

New York: Nassau County jail guards stomp man to death

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Thomas Pizzuto, age 38, entered the Nassau County jail in Garden City, New York on January 8 to serve the first day of a 90-day sentence for a traffic violation. Five days later he was dead. Mr. Pizzuto, a part-time deliveryman for the New York City school system, was originally arrested for driving under the influence of drugs and leaving the scene of an accident.

The Nassau County Medical Examiner determined that the man died of abdominal bleeding from a lacerated spleen. He further found that Mr. Pizzuto's ribs were covered with bruises, which is consistent with an assault. The examiner ruled the death a homicide.

In a news conference last Thursday Dennis Kelly, a lawyer for the Pizzuto family, played a taped interview of an inmate, who was not identified, who both heard and saw what happened to Thomas Pizzuto. On the first day that Pizzuto entered the jail this inmate heard an argument between him and the guards. Pizzuto was demanding his regular dose of methadone, and the guards told him to keep quiet or he would receive a beating. The inmate then saw four guards enter Pizzuto's cell. The inmate, who was in a nearby cell, could hear Pizzuto screaming in agony for at least five minutes.

The fellow prisoner stated that he heard Pizzuto screaming, "I just want my methadone, stop, please stop." After the beating, he spoke to Pizzuto and saw bruises covering his face, his left eye closed, and visible chain marks. Pizzuto explained that the guards had beaten him with a chain.

The inmate then explained that Pizzuto told him that the guards ordered him to sign a statement that he obtained his injuries as a result of falling in a shower or else the beatings would continue, and he would not receive his methadone. Mr. Pizzuto signed the statement and got his methadone, but was left in his cell over the weekend without receiving treatment for his injuries. During that time, the fellow prisoner said, "He was in bad shape. He

couldn't breathe. They weren't doing nothing for him."

On Monday, January 11 Pizzuto suffered a seizure and lost consciousness. He was then taken to the Nassau County Medical Center, and treated in the hospital's intensive care unit. Afterwards he was placed in their general ward where he died at 10:15 p.m. on January 13.

Dennis Kelly, the family's lawyer, further explained that prison authorities attempted to stop Pizzuto's mother from seeing him at the same time that they were transferring him to the hospital. They told her that he was not allowed visitors on that day, but she overheard one of the corrections officers speaking about bringing one of the prisoners to the hospital. She became suspicious and remained, only to see paramedics moving her son out of the jail.

On Tuesday night Pizzuto's father came to visit him in the hospital. A corrections office was standing nearby during most of the visit, but when the officer walked away for a minute Pizzuto whispered to his father that two guards had beaten him. Kelly also reported at the news conference that the inmate identified two of the guards in a police line-up. Furthermore, Kelly said he had physical evidence that some of Pizzuto's injuries "correspond to actual boots and shoes" worn by the guards involved.

Since this incident, a number of lawyers representing former inmates at the 2,200-bed facility have come forward to make it clear that this is far from an isolated case. However, the code of silence that exists among correction officers has made it virtually impossible to prosecute abusive guards.

One attorney explained what happened to one of clients, Gary Boylan, age 46, who suffers from Parkinson's disease. While driving he suffered a seizure, and asked a young girl to get help. She misunderstood him and thought that he wanted her to get in his car. The guards at the jail apparently thought that he was a child molester, and decided to give him a bit of their own kind of justice.

On September 14 of last year they beat him to a pulp. He fell into a coma that lasted for four days, and had to be treated with hundreds of stitches to his head. Jail guards told Boylan's mother that he had a seizure in the jail and fell.

The same attorney described the death last July of Christopher Jackson, age 28, a sickle-cell anemia patient charged on a minor drug charge who became ill, lapsed into a coma, and was not hospitalized for three days despite repeated requests for treatment. In another case, a lawyer recounted how in 1993 Thomas Donovan Jr., age 38 and mentally retarded, was charged with sexual abuse of a minor, which was later reduced to a misdemeanor. He was savagely beaten within two hours of entering the Nassau facility, and suffered life threatening injuries to his kidney and spleen, and broken ribs and vertebrae.

Barbara Bernstein, executive director of the Nassau chapter of the New York Civil Liberties Union, has stated that her organization has received a growing number of complaints over the last number of years about abusive guards at the facility. She explained that at the present time complaints concerning prison guards outnumber those about police. Last year prisoners filed 15 charges claiming that guards beat them. Six of these cases have been closed, and the other nine are still under investigation. The last arrest of a corrections officer from the Nassau facility took place in 1993 when two guards were accused of beating a prisoner because they believed that he had stolen money from one of them. The officers were eventually exonerated of all charges.

The tragic death of Thomas Pizzuto speaks volumes about the real nature of the criminal justice system in America. At the news conference his father said, "Tommy went in for a traffic ticket. He got the death penalty."



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