

# NewsItem.com

## News

### Prisoners stink up courtroom

*They tell Mychak they were denied showers at NCP; Reish refutes claim*

Print Page

BY RACHEL CARTA

STAFF WRITER

rachel\_c@newsitem.com

Published: Thursday, May 7, 2009 8:43 AM EDT

MOUNT CARMEL — A pungent odor wafted from two Northumberland County prisoners who appeared for preliminary hearings in Mount Carmel Wednesday afternoon.

The smell was so strong that Senior Magisterial District Judge Michael F. Mychak asked the prisoners why they were so foul. Mychak's courtroom even had to be sprayed with sanitizer after the prisoners left, the smell lingering.

One of the prisoners, Rafael Charriez, 19, who was committed to prison last Thursday, said he had been denied a shower since he arrived. Charriez and David DeMarco, also 19, said they didn't refuse showers. In fact, Charriez said he asked prison guards numerous times for a shower and he was ignored.

He added that one guard said he could get a shower "when they got around to it."

However, Warden Ralph "Rick" Reish said when the prisoners returned to Northumberland County Prison from Mychak's office, a guard who searched them said they didn't smell.

"They certainly had opportunity for a shower," Reish said Wednesday afternoon.

Reish said if the guards are aware the prisoner is going to appear before the court, they are offered the chance to shower, even adding that the schedule for showering is followed "religiously."

"I do not baby these guys and say, 'now take a shower, young man'," Reish said.

Constables Larry Rompallo and Glenn Masser, who transported the prisoners to Mychak's courtroom, said the smell was unbearable. Opening windows did not quell the stench. Masser joked he may need to burn his uniform after escorting the two men.

Mychak agreed and added that several lawyers had commented on the sharp scent.

"It is not appropriate for inmates to go out of the institution like that, to have not bathed," said District Attorney Tony Rosini, a prison board member.



RACHEL CARTA/STAFF PHOTO

Constables Larry Rompallo, front, and Glenn Masser, back, escort prisoners David DeMarco and Rafael Charriez from the office of Magisterial District Judge Michael F. Mychak after their preliminary hearings Wednesday afternoon. The inmates say they have been denied showers at Northumberland County Prison.

Rosini said told Reish if inmates are in that condition, guards should assure they are clean.

If showers had been denied, the constitutional rights of the prisoners may have been violated, said Dave Sprout, paralegal for the Lewisburg Prison Project.

He said he has not received any letters or complaints from any prisoners about the issues of showering rights in some time; however, it may be happening.

"Not everyone writes to us," Sprout said. "If they are not getting offered showers, something is definitely wrong with their policy," he added.

Sprout said it could be possible that the prisoners refused to take a shower. Both DeMarco and Charriez said they asked to take showers on numerous occasions.

Reish said Charriez has been on lock down since arriving at the prison for "disciplinary reasons." He was unsure of what the specifics were as to why Charriez was on lock down.

DeMarco, 20, also said he had only received one shower since arriving on Thursday at the prison. Reish said DeMarco was being held in the general population of the prison and had plenty of opportunities to take a shower. In fact, those in the general population can take as many showers as they like, he said.

Masser and Rompallo said this is not the first time prisoners have smelled atrocious, but the two are the worst they had experienced in quite a while.

"Even if they are in lock up, they should be required to take a shower, at least before coming to court," Rompallo said. "If not for them, then for the rest of us," he added.

Northumberland County Commissioner Vinny Clausi, who has been adamantly against Reish on several matters, said he had received complaints about prisoners being denied showers in the past. However, when Clausi questioned Reish, he was told those prisoners had refused to take a shower.

Reish said state law requires the prisoners have at least two opportunities to shower per week. At NCP, prisoners in lock down are given three opportunities, he said.

\* Both Charriez and DeMarco waived to court Wednesday and were ordered by Mychak to appear for formal arraignment at Northumberland County Courthouse, Sunbury, on June 2.

Charriez, of 1032 Masser St., Sunbury, waived to court charges of sexual assault, statutory sexual assault, aggravated indecent sexual assault and indecent assault involving an incident that occurred on Jan. 10 in Mount Carmel. Charriez is accused of raping a 13-year-old girl at 138 S. Beech St., Mount Carmel. Mount Carmel Borough Patrolman Jason Drumheller filed the charges. Charriez is being held at NCP in lieu of \$35,000 bail. The bail was reduced from \$75,000, as was requested of Mychak by Rosini.

DeMarco, of 429 W. Second St., Mount Carmel, waived to court two counts of assault and one count each of disorderly conduct and harassment in connection with a fight that occurred on April 19 at in the borough. DeMarco allegedly attacked John Gilbert, police said. Charges were filed by Mount Carmel Borough Patrolman Justin Stelma. DeMarco is being held at NCP in lieu of \$7,500 bail.