

# The Brothers Keepers

## In Hampden County, Mike and Jay Ashe make a House of Correction live up to its name

They are 45 of the roughest and toughest inmates at the Hampden County Jail and House of Correction just outside Springfield, the sullen slackers who sleep through the bells and skip GED classes and AA meetings. But on this afternoon they are quiet and attentive.

The inmates are sitting in rows in the cavernous day room of their locked unit - or "pod," in the jail's vernacular - watching a video about three prisoners who get out of jail and the relationships they have with their fathers and their children.

When the video, called *Bad Dads*, is over, correctional caseworker Bill Champagne gets them talking. To a few, the video is a big joke; but for others, many who have children and some who have lost them, it raises emotional issues. When they break up to return to their cells, one of the men approaches Champagne in tears.

Despite the encounter-group flavor of the morning's program, the "accountability pod" is one place in the prison where inmates don't want to wind up. Phone calls and visiting hours are sharply restricted, lock-up is at 10 p.m., there's no TV, and there's no chance of earning "good time" credits that knock time off your sentence for good behavior.

And it's not as if the jailers leave you alone. For five hours a day - two and a half hours in the morning and two and a half hours in the afternoon - inmates in the accountability pod are subjected to videos, talks, and exercises, all focusing on "crime-producing factors" like substance abuse, lack of education and job skills, and family problems. Inmates, who can be banished to the pod for as long as a month, earn their way back into the general population sooner by means of "points" awarded for participation in the intensive programming.

It's not exactly busting rocks, though for some prisoners it might be harder. Nor is it exactly group therapy. But it is emblematic of a jail that makes even the most recalcitrant inmates take a look at themselves and the behavior that put them behind bars. It's "tough love," Hampden County style.

"There is no singing and dancing here," says Sheriff Michael J. Ashe, Jr. "The key is consequences and accountability and productive activity. We remove the crutches and the props. We take it to them. We're pounding in the eighth, ninth, 10th round. The system gets tired, but we're in there."

When Ashe says "we," he's not using the royal "we." Nor is he just invoking the collective "we" of the 750 correctional officers and program staff that make up the western Massachusetts sheriff's department. He's also referring specifically to the fraternal pair who form the heart and soul of this penal institution - himself and his younger brother, Jeremiah John "Jay" Ashe, the jail's superintendent and the sheriff's alter ego.

For more than 25 years, the brothers Ashe have practiced a behaviorist approach to corrections that has only gotten more challenging and sophisticated, even as rehabilitation has gone out of fashion elsewhere, in prisons and in politics. But if anyone, in Hampden County or elsewhere, thinks the Ashe brothers are soft on crime, they're not talking. Indeed, a few local critics think that fear of drugs and gangs may have caused them to crack down a bit too hard in the prison. But Hampden County officials make no apologies for their carrots or their sticks. To longtime spokesman Rich McCarthy, it's all part of the way Sheriff Ashe runs the jail: "with a prayer book in one hand and a .45 in the other."

And now, as the public begins to focus its attention on the thousands of criminal offenders who will be returning to society from state and county prisons vastly expanded in the past 10 years, the issues of rehabilitation and re-entry of inmates into the community are quietly taking center stage. It may just be the Ashe brothers' moment.

### **BIG HOUSE, BIG PICTURE**

First elected in 1974, Mike Ashe is the longest-serving county jailer in the Commonwealth, and much has changed about county corrections during his time in office. The basic functions of the sheriff's post, however, have not. Of the 14 elected county sheriffs, all but one (Nantucket) operate jails, which hold defendants who are awaiting trial, and a "house of correction," where convicted offenders serve sentences of no more than two and a half years in prison. In Suffolk County, the Nashua Street Jail contains detainees and the South Bay House of Correction convicts. But in most counties, including Hampden, the jail and house of correction function within the same facility, although the two populations are kept separate.

For most of the 20th century, sheriffs were keepers of small and unambitious institutions, many of which dated from the 19th. The jails simply held for trial small numbers of defendants who were too poor to make bail or too much of a flight risk to be trusted to show up in court. And houses of correction contained a small and largely idle population of vagrants, thieves, and bad-check passers serving 30, 60, or 90 days for petty offenses.

But in the 1980s, rising rates of violent crime and crackdowns on drunk driving and drug dealing led to an explosion in imprisonment at both the state and county level that has only recently tapered off. From 1975 to 1985, the state inmate population doubled, from 2,000 to 5,100, then doubled again to more than 11,000 in the late 1990s. But in county corrections, the growth has been even more dramatic: The inmate population jumped from roughly 2,000 in 1975 to 3,700 in 1985, then really took off in the 1990s, reaching a peak of 12,500 in 1998.

The rising tide of inmates was too much for existing jails and prisons to handle, especially county facilities, many of which were already antiquated and overburdened when the prison boom began. Overcrowding led to lawsuits, population caps, and a 15-year building spree that has cost nearly \$1.5 billion. The price of housing - and guarding - county inmates quickly exceeded the resources of Massachusetts's skeletal county governments (which have been largely dismantled since), so the state has gradually taken over the funding of county corrections - more than \$300 million a year - but left it to the elected sheriffs to run the institutions.

The Ashe brothers have seen it all. And through it all, even as the public mood shifted to benefit political tough-talkers like Bristol County Sheriff Thomas Hodgson, who took away television sets and reinstated chain gangs, Mike and Jay Ashe have kept the long view in mind: Inmates will eventually go back to the communities from which they come; true public safety involves making sure ex-offenders have the tools to stay there, leading law-abiding lives.

"They see their jobs as jailers to return to the community people who are civil and productive," says John Larivee, chief executive officer of Community Resources for Justice, a corrections and social service agency, who has worked with the Ashes since the 1970s. "The programming at the facility has changed over the years. But the big picture has been in place every step of the way."

From the perspective of reintegrating offenders into the community, the Ashe brothers see the last 60 to 90 days of an inmate's sentence and first 60 to 90 days of freedom as the most crucial, and it is at that point of inmate return that they focus a large share of their attention. As early as 1975, Hampden County established a pre-release center in which minimum security prisoners work in the community by day and get ready for life on the outside. In 1986, they pioneered the first day-reporting program in the United States; inmates, who are electronically monitored, spend the last three months of their sentences sleeping at home, going to work, and attending evening classes at the day-reporting center. Today, 450 of the 1750 or so inmates live outside the jail's medium security fences, either in the pre-release center on the prison grounds or at home. There are no chain gangs here, but minimum-security inmates do labor outside the jail on work crews in order to learn a skill and develop a stake in the community. Yet another acclaimed Hampden County initiative - it recently won a Ford Foundation Innovations in Government award - links prisoners to community health centers in their cities and towns, offering continued medical and mental health care when they are released.

Programs like these have gained the Ashes the admiration of corrections officials around the country and garnered top ratings from American Correctional Association evaluators for their institution. Within Massachusetts, says Larivee, "you'll find a lot of sheriffs, if not all of them, looking at the operations at Hampden County as something to follow and use as a model, even if they don't embrace all of it."

Even inmate advocates give Hampden County a lot of credit. "Without doubt this is the most advanced facility in Massachusetts in terms of programming," says Peter Costanza, staff attorney for the Massachusetts Correctional Legal Services in Boston, an agency more known for filing suit over prison conditions than for praising them.

Still, it's hard to know how well their approach is working. The recidivism rate in Hampden County stands at 22.5 percent over a two-year period; that is, within two years nearly one quarter of inmates released from the prison have been reincarcerated. That is considerably lower than at state prisons in Massachusetts, where 37 percent of offenders are back behind bars within two years of release, and around the country. But state prison inmates have committed more serious crimes and racked up more serious criminal records than county inmates, and might be expected to commit new crimes at a higher rate. And neither the state nor other sheriffs routinely compile recidivism statistics on county inmates for comparison.

Overall, corrections is a field where successes are few and far between, and the job the Ashes have is not an easy one. The 1700 or so inmates in their custody have strikingly similar profiles: a fifth or sixth grade reading level, no marketable skills, no work history, and substance abuse problems. They are mostly male, mostly young, age 18 to 20, 75 percent are minorities from the mean streets of Springfield and Holyoke. An estimated 25 percent are gang members.

"The problem is that we're trying to make up for 18 or 29 years" says Jay Ashe. "We have no illusions that we can do that."

## **TWO OF A KIND**

Mike Ashe is fond of saying that Hampden County really has two sheriffs. In their lives and their life's purpose, Mike and Jay Ashe are virtually joined at the hip. They grew up together in an Irish working class family in Springfield and both were athletes in their school days. They both hold master's degrees in social work from Boston College and share a common correctional vision. But despite some shared mannerisms - in conversation, they each make a point of addressing you by first name, repeatedly, as they drive their points home - you'd never pick them out as brothers.

Mike Ashe is the prototypical rough-hewn law enforcement officer, his craggy face looking every one of his 61 years. More scrappy than strapping, he was a 150-pound center on the Springfield Cathedral High football team that included future LA Ram Joe Scibelli and Patriots and Miami Dolphins Hall of Famer Nick Buoniconti. His childhood nickname was Rocky. Speaking in staccato bursts, his sentences starting somewhere in the middle, Mike Ashe would not seem out of place in any union hall or on any bar stool in Springfield.

On the job, he's constantly in motion. Every Monday morning, staff members say, he comes in with 15 different ideas, blurring them out while everyone else is just trying to open their eyes. He insists on interviewing and getting to know every one of his 750 employees, even the part-time trash collector. In Mike Ashe's world, there are two kinds of people in the world: those who "put the helmet and cleats on," meaning they're ready to dig in and play a tough game, and those who "put on their sneakers" - and are ready to run at the first sign of trouble.

"The sheriff is refreshing in that he has been in the business for so long and has not become cynical," says Larry Meachum, a corrections professional for 36 years who has served as a state prison administrator in Massachusetts, Connecticut, and Oklahoma. "He still believes in what he's doing. He has that effervescent enthusiasm."

"The sheriff is a driven guy," says Jay Ashe. "He never stops. I'm just following the leader. You could duplicate me. You can't duplicate Mike."

Jay, two years younger and seeming more so, looks more genteel, almost Ivy League, though he went to St. Francis Xavier College in Nova Scotia, where he played basketball. He's the policy wonk who keeps his eye on the big picture and gets his kicks discoursing on correctional programs and philosophy for hours on end, even as he presides over the day-to-day running of the institution.

At a retirement party for an employee a couple of years ago, a comic skit set on a basketball court underscored the difference between the two Ashes. The scene portrayed the sheriff standing under the hoop, flailing his arms in search of a rebound, his sweatshirt ripped and his teeth knocked out. When the ball comes his way, he passes to Jay, who in a perfectly pressed uniform, sends it gracefully into the hoop.

## **SOCIAL WORKER TURNS SHERIFF**

When Michael Ashe ran for Hampden County sheriff in 1974, it was his first try at elective office. Ashe was working as assistant director of Springfield's Downey Side Homes, a network of group homes for juveniles. That year, there were six contenders for the Democratic nomination, which was tantamount to election. The incumbent, John G. Curley, had gotten into political hot water as a result of numerous jailbreaks and a questionable accident he had driving a company car. The race came down to Ashe and a retired state police officer named William Garvey. The social worker and the ex-trooper squared off over a work-release program for inmates. Ashe supported it, so Garvey accused him of being soft on crime. In the end, Ashe won easily, garnering 25,226 votes to Garvey's 15,301. He hasn't faced an opponent since.

But the going wasn't so smooth at first. In April 1975, just four months after taking office, Ashe announced that he was appointing his brother, Jay, as the jail's work release officer.

He further stated that he planned to appoint Jay to a new job with a higher salary in a few months. At the time, Jay was director of an adolescent residential program outside New Haven, and was fully qualified for the job. But the appointment was viewed as a throwback to patronage politics. "SHERIFF YIELDS TO NEPOTISM", editorialized the Springfield Union. The afternoon Daily News weighed in with "SHERIFF'S IMAGE LOSES ITS LUSTER": "It is unfortunate that, after an energetic and promising beginning...Sheriff Ashe has tarnished the 'new look' at York Street (jail) with what may be interpreted as some old-style politics."

"Any time you appoint your brother, it becomes controversial," says Tony Ravosa, Sr., a Springfield attorney who has known the sheriff for 41 years, "But then when the guy proves himself, that changes. I liked the idea of them both being there. But I'm sure they clocked him like hell early on."

The controversy didn't stop the brothers from quickly moving forward with their reform agenda - turning the sheriff's residence into a pre-release center for inmates, for example. The Ashes had cut their social-worker teeth working with juveniles at a time when de-institutionalization was all the rage. Group homes were replacing the old system of reform schools and county homes which, many felt, only tended to lead troubled kids into more serious crime. "You took kids out (of) the community and then you had a problem with reintegrating them," says Jay Ashe.

The Ashes brought the lessons they had learned working with juveniles to the inmates at the jail. In their view, a county jail should be more than a warehouse; it offered a unique opportunity for intervention. It was, in the sheriff's words, "part of the neighborhood."

But the neighborhood got a whole lot tougher in the 1980s. As a result, the York Street jail in downtown Springfield, built during Grover Cleveland's time, became dangerously overcrowded. The jail had a capacity of 256 inmates. By the mid-1980s, the population swelled to more than 700. The Ashes set up inmate beds in hallways and then in the gym and cafeteria. "All our programming was out the window," says Jay Ashe. "we were doing everything with smoke and mirrors."

In 1988, in response to a lawsuit, a federal magistrate capped the jail population at 450; as a result, prisoners were being sent home before they finished their sentences. The state approved \$90 million for a new jail, but it was years away. In one week, in February 1990, a judge stayed the sentences of 30 convicted offenders and allowed them back on the street.

The frustrated sheriff decided to take matters into his own hands. On the Friday before Washington's Birthday of that year, Ashe, acting under a 17th century statute, commandeered a National Guard armory on Roosevelt Avenue in Springfield to use as a jail annex. He quickly moved in 10 steel bunk beds, two television sets, a ping-pong table, and 17 minimum-security inmates.

It was a bold move that didn't go over well with state officials. Gov. Michael Dukakis was furious, and state Secretary of Public Safety Charles V. Barry threatened the sheriff with criminal prosecution. National Guard Gen. Chester Gorski called Ashe's move "kind of like a Gestapo action that occurred 50 years ago in Germany. It was that quick."

But in the days that followed, the public, the press and sheriffs across the Commonwealth rallied to Ashe's side. Within a week, a judge issued an interim order requiring Ashe and the National Guard to "cooperate" and share use of the armory. Within a few months, the inmates were moved to an armory in nearby Holyoke. In September 1992, hurried along by the armory takeover, a state-of-the-art Hampden County jail opened in Ludlow, nine miles east of Springfield, on 52 acres that once belonged to the old Air Force base at Westover Field.

The seizure of the armory made Sheriff Ashe a national figure - known, ironically, not for his progressive rehabilitation programs but for swift and fearless action to keep felons from being let loose in the community. But if anyone thought an ex-social worker couldn't be tough, the sheriff proved them wrong.

## **UNCHAINED GANGS**

On a recent Monday morning, the Hampden County House of Correction "restitution" crew is on the job in downtown Holyoke. Inmates are busy painting plywood signs that say NO DUMPING and NO LITTERING. They're in the back lot of a four-story brick building that had been a haven for crime and drugs. The work crews have spent two and a half months sealing openings in the building and removing debris - a boon to the beleaguered city.

"The building was rife with drugs," says Holyoke Mayor Michael J. Sullivan, who took office in January. "There was gunfire at night and gang activity. Now the businesses and residential area around it are showing new signs of life. And the inmates have put out the word to the community - 'Don't mess with it.'"

The restitution program has logged thousands of hours over the past several years. In the last few months, inmates have removed trees and brush in Ludlow; raked and weeded flower beds for the Springfield Parks Department; and painted the fire station in Holyoke. Corrections officers roll up their sleeves and work alongside them. According to the sheriff's office, "walkaways" are rare.

One inmate painting signs this morning, who has been on the work crew for the last three months, says "I thought I'd just be hanging around. I thought I'd feel like a heel. But it gives me a good feeling to do this."

The inmate, who's serving a two-year mandatory minimum sentence for selling drugs within a thousand feet of a school, says he is learning on the job - sand-blasting and using power tools. "It isn't just pushing a broom," he says.

Prison and city officials alike compare this approach favorably to chain gangs. Tom Nolan, the jail's community service coordinator, says that, if inmates were in chains, they wouldn't physically be able to do much of the work they do. "They would just do litter," he says. "They couldn't climb stairs. They would just be listless." (Shackles or not, Bristol County Sheriff Hodgson's chain gangs have painted senior citizen housing.)

Mayor Sullivan, whose financially strapped city clearly benefits from the free labor that the inmates provide, insists there is a higher goal here. "We need to rehabilitate, not demean, people," he says. He notes that 75 percent of Latino men in Holyoke between the ages of 16 and 30 have at least one criminal offense on their record; they can't be written off.

"We want the inmates to know they are important to the community," says Sullivan. "They will be coming back. They can learn skills. We respect them as human beings."

Still, in today's political climate, that philosophy can be a tough sell. "Few people have confidence in rehabilitation," says Jay Ashe. "The quick fix has been the model. It is hard to overcome it. The educational process is a long road. Mike is doing that every day."

## **POLITICAL SECURITY**

If the ballot box is any indication, that education process may be working. While Hampden County is no more liberal than any other on issues of criminal justice - and possibly less liberal than some - Sheriff Ashe, who earns \$107,138 a year, has had a political free ride since his first run for office. Springfield Mayor Michael Albano called him "the most popular elected official" in Hampden County. And Jay Ashe, who is paid \$101,084 as his right hand man, has long put to rest any sniping that he was just looking for a cushy posting courtesy of his patronage purveying big brother.

These days, the sheriff's annual clambake attracts politicians and law enforcement figures from all over the state. "He could get re-elected in his sleep," says Albano. That view of Mike Ashe extends to those who would be his natural opponents.

"He is an icon in western Massachusetts," says Shawn Robitaille of South Hadley, vice-chair of Western Massachusetts Republicans. "He is well-liked and trusted across party lines. He would be very tough to challenge. He thinks outside the box. He does things outside the status quo."

His universal appeal and long tenure have made the unassuming Ashe a powerful figure in the county, and in Democratic Party politics. Last fall, according to the weekly Valley Advocate newspaper, the only way Worcester County Sheriff John "Mike" Flynn - whose own political organization in central Massachusetts is legendary - could fulfill his wish to be selected as a Massachusetts elector for presidential candidate Al Gore was to have Mike Ashe put in a good word for him.

Ashe's popularity may have as much to do with his regular-guy persona and reputation for integrity as his policies. Indeed, his personal popularity may provide cover for policies that would otherwise prove politically hazardous. Mayor Albano suggests that even if the public isn't sold on the rehabilitative prison model, the general attitude towards Ashe is simply, "I don't really care. The guy is doing a good job."

That good job looks all the better when stacked up against the checkered record compiled by his fellow Massachusetts jailers. Under Sheriff Hodgson - the kind of get-tough official that comes off as "eating thumbtacks for breakfast," in Ashe's words - The Bristol County House of Correction erupted in violence in April. In May, a three-day Boston Globe series charged Suffolk County's Richard Rouse with being a nearly no-show sheriff who did little to stem rampant assaults on inmates by guards, including sexual abuse of female inmates. Then there's the corruption that brought down former sheriffs John McGonigle of Middlesex County and Charles Reardon of Essex County, and the rampant patronage hiring which new Plymouth County Sheriff Joseph McDonough has recently been accused of.

## **THE HOUSE OF ASHE**

Still, it is possible to uncover complaints about the tight ship the Ashe brothers run. In 1998, the Hampden County jail was picketed on a daily basis by the family of a correctional officer injured on the job whose "light duty" position was eliminated; when he turned down another position he felt he was unable to perform, the correctional officer was fired. The incident caused the Valley Advocate to raise questions about a jail atmosphere built around "loyalty" to the entrenched sheriff. The alternative newsweekly quoted a former Hampden County correctional officer, saying of the sheriff, "If you make waves and you're not on his team, you're out."

And some Springfield criminal defense lawyers detect an iron fist under the Ashes' velvet glove. They object to the end of "contact" visits at the jail; since January, inmates and their families have only been able to communicate by telephone through plexiglass barriers. The reason for the policy is drugs, according to Rich McCarthy, the sheriff's spokesman. Last year, nine people were arrested trying to pass drugs to inmates, often mid-embrace. On one occasion, a 9-year-old girl was being used as a courier, he says.

The Ashe solution seems to be edging toward a system where "we would lock these people up in hermetically sealed boxes," says attorney David Hoose, who gained notoriety earlier this year when he defended Northampton nurse Kristen Gilbert in her federal death penalty case. "The principles of corrections and rehabilitation require that there are risks you have to take."

Other critics object to the jail's "control units" - tiny cells where prisoners are kept 23 hours a day with no privileges and no visitation - which are used to crack down on gang members. "These are odious units," says one attorney, who requested anonymity because of dealings with the sheriff. The attorney claims that one client - a gang member charged with a violent crime - was kept in isolation so long that the inmate was "degenerating, hallucinating." Jay Ashe defends the policy of "zero tolerance" towards gang members, instituted when the new jail opened in 1992. At the time, members of gangs like the Latin Kings and LaFamilia were wearing their colors and practicing extortion, he says. If the jail hadn't cracked down, "We would have lost the place," he says. "They would have taken over."

Correctional Legal Services attorney Costanza says that gang policies at the Hampden jail "may have some of the same due process problems as the gang classification used by the state's Department of Correction." (The DOC classification policy is being examined by the Supreme Judicial Court.) But, in Costanza's view, even these accusations represent only minor stains on the Ashes' record. "We get far fewer complaints from prisoners out there, particularly in comparison to the place's size, than we do from any other jail in the state," he says.

After almost 27 years at the jail, the Ashes haven't lost their passion for the work. There is always something new, such as a 120-bed women's prison that is on the horizon after various stops and starts. Outside the prison, Jay Ashe continues to press the concept of "continuum" - an effort to organize and stabilize inmates' re-entry to society. The point, he says, is to "get all the players collaborating" - district attorney, probation, parole, social service agencies, and the like. "This is getting more defined and shaped," he says. Though civil libertarians raise objections to the state's new Sex Offender Registry, which requires those convicted of sex crimes to notify authorities of - and in some cases, make public - their whereabouts long after they've served their time, Jay Ashe sees the registry sending an important message about corrections overall: Inmates don't stay in jail forever, and when they get out, we should still worry about them.

Whether policymakers or the public beyond Hampden County have the patience or interest to buy into their more complex correctional approach is unknown. But if anyone's model could sell, it's the one honed diligently over nearly three decades by the Ashe brothers. "What we do is good, strong public safety policy," says the sheriff. "We are making the streets and neighborhoods safe. We are not helping out poor Johnny." In other words, the sheriff and his brother may not eat thumbtacks for breakfast, but they still come to work with their cleats on.

