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## **INMATES SAY TAMMS RETALIATING; [CHICAGO SPORTS FINAL Edition]**

*Ray Long, Tribune Staff Writer. Chicago Tribune. Chicago, Ill.: Jul 28, 1999. pg. 8*

### **Abstract (Summary)**

Not long after convicted murderer Faygie Fields moved into the state's supermaximum-security prison at Downstate Tamms, he and three other inmates sued the state for allegedly cruel and unusual punishment.

### **Full Text (441 words)**

*(Copyright 1999 by the Chicago Tribune)*

Not long after convicted murderer Faygie Fields moved into the state's supermaximum-security prison at Downstate Tamms, he and three other inmates sued the state for allegedly cruel and unusual punishment.

Now Fields' attorneys allege that the state has begun filing criminal charges "selectively, vindictively and in retaliation" against the inmates involved in the federal case.

The attorneys argue that the inmates committed transgressions that usually would be handled internally. But, they say, prison officials decided to bring the aggravated battery cases to criminal court because the inmates filed the federal suit.

The MacArthur Justice Center attorneys who represent the inmates say the incidents that prompted the criminal charges occurred months before the federal case was filed. Prison officials say it can take that long to prepare a case and that prosecutors make the ultimate call.

The Tamms Correctional Center, about 40 miles south of Carbondale, was created in part for prisoners who had threatened or harmed other prisoners or guards.

MacArthur Center attorney Jean Maclean Snyder said the center has asked a judge to dismiss the new criminal cases against Fields and another inmate.

State officials and prosecutors are expected to argue against the dismissals, though they declined to comment on the specifics of the case. A hearing has been set for Aug. 23.

Fields, 40, was charged with aggravated battery after he allegedly tried to grab keys from a guard Oct. 19.

Six days after the incident, prison officials determined Fields broke prison rules. Fields was sanctioned to a year of segregation, and he lost six months of good conduct credit, court papers say.

On Jan. 7, Fields was among the plaintiffs who filed the federal civil suit alleging the prison was cruel and unusual punishment.

In the federal suit, the inmates contended that the state is violating their constitutional rights by subjecting them to near-constant monitoring and cell confinement, as well as sensory deprivation.

At the end of April, Fields and Robert Boyd, another inmate who had sued the state, were charged with aggravated battery. Boyd allegedly spit at a guard and fought after being removed from a cell.

Ashoor Rasho, a third inmate who is a plaintiff in the federal case, was charged with aggravated battery on April 13 while other aggravated battery and weapons-related counts were pending against him.

The MacArthur Center decided to seek dismissal of the aggravated battery cases against Fields and Boyd shortly after Rasho entered a plea agreement for a 7-year sentence in exchange for dropping some of the pending charges.

The fourth plaintiff, Brian Nelson, has had no criminal charges brought against him since the federal case was filed, authorities said.

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