

Comments (0) |  Recommend (0)

- [Email](#)
- [Print](#)
- [Reprint or License](#)
- [Share](#)
  - [del.icio.us](#)
  - [Digg](#)
  - [Facebook](#)
  - [Magnolia](#)
  - [Stumble Upon](#)

## Inmate's ordeal

**The serious injury of a state prison inmate challenges leaders to affirm and enforce policies against abuse.**

Posted: Wednesday, Apr. 08, 2009

Sympathy for the thousands of bad actors who have wound up in North Carolina's prisons may be hard to muster, for good reason. But this is not an appeal for sympathy. It is an appeal for justice.

Control must be exercised within prisons, and sometimes force must be used in the interest of maintaining overall safety. But no one, whatever their crime, deserves to be punished beyond standards embodied in the law and the Constitution. When an inmate is left brain-damaged and partially paralyzed, and when there appears to be no logical explanation other than that he was viciously beaten by prison officers in his cell, that points to a total failure to separate punishment from abuse.

The N&O's Michael Biesecker on Sunday told the unnerving story of Timothy Helms, who now lies bedridden in the hospital unit at Central Prison. Helms is serving three life sentences for second-degree murder in connection with drunken driving. Whether that is fair is another issue, given childhood injuries that evidently affected him mentally. There were problems with the way the charges against him were handled.

Now, however, Helms' case must become the one that establishes an ironclad rule for this time forward: There will be no brutality toward inmates in this state's prison system. If there is, the brutalizers will be found out, exposed and punished.

### Blows to the head

It's easy to anticipate excuses that could be offered for the treatment that Helms endured. He was a troublemaker, a habitual rules violator. He set a fire in his cell at the maximum security prison in Taylorsville, north of Hickory. He had to be forcibly removed from his cell so the fire could be put out. Perhaps in his rage and desperation, he had banged his head and injured himself.

These excuses do not fly. Helms was vulnerable, at the mercy of as many correction officers as could be arrayed against him as they sought to extract him from the cell where he had managed to ignite his bedding. This could have been a dangerous situation, but officers must be prepared to deal with such situations in ways that don't involve the infliction of crippling injuries.

When Helms was taken to a hospital in Hickory last Aug. 4, tests disclosed multiple injuries — a fractured skull, broken nose, broken ribs. There was bleeding inside his brain stem and lobes of the brain that are involved in speech, vision and long-term memory. There were marks apparently left by a billy club.

A doctor reported the inmate's version of what had happened: When officers went into the cell to put out the fire, "Patient resisted this and they had to subdue him using sticks, which included beating him on his body as well as in the face and head ..." Months later, Helms is unable to sit up or feed himself. No wonder his cause has been taken up by the group Disability Rights North Carolina.

When the Department of Correction investigated the incident, as Biesecker reported, it could not “conclusively determine” the cause of Helms' injuries. What did it need, a video? Who was on duty? Who went into Helms' cell? Could a code of silence not be broken?

The secretary of correction at the time, Theodis Beck, in September asked that SBI agents investigate. They didn't get around to it until last month, according to Beck's successor in Governor Perdue's administration, Alvin W. Keller Jr. The new secretary says that “if a prison employee did intentionally injure Mr. Helms, we want that person identified and prosecuted in court.” That's a good start toward setting the standard of conduct that needs to be set, but only a start.

### Held in the hole

The department puts inmates who violate rules in disciplinary segregation — “the hole.” It's solitary confinement. Policy calls for no more than 60 days in the hole at a stretch. According to Biesecker's article, Helms, in prison for 14 years, was kept in solitary for 571 consecutive days before he set the fire. That is asking for trouble because such treatment can cause someone to snap. Officials must regulate the use of solitary confinement so that it does not simply make matters worse.

For months after Helms was hurt and hospitalized, it was as though he'd been thrust into another hole of sorts. The department failed to notify his family of what had happened. Even after a brother, Mike, who happens to be a school board member in Cabarrus County, was informed by The N&O about Tim Helms' plight and began asking questions, what he got in return was quibbling and evasion. A department spokesman, Keith Acree, wrote that “There is no evidence to support any claim that Tim was beaten by officers while handcuffed.” If they had managed to cuff him and had still beaten him, that would be even worse.

Coming to light at the outset of Keller's tenure, this case will be an important test of his resolve, closely watched by employees throughout the prison system. The secretary, supported by the governor, must demonstrate beyond the shadow of a doubt that he will not tolerate abusive treatment of inmates or a failure by his subordinates to own up to any mistakes that do occur. Public safety must be upheld as inmates are managed and their sentences carried out, but the infliction of injuries such as those sustained by Tim Helms cannot be allowed to pass without consequences for those found responsible.

 [Subscribe to The Charlotte Observer & Earn Miles.](#)

### Disclaimer

The Charlotte Observer is pleased to be able to offer its users the opportunity to make comments and hold conversations online. However, the interactive nature of the internet makes it impracticable for our staff to monitor each and every posting.

Since charlotteobserver.com does not control user submitted statements,

You must be logged in to leave a comment. [Login](#) | [Register](#)

POWERED BY 

Comments:  0 Showing:

More comments on this story:

we cannot promise that readers will not occasionally find offensive or inaccurate comments posted on our website. In addition, we remind anyone interested in making an online comment that responsibility for statements posted lies with the person submitting the comment, not The Charlotte Observer.

If you find a comment offensive, clicking on the exclamation icon will flag the comment for review by the administrators, we are counting on the good judgment of all our readers to help us.

**[Cheap Car Insurance](#)**

Drivers Pay \$44/mo on Avg for Car Insurance. Are you paying too much?

[Auto-Insurance-Experts.com](#)

**[See Today's Mortgage Rates](#)**

Calculate Your New Mortgage Payment. See Rates- No Credit Check Req.

[www.LowerMyBills.com](#)

**[Refinance Rates As Low As 5.00%](#)**

Compare Offers. No SS# Required. Serious Refinance Inquiries Only.

[www.HomeLoanTrust.com](#)

Ads by Yahoo!