



HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE 19901

October 16, 2009

Department of Correction  
Central Administration Building  
Commissioner Carl C. Danberg  
245 McKee Road  
Dover, DE 19904

Commissioner Danberg,

On your recent appearance on WDEL's Al Mascitti Show, you mentioned that the Department of Correction's (DOC) investigation into the David Sully case would remain confidential.

As you are aware, a report by the Caesar Rodney Institute, entitled "Rogue Force," detailed the story of Mr. Sully: a Laurel businessman who was temporarily held at the Sussex Correctional Institution in June after an arrest on a minor infraction. According to Dover attorney Steve Hampton, Mr. Sully was beaten three times in one day before being taken to Beebe Medical Center for treatment of his injuries. At the hospital, the guards reportedly told the staff that Mr. Sully was a mental patient.

I urge you to reconsider your stance of concealing the probe into this incident. While our legal system prudently protects the disclosure of selected sensitive information, the DOC could release some of these findings without violating the privacy of the alleged victim or interfering with any potential action against agency personnel.

By concealing the product of this investigation, the Department of Correction is furthering a public crisis of trust in the department that began with multiple documented instances of healthcare neglect earlier this decade. Those incidents led to the current Memorandum of Agreement with the U.S. Justice Department, under which the DOC has been forced to operate for the last three years.

*-more-*

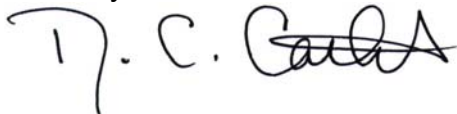
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I cannot say if the highly publicized report involving Mr. Sully is accurate. However, it is certain that a failure to release any information to the public connected to the DOC's investigation into these allegations will, rightly or wrongly, advance the perception that the agency has something to hide.

Within the confines of applicable law, I urge you to make available for public review any details on the David Sully investigation, as well as any other investigation the DOC initiates into the many other Caesar Rodney Institute stories alleging misconduct in the state's prisons. Such information could be posted on the DOC website at no cost to the agency.

I look forward to receiving your timely response.

Sincerely,

A handwritten signature in black ink that reads "R. C. Cathcart". The signature is written in a cursive style with a large, stylized initial "R" and a long horizontal stroke at the end.

State House Minority Leader  
Richard Cathcart