

Mentally ill prisoner, ignored and neglected, commits suicide in solitary confinement at Eastham Ad-Seg Unit

December 20, 2017

Solitary confinement has not been abolished in Texas prisons



*“Comrade Malik” – Art: Kevin “Rashid” Johnson, 158039, FSP, P.O. Box 800, Raiford FL 32083.
Rashid, now in Florida, and Malik in Texas are two of the primary spokespersons for the New Afrikan Black Panther Party.*

by Keith ‘Malik’ Washington, Chief Spokesperson for the End Prison Slavery in Texas Movement

“Human beings have a tendency to look for the truth in the places where it is easiest to search rather than the places where it’s likely to be.” – Belgian psychotherapist and author Esther Perel

On the morning of Nov. 19, 2017, a very intelligent and handsome young white man named Benjamin Larue was found hanging in his cell on G-Line at the Eastham Ad-Seg Unit located in Lovelady, Texas.

Ben had been my next door neighbor for a little over two months. I introduced him to my human rights work and he shared some of his personal history, which included details about what landed him in this horrible place.

I’m writing this essay with the intention of providing some much needed answers to Ben’s family. Specifically, his mother who had been visiting Ben quite regularly.

I actually cried hard on Nov. 22, 2017. I mourned Ben’s untimely death. I am sending out a call to action to my support network as well to activists everywhere to shed a strobe light on Eastham Ad-Seg Unit. I’d like to ask the media and the general public to help me find Ben’s family so they can know the TRUTH surrounding Ben’s death.

The Texas Department of Criminal Justice does not want this essay published or posted broadly. Help me defy them!

The facts

On Nov. 19, 2017, at approximately 12:10 a.m., TDCJ prison guard Asongkeng Ngu began his count of prisoners housed on the G-Line Ad-Seg Housing Unit at Eastham. Benjamin Larue was housed on 1 row – G-1-14 to be exact. I had been moved four days earlier to 2-row, G-2-13. Previously, I had been in G-1-13 right next to Ben.

I was awake the morning of Nov. 19 and I had noticed that TDCJ Correctional Officer Asongkeng Ngu had not been performing his security checks. These checks have been implemented in order to ensure the health and safety of ad-seg prisoners who live in these solitary confinement environments.

At approximately 12:20 a.m., TDCJ prison guard Eugene Loving, who has been with the prison agency for over 25 years, performed his cross-count on G-Line. Correctional Officer (CO) Loving immediately stopped at Ben Larue's cell noticing and sensing that something wasn't quite right with the way Ben was sitting on his floor.

CO Loving called to Ben but he was unresponsive. CO Loving did not waste any time. He called on his radio for emergency first responders, and I can tell you that the officers and medical personnel responded quickly – but it was too late.

TDCJ prison guard Lonnie P. Kessinger III helped pull Ben's lifeless body from cell C-1-14 at approximately 12:23 a.m. The reason that I am so meticulous about details is that this is very important when we are engaged in a wrongful death investigation. I also have a military background and anyone who knows me will tell you that I am a stickler about details.

Ben was rushed to the Eastham infirmary. When Officer Kessinger returned he stood guard at Ben's cell in order to "preserve the crime scene." Because I am housed directly above Ben's cell, I could see and hear a lot! Remember, it was early Sunday morning. Most everyone was sound asleep; it was very quiet.

CO Kessinger is a 15-year veteran of TDCJ. I have had conversations with him in the past and I know him to be extremely professional. He respects us as human beings, which is kind of rare in this environment,

CO Kessinger began to explain to CO Ngu how serious the situation really was. Apparently, Ben had already been pronounced dead and was either at the county hospital or Estelle Regional Medical Facility in Huntsville, Texas. This is my opinion, but I actually witnessed what was going on inside this prison so I'll stick with what I know.

CO Kessinger said he found Ben's body hanging from a sheet. Ben Had tied the sheet around his neck and secured it to a hole in the top bunk, so Ben sat on his bottom bunk and waited until CO Ngu did his count.

Ben had put on his jacket and pulled the hood up so you really could not see exactly what he was up to. Wearing a jacket would not raise any red flags because prior to Ben's suicide, the Eastham Ad-Seg administration had refused to turn on the heat, so it had been very cold in the building on a number of occasions.

I raised this point in a letter that I wrote to Carole Seligman, the editor of Socialist Viewpoint Magazine. If Carole could produce the letter, it could corroborate my allegation.

Note: Two days after Ben's death, Eastham Unit prison officials turned on the heat! Ben had complained to me many times about the cold and was happy that his mother had put some money on his inmate trust fund account so he could purchase a thermal top.

Prior to Ben's suicide, the Eastham Ad-Seg administration had refused to turn on the heat, so it had been very cold in the building on a number of occasions. Two days after Ben's death, Eastham Unit prison officials turned on the heat!

Ben had tightened the sheet and fixed it around his neck in such a manner that when he slid from his bottom bunk to the floor it would cut off his airway and strangle him to death.

More facts

At 2:48 a.m. on Nov. 19 on G-Line at Eastham Unit, Assistant Warden Bruce Johnson, Major James Kent as well as an investigator from TDC-OIG State Police arrived in order to conduct the preliminary investigation into the cause of Ben's death. The OIG investigator had a small black bag with him which contained a forensic evidence kit. Remember, I had a bird's eye view and I was fully awake, watching and listening, because Ben was my friend and his life mattered!

The remarkable thing is that these high ranking officers knew I was up watching and listening to everything but no one ever asked me what I saw or heard. However, on Nov. 21, Capt. Christopher Farrel, the Ad-Seg supervisor, asked his officers at the morning shift meeting, "Is Washington still on G-Line?"

When they responded in the affirmative, he said, "We need to move him because we have some people coming to observe that cell where the offender hung himself and we don't need Washington trying to talk to these visitors." When people conspire to obscure facts or cover up the truth, that leads me to think that they have something to hide. What do you think?

Capt. Christopher Farrel asked, "Is Washington still on G-Line? We need to move him because we have some people coming to observe that cell where the offender hung himself and we don't need Washington trying to talk to these visitors."

The Texas Department of Criminal Justice has sought to place the entire blame on TDCJ Correctional Officer Asongkeng Ngu. However, there has been much more going on here than meets the eye – extenuating and mitigating circumstances and blatant acts of neglect that led to Ben's death.

Why did this happen?

I am not a trained mental health professional, but I was trained to be a Pharmacy Specialist (01-0) and a combat medic in the U.S. Army. I have a ton of experience working in the medical field and I can say with confidence that prior to his death Ben had exhibited numerous behaviors which suggested that he was suffering from acute depression. Ben was sleeping way too much and I noticed that he had been prescribed Benadryl, whose generic name is Diphenhydramine. Diphenhydramine is not a psychotropic medication per se – it is an anti-puritic used to stop itching – but it has a contraindication which causes drowsiness, A person suffering depression should not be forced into sleep. They need treatment and counseling and a medication that will help stabilize their mood.

When Ben was first in-processed at the Holliday Unit in Huntsville, Texas he was very depressed. Ben's girlfriend had left him; he felt abandoned and betrayed and chose to attempt "suicide by cop" by trying to climb one of the security fences at Holliday Unit.

Ben was taken to the Sky View Mental Health facility. When Ben arrived here on Eastham Ad-Seg Unit a few months ago, he told Capt. Daron Lane that he would most likely try to kill himself again but the next time he would succeed.

Capt. Daron Lane was promoted to major a couple of months ago and was transferred to another prison unit. Did Major Daron Lane communicate the risk? Did he warn anyone? New Ad-Seg Capt. Francisco Villegas was just recently demoted and transferred for brutally beating up an Ad-Seg prisoner. Capt. Farrel took his place. Eastham has a history of abuse!

In relation to Ben's death, the operative words here are neglect and deliberate indifference. In the two months that I was right next to Ben, the mental health staff here on Eastham never engaged Ben in a meaningful way. They virtually ignored him and did the bare minimum!

When Ben arrived here on Eastham Ad-Seg Unit a few months ago, he told Capt. Daron Lane that he would most likely try to kill himself again but the next time he would succeed. In relation to Ben's death, the operative words here are neglect and deliberate indifference. In the two months that I was right next to Ben, the mental health staff here on Eastham never engaged Ben in a meaningful way.

That is not how we save lives. The state of Texas has a "duty to protect." So, who are these so called mental health professionals?

Mental Health Case Manager Kathleen Caldwell and Mental Health Manager Kimberly Klock are responsible for providing quality psychiatric services and support for prisoners who have been placed on THE PSYCH CASE LOAD. Ben was on their case load. They failed Ben and they failed Ben's family. Officer Ngu is not the only culpable party here.

Looking deeper

I spend hundreds of hours scouring law books and searching for case law information that can help me and other prisoners in our quest for freedom and humane treatment. Ruiz vs. Estelle is the gold standard for imprisoned activists and jailhouse lawyers in Texas. Allow me to quote the court's remarks in that landmark case as it relates to the components of a minimally adequate mental health treatment program; the Ruiz case says:

"The components of a minimally adequate mental health treatment program are encompassed by the following: There must be a systematic program for screening and evaluating inmates in order to identify those who require mental health treatment. Treatment must entail MORE THAN SEGREGATION (my emphasis) and close supervision of the inmate patients. Treatment requires the participation of trained mental health professionals, who must be employed in sufficient numbers to identify and treat in an individualized manner those treatable inmates suffering from serious mental disorders."

A minimally adequate mental health treatment program must entail MORE THAN SEGREGATION.

Let me describe to you what Eastham mental health staff did to "treat" Ben. Approximately three weeks prior to Ben's suicide, Mental Health Manager Kimberly Klock came to Ben's cell and asked, "Would you like to attend the mental health ad-seg program on Michaels Unit?" Ben said "No." I think he signed a refusal and Ms. Klock walked away. That was it!

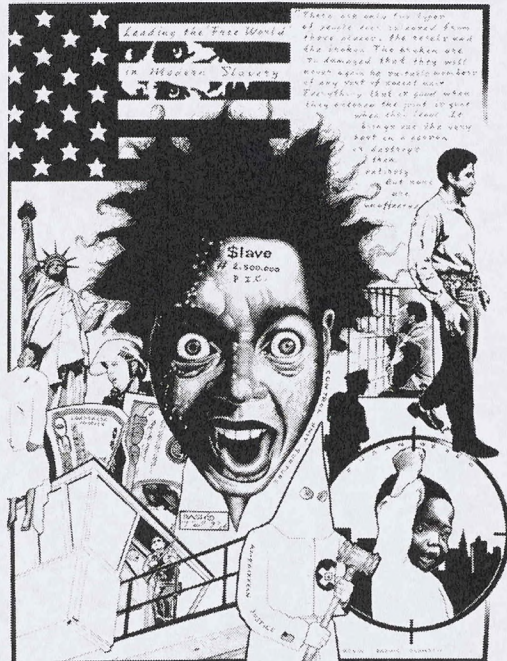
You see Ben was not raised in prison and there were a lot of things about the system which he really did not understand. Treatment programs were one of those things which he really didn't understand.

I have heard rumors that Ben's family has retained a lawyer. The month of November 2017 here at Eastham Ad-Seg Unit was one of the worst I've ever had in 10 years of incarceration in Texas. From Oct. 30 to Nov. 20 we were in a LOCKDOWN MODE. Eastham uses these "lockdowns" numerous times throughout the year for Ad-Seg prisoners.

They use these lockdowns as an opportunity to starve us by "bird feeding" us with these paltry brown bag meals which consist of raisins, a meat sandwich and a peanut butter and jelly sandwich. Lockdown was exceptionally oppressive in November because the water was shut completely off between Nov. 1 and Nov. 4. The smell of fecal matter and urine was pervasive throughout the building and we had no way to flush our toilets!

Ben said he had never experienced anything like this in his life. You see this was turning into a traumatic experience of epic proportions for Ben.

Every day during the lockdown I shared my food with Ben by giving him two sandwiches a day (I hate to see anyone go hungry and I had commissary in my locker). During the lockdown, Ben had been receiving visits from his mom, but when I asked him had he told her about the living conditions, he said he didn't want to worry her.



“Control Unit Torture” – Art: Kevin “Rashid” Johnson. Rashid drew this piece in opposition to solitary confinement in 2006, yet despite the mass hunger strikes to end it in California and pressure throughout the country, the torture continues ... and so does the struggle.

I think if Ben’s mom really knew about the conditions here and what her son and many other prisoners were being subjected to, she would have attempted to help him!

I am so very blessed to have people in my life who care about me and my personal welfare. My close friend and mentor Professor Victor Wallis Ph.D. wrote an article entitled, “13th and the culture of surplus punishment.”

Here is a quote from Professor Wallis which highlights and illuminates the “mindset” as well as the pattern of practice that allows these tragedies to repeat themselves in the TDCJ Ad-Seg Units. Victor writes:

“The point here is that the very mindset that gives police the license to kill gratuitously – i.e., even when they are clearly in no danger – also tells prison officials that they are entitled to inflict both physical and psychological torture on the people in their custody.”

There is a problem at Eastham and it needs to be addressed.

Feigning concern

On the morning of Nov. 22 at approximately 9 a.m., TDCJ Region I Director Tony O’Hare along with various investigators arrived on G-Line at the Eastham Ad-Seg Unit. I knew O’Hare well from a horrible affidavit he created in order to thwart my attempts to practice my religious faith.

Ironically, the day before O’Hare’s arrival, I received word from my attorney, Shawn A. Latchford of the Albritton Law Firm, that we had prevailed in all substantive issues in my civil lawsuit, which cited discrimination.

There is more about Region I Director Tony O'Hare and Assistant Warden Gregory Vaughn that Ben's family and the public at large need to know. I will briefly explain.

A pattern of practice

In January 2015 a prisoner rights advocacy organization based in Austin, Texas, released a report entitled, "Cruel and Usual Punishment: Excessive Use of Force at the Estelle Unit." The Prison Justice League is the name of the organization.

I will quote a paragraph from the executive summary of the report, which was actually prepared by Erica Gammill, the director of PJJ and supervised by their general counsel, attorney Brian McGiverin. PJJ wrote:

"In 2014, the Prison Justice League conducted research which revealed countless instances of Estelle officers using excessive force on prisoners, with injuries including missing teeth, fractured skulls, broken bones, ruptured eyeballs, and prolonged hospitalizations. It is a PATTERN apparently well known to prison officials but ignored."

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Now it is time to connect the dots. Here is what I and some friends from my support network found.

The major over security at Estelle Unit during the most abusive time period was Mr. Gregory Vaughn. Vaughn feigned ignorance in respect to the physical abuse perpetrated by his officers at Estelle Unit where most of the victims were predominantly elderly and disabled prisoners! I highly recommend our readers take a look at this report.

Gregory Vaughn is now the chief supervisor and assistant warden in charge of the operations at the Eastham Ad-Seg Unit. But even more interesting is the fact that Region I Director Tony O'Hare was the senior warden at Estelle Unit during Vaughn's time there.

There is a systemic problem of cronyism which has created an environment that lacks transparency or accountability. It's almost as if TDCJ rewards ranking officers who abuse prisoners and keep their mouths shut.

It is time to dismantle these corrupt and unjust criminal practices. TDCJ has been allowed to spiral out of control, and the taxpayers continue to have to pay for these multi-million dollar wrongful death lawsuits!

The executive director of TDCJ is Bryan Collier. Collier, through his spokesperson Jason Clark, has claimed that the agency has abolished the use of solitary confinement. However, solitary confinement has just been given a new name and re-branded as ad-seg.

TDCJ's intent is to place a more acceptable and public friendly label on the torture chambers the state of Texas uses to house their so-called threats to security. Ben wasn't a threat to anyone except himself and for some reason none of these high paid prison administrators noticed the warning signs.

TDCJ Executive Director Bryan Collier has claimed that the agency has abolished the use of solitary confinement. However, solitary confinement has just been given a new name and re-branded as ad-seg. TDCJ's intent is to place a more acceptable and public friendly label on the torture chambers the state of Texas uses to house their so-called threats to security.

Sometimes it takes a senseless tragedy such as this in order to raise the public's awareness and to force the hand of the legislators in Austin who continue to ignore all the "red flags" and who believe every word coming out of the mouth of these violators of the public's trust.

Ben sold home-made lemonade to the president of the United States!

Eastham Ad-Seg Unit has been in the news all year. I have done my part and will continue to passionately fight for the rights of the human beings who have been thrown away and forgotten about.

I end this piece by sharing something personal from Benjamin Larue's life.

Ben's grandmother has a house which is located in Kennebunkport, Maine. Her house borders the property of the "Bush Compound" as in former Presidents George H.W. and his son George W. Bush.

Ben loved his grandmother very much and he spent hours telling me how he enjoyed visiting her when he was a young boy. Ben had a lemonade stand right on the road in front of his grandmother's property. Well, Ben's grandmother became friends with the first lady of the household right next door, who happened to be Mrs. Barbara Bush, and every once in a while President Bush and his entourage, which included a pretty hefty security team from the Secret Service, would stop by and sample some of young Ben's country lemonade.

You see, Ben Larue was not some homeless miscreant or vagabond. He was a young man, 27 years old, with only a three-year sentence! Three years – just think about that for a minute. Ben could have picked up the pieces of his broken life and really gotten himself together.

Ben talked a lot about his younger brother, how much he loved him and how he wanted to make amends. Only Ben's family can appreciate what I'm saying.

TDCJ prison officials have thrown Officer Asongkeng Ngu under the bus. They have found their scapegoat and sacrificial lamb. To them, it is all about skirting liability for the death of this young man named Benjamin Larue.

I saw the tears in Officer Ngu's eyes after Ben's death was confirmed. CO Ngu cared about Ben and that is more than I can say about the mental health professionals and high ranking prison administrators who don't want their reputations soiled by Ben's tragic death. Sometimes the TRUTH is closer than you think, and sometime s we can't handle the TRUTH.

I saw the tears in Officer Ngu's eyes after Ben's death was confirmed. CO Ngu, on whom the entire blame has been placed, cared about Ben and that is more than I can say about the mental health professionals and high ranking prison administrators who don't want their reputations soiled by Ben's tragic death. Please contact the Texas Gov. Gregg Abbott and help me find Ben's family. Contrary to popular belief, PRISONER LIVES MATTER!

Please contact the Texas Gov. Gregg Abbott and help me find Ben's family. Contrary to popular belief, PRISONER LIVES MATTER! Dare to struggle! Dare to win! All Power to the People!

Send our brother some love and light: Keith "Malik" Washington, 1487958, Eastham Unit, 2665 Prison Rd 1, Lovelady TX 75851.