

TRIBUNE-REVIEW

Ex-guard attests to alleged inmate abuse at Westmoreland County Prison

By Richard Gazarik
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A Westmoreland County Prison inmate was taken out of his cell, punched, choked, kicked and threatened with death as punishment for talking back to a guard, according to a statement given by a corrections officer who said he witnessed the incident.

Part-time guard Christopher Pickard of West Leechburg told investigators that union officials and several other officers concocted a cover story after the assault on James Edwards, 27, and attempted to persuade Pickard to go along with it to derail an internal investigation, according to his written statement.

The inmate's mother, Patty Varhola of New Kensington, said the report mirrors the details that her son recounted to her, as well as the injuries listed in the medical report that she obtained.

"That's what he told me," she said. "The details are pretty much the same."

The June 8 incident triggered a criminal investigation and led to the suspension of Casey Mullooly, president of Local 522 of the United Mine Workers of America, which represents corrections officers.

Both Mullooly and District Attorney John Peck declined comment on the incident. Peck said he started a criminal probe after he received a report on the internal investigation.

"I don't want to make any comment on (the report) during the course of the investigation," Peck said.

Pickard resigned June 14.

Edwards was returned to a Texas prison June 17. He is in a medical unit and could not be contacted for comment.

The investigation is the latest in a series of alleged misconduct by corrections officers and suicide attempts by inmates there at county jail.

Pickard confirmed the authenticity of the seven-page statement obtained by the Tribune-Review, but he refused to comment on it Thursday. The document was signed by Pickard and Deputy Warden Steve Cmar.

Edwards had been paroled from a Texas prison in June. He was arrested June 3 for an alleged parole violation while visiting his mother in New Kensington and was taken to the county jail.

The incident was triggered by remarks that Edwards made to Pickard after all inmates were ordered into their cells because some were smoking, Pickard said in the statement. All forms of tobacco are banned at the jail.

After Edwards complained to Pickard that he should not be punished, Pickard notified a sergeant who went to the cell along with two other guards. Edwards was taken to a nearby counselor's office, out of range of video cameras.

In his statement, Pickard described the assault:

An officer grabbed Edwards by the neck, slammed him into a filing cabinet, then pushed his head against the wall.

"I'll kill you right now," the guard said.

Edwards slid to the floor as the guard struck him in the mid-section with his knee and then punched him in the head. Pickard said as Edwards tried to stand, the guard punched him in the mid-section.

A sergeant and another guard witnessed the assault, according to Pickard.

Afterward, Edwards was taken to the prison's medical unit, where he was examined. The nurse said Edwards "complained of injuries he stated he received from a beating," the medical report states. Edwards also had a "small knot" on the back of his head and red marks on his neck, and he complained of sore ribs. He was given 400 milligrams of Motrin for the pain, according to the medical report.

A follow-up medical report June 10 states Edwards had "multiple injuries to the neck and head area, also ribs and back." He also had a quarter-size contusion near his eye.

In his statement, Pickard said he was advised by other guards "to go along with the story told by everyone else, that nothing happened, nothing occurred. The inmate was never struck, you can't crack. You have to stick to the story," he wrote in the statement.

The guards played for Pickard a tape of a telephone conversation Edwards had with a relative in which he identified the guard who beat him. The prison monitors all inmates' phone calls.

Pickard said Mullooly telephoned him to ask him what had happened.

"I asked: 'If I tell the truth, what's going to happen? He said: 'I'm not going to lie to you. If you tell the truth, nothing will happen.' "

After Pickard was notified that he was under investigation, "Mullooly said to me when questioned to stick with the story everyone else was going with." Mullooly later told Pickard what to say to prison investigators, according to his statement.

"That the story we are going with is that inmate Edwards had his hands in his pants, (a guard) pulled his hands out and sat him in the chair, nothing else happened," Pickard wrote.

The Westmoreland County Prison Board meets Monday and likely will discuss the incident either publicly or in closed session. Members of the union are expected to attend.

Other investigations of prisoner-abuse claims at the lockup include:

— In February, a former guard was sentenced to probation after pleading guilty to humiliating prisoners by forcing them to sing nursery rhymes and get on their knees and bark like dogs.

— A guard was fired for sexual misconduct after an internal investigation revealed he had sex with a female inmate.

— Earlier this year, an inmate sued in federal court alleging that he was beaten and choked by guards until he passed out. The case is pending.

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