he didn’t feel prepared for it. Yet, at the same time, he felt that he should do something. It was, he reminded himself, his ethical duty to watch out for the welfare of his patients, in this case any prisoners he might treat or hear about being treated by his staff, or by other institutional staff. To be on the safe side, though, Jillian decided to show the kite to his supervisor. He didn’t want her to accuse him of being manipulated by the prisoners or, later on, of leaving her in the dark. She had told him, often enough he felt, that she wanted him to keep her informed of anything important that was going on. While he couldn’t be certain if this kite merited importance or not, especially as it was, for all intents and purposes, anonymously sent, he reasoned that she had better see it anyway.

\* \* \* \* \*

## DELIBERATE INDIFFERENCE

After lunch, Jillian stood in front of the thick, metal door that marked the entrance to the Segregation unit in B Building. He shifted his weight from one leg to another, expecting the officer down the hall to spot him and unlock the door.

“Hey, Lane,” Jillian said to the officer on duty, in a louder-than-usual voice, after he was passed through into the unit. “How’s it going?”

“Oh, it’s you, Doc. Not bad. What’re you here for? We usually don’t see you around here much. Where’s Caldwell?”

“He’s busy with some new prisoners right now, so the job got left to me. I’m here to see Murphy.”

“Murphy, huh?” Lane snarled. He turned and looked in the direction of one of the prisoners mopping the floor behind him. “Hey, McComb, you’d better do a good job, or else you’re in for it.”

Jillian wasn’t quite sure what Lane meant, or if he was serious. “Yes, Murphy. I got a call about him this morning. How’s he doing?”

“That asshole? Shit, since he got in here, he’s been jumping up and down on his bed, he’s tried to pull out his sink, he banged on the bars, and he’s been screaming out things, like ‘I won’t let you get to me.’ Jesus, has he made a racket. Hastings over here had to tell him to quiet down and Murphy spat at him. We had to put him in four ways. He’s quiet now, I’ll tell you.”

Even though Jillian had been in the Segregation unit at least a dozen times since he had begun working at Centennial, he still felt jarred by the loud clang of the metal-grilled doors as they were locked behind him and the echoes of his footsteps as he and Lane climbed the metal stairs to the third tier of cells. He noticed, with a felt heaviness, the subdued faces that gazed at them as they passed and the bare essentials of a sink, toilet, and metal cot topped with a straw mattress that outfitted each cell.

“What are you going to do?” asked Lane, as they neared Murphy’s cell.

“Right now, talk to him.”

“Want me to stay?”

## DELIBERATE INDIFFERENCE

“No, I don’t think that’s necessary,” Jillian replied in his more normal voice, yet loudly enough to be heard over the cries of other prisoners in the unit pleading for the officers to come to them. “But, how about removing those restraints, seeing that you said he’s calmer now?”

“Can’t do that, Doc. Regulations. Captain Cannard ordered the restraints. Doctor Phillips signed off on the order, and it’s up to him, the Cap, or that shrink, Strommen, to change it now.”

“I know. What I can’t understand is why they even bother involving a psychologist at all, when Security or Medical is going to make that call.”

Lane shrugged. “Don’t know, Doc. I just work here and do what I’m told. That’s how we keep everything up and running.”

“Well, I’ll talk to him through the bars. When I’m done, I’ll call for you to let me out.”

As soon as Lane was out of earshot, Jillian peered through the bars of Murphy’s cell door into an area dimly lit by a sixty watt bulb in the corridor above the cell door, and called: “Mr. Murphy? Can you hear me? My name is Doctor Jillian. I’m the Psychologist here at Centennial and I’d like to talk to you.”

Murphy strained to see Jillian. His ankles and wrists were strapped to the bed frame. He tried to raise his head, but after a few seconds had to put it down. He was still wearing the bedsheet cape, but not the green plastic visor.

“Who?” Murphy asked. “Oh, the Doc. I’ve heard about you. They said in my unit that you’re decent. What do you want?”

“I want to know what’s going on for you? Why did they bring you in here?”

“They say that I was jumpin’ up and down on my bed and sayin’ some pretty crazy things.”

“Can you remember what you said?”

“No.”

Jillian was unsure what to ask Murphy next. He had to find out enough about him to make a decision about whether or not to keep him in Segregation, send him back to his unit, have Dr.

## DELIBERATE INDIFFERENCE

Strommen, the Prison Psychiatrist, see him for medication, or start him right away in some possible treatment program. He also had to carefully document the interview, in case his opinion would be challenged by Strommen, Murphy, or anyone else who cared to.

“Have you ever done anything like this?”

“You mean here?”

“Yes.”

“No.”

“Has anything been going on in your unit which might be troublesome to you, or stressful?”

“Not that I can think of right now.”

“Have you ever had any experiences like this before coming to Centennial?”

“A few times. After I got out of the Service and once when I was at Stanton on another charge.”

“You were in the Service? When?”

“Vietnam. I saw action during the Tet offensive. After I got back to the States, I started feelin’ funny. I’d get pretty wired with speed or coke and do stupid things, like go out and gamble at the track, lose all that I had, or pick up some whores and fuck ’em all night. Those kind of things.”

“How did you support yourself?”

“I sold some dope, and held up a few bars.”

“Is that why you’re here now?”

“Not for the bars. I did my time for that. No, I’m here because I held up a grocery store after I got out on parole.”

“How much time are you doing?”

“Now, four to ten. I’ve already done eight, so I hope that when I come up for parole next year, I’ll get out.”

“I see. Tell me, Mr. Murphy, have you ever received any help for your problems at any other time in your life?”

“After the Service, when I started havin’ the problems with dope, I went to the VA. They didn’t help me much. I finally got some help through this program, ‘New Life,’ after my parole. I stuck to alcohol after that.”

## DELIBERATE INDIFFERENCE

“Are you having any health problems now?”

“I don’t sleep much at night. But outside of that, everythin’s all right.”

“Do you have a job in the prison? Are you going to one of the school programs?”

“I’m workin’ as a porter. I’m not takin’ any classes. I got my GED, although I’d like to take some of those college classes, if they offer them again. Say, do you think we can stop now? I’m gettin’ tired of talkin’. Can I get these things off my arms and legs? I’m all right. I don’t see why I have to keep wearin’ them.”

“Yes, Mr. Murphy. We can stop now. I’ll see what I can do about the restraints.”

Back in his office, Jillian wrote his report. It was brief. Murphy had given him little that he could use. He consulted Murphy’s Psychology file. Murphy hadn’t received any psychological services since coming to Centennial. What he found essentially confirmed what Murphy had told him.

Although Jillian was curious about the reasons for Murphy’s unusual actions, he told himself that, realistically, he didn’t have the time to analyze one prisoner’s behavior, certainly not one who was no longer creating a problem. He had the more immediate concerns of three file cabinet drawers of interview notes, treatment plans, progress notes, and a new policy directive to review. If anyone were going to analyze Murphy, it would have to be one of his staff, and he couldn’t see how he could justify that. Besides, if there was some doubt as to whether or not a prisoner had a serious mental problem, the Prison Psychiatrist could always be called in for a consultation. Yes. That was the most practical course of action to take with Murphy. Practical and appropriate. He could stay in Segregation, for his and his unit’s own good, until he was seen by Dr. Strommen.