

Chicago: “Life-threatening deficiencies” found in largest US jail

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23 July 2008

Conditions in Chicago’s Cook County Jail, the nation’s largest, are so hazardous and brutal that federal authorities have declared the facility in violation of prisoners’ constitutional rights. The findings are the result of a 17-month investigation beginning in February 2007, which examined multiple deaths from beatings and neglect.

In a report summary released as a 98-page letter to Cook County authorities July 11, the Justice Department’s Civil Rights Division and the US attorney’s office in Chicago detailed “grossly unsanitary conditions,” “deliberate indifference” of jail staff to medical problems, and a pervasive culture of violence among guards.

The letter was addressed to Cook County Board President Todd Stroger and the county sheriff, Thomas Dart, from acting Assistant Attorney General Grace Chung Becker and Patrick Fitzgerald, the US attorney for the Northern District of Illinois. It was made publicly available July 17.

The letter stated, “In particular, we find that inmates confined at CCJ are not adequately protected from harm, including physical harm from excessive use of force by staff and inmate-on-inmate violence due to inadequate supervision.” In addition, “inmates do not receive adequate medical and mental health care...face serious risks posed by inadequate fire safety precautions” and “environmental and sanitation deficiencies at CCJ result in unconstitutional living conditions for inmates.”

A number of lawsuits brought by former inmates are currently pending against the jail over injuries and violations of civil rights. Cook County Sheriff Dart’s office issued a statement in response to the letter, calling it “a roadmap to address operational deficiencies and improve conditions.” However, the sheriff’s office also “categorically rejected” the letter’s descriptions of systemic violations of prisoners’ rights and said the report “relies on inflammatory language and draws conclusions based on anecdotes and hearsay from inmates.”

According to the letter, the 96-acre facility is so “chronically overcrowded” that every day of the investigation, “numerous inmates were required to sleep on the floor of two-person cells that housed three inmates.”

On average, 485 inmates slept on the floor and prisoners rotated beds in eight-hour shifts, a CCJ scheme called “hot-bunking.” The report noted that the procedure could exacerbate sanitation and infection problems as well as inmate-to-inmate intimidation. Several cases of infections resulting in death and amputations were cited, all preventable.

The jail has also attempted to deal with overcapacity and understaffing through a practice known as “cross-watching.” This procedure involved allowing tiers of prisoners out into common areas in “shifts” every other day, under the supervision of a single guard monitoring with cameras. Cross-watching results in 26-hour cell lockdowns for prisoners every other day, regardless of their conduct or crimes. The practice interferes with medical and mental health care as well as the grievance and legal processes, particularly for pre-trial prisoners.

The report noted that because many cells in the Cook County Jail are extremely dilapidated—“no lighting, plumbing failures, etc.”—the cross-

watching and overcrowding resulted in squalid, inhumane conditions. In shower and toilet areas, investigators “frequently observed broken switch plate and receptacle covers with exposed live wires.”

The jail employed a single sanitarian on its staff, although she was not registered and had been given no training in the operation of “the few pieces of sanitation equipment provided to her.” In both cells and medical areas, the report described “accumulations of dirt, trash, mold, and mildew that had been allowed to exist for long periods of time.”

Toilet areas were “extremely unsanitary.” Hundreds of mattresses were “worn to the point that they were incapable of being cleaned,” increasing the transmission of pathogens among the jailed population as well as providing hiding places for weapons. Rodents and pestilent insects were pervasive. Investigators noted that “many inmates had towels or other types of barriers across the bottom of their cell doors to keep the mice out of their cells at night.”

In the kitchen, about 30,000 meals are prepared each day, mostly by 200 inmates under the supervision of certified food service managers. During the investigation period, all of the pots and preparatory utensils in the kitchen were washed by hand because of nonfunctioning dishwashers. Inmates in the kitchen were not given training, and were not wearing gloves or hairnets. Additionally, “numerous sinks had clogged drains, and excessive garbage was piled on the floor.... The floor in the dishwashing area is in poor repair, causing standing water,” the report noted.

In some cells, no drinking water was available to locked-down inmates for longer than 24-hour periods, and other cells were continuously flooding for more than a month. Lack of ventilation, high temperatures and humidity, and overcrowding resulted in an unhealthy, stinking environment with a heightened risk of airborne disease transmission. Water on the floors, lack of functional lights, and no light-emitting windows further contributed to accidents and other problems.

The report noted that inmates burned milk cartons and other trash in their cells to heat food. “Small in-cell fires are common,” the report stated. “Many inmates use the cell lighting fixtures as an ignition source for warming food and starting fires.... In scores of cells, the bottom bunk has evidence of having been heated.”

In the United States, jails differ from prisons in several ways. US jails typically hold prisoners at all stages of adjudication; many inmates have yet to be charged, are mid-trial, not sentenced or convicted. Jail prisoner populations have a high turnover rate, with most prisoners released after a few weeks. Many convicted jail prisoners are serving sentences of less than one year, usually for charges not serious enough for prison. Others are detained for problems related to drug and alcohol addiction, which find little support in public health programs. Those held in jails suffer much higher rates of mental illness, HIV/AIDS, and other pressing health problems. Many have been homeless.

Over the past several decades, the criminalization of the poorest layers of the US working class—particularly in former industrial cities such as Chicago—has grown in tandem with domestic de-industrialization and the

abandonment of social infrastructure. While this is manifested in increased levels of drug trafficking, gang crimes, domestic violence, and other social ills, it is also the case that a large proportion of those detained in jails are there simply as a consequence of their impoverishment and the dearth of support programs.

At the CCJ, which holds primarily pretrial prisoners, several hundred new inmates are processed each day. According to the Justice Department, in 2006, the CCJ prisoner population averaged 9,800 on a given day and the jail admitted 99,663 inmates over the year.

As these newly admitted prisoners are processed at the CCJ, they are led to a holding area originally intended as a storage basement. Here they are strip-searched, fingerprinted, and assigned to “bullpens” for further processing. The bullpens are so crowded that prisoners are made to stand for hours, shoulder to shoulder, with no room to sit. There is only one female and one male bathroom with no sinks.

Sections of the jail are nearly a century old, and parts of the structure are deteriorating or decommissioned. The letter noted that prisoners used a rigged “dumbwaiter system” in ventilation pipes to transport shanks and other hand-fashioned weapons and contraband items within the jail. “Due to the dilapidated condition of scores of cells, shower areas and various dayroom features, inmates have ample material for fabricating weapons, including from floor tiles, metal from light fixtures, metal from the ventilation system, glass from cell light bulbs, electrical wiring, and plumbing fixtures,” the report said. In a five-month period in 2007, jail staff found nearly 500 homemade weapons.

Over the past two years, hundreds of inmates have been involved in knife and shank fights, and scores have been seriously wounded. The report suggested that cross-watching had contributed to the high rates of inmate-on-inmate violence by leaving hundreds of inmates unsupervised at regular intervals. Unattended, unsupervised, and untreated suicidal prisoners have also hung or cut themselves in increasing numbers.

The letter detailed numerous instances of guard brutality against prisoners. “Many inmates report that those who are old, mentally ill or do not understand English are struck by officers for undressing or dressing too slowly,” the report stated.

In one incident in July 2007, a mentally ill man who exposed himself to a female guard was taken into a storage room by a large group of guards where he was handcuffed, beaten, and left there with severe head trauma, for which outside hospitalization was required.

“In March 2006,” the report stated, “Danny P., who according to CCJ records was a slight man of 5’1” and 110 pounds, was on his way to the law library. He got into a shouting match with the female officer escorting him, which resulted in him being taken back to his housing unit. Near the secure staff station, the officer lunged at Danny and began to slap him. Two other officers grabbed his arms and pushed him into a dayroom. As he was being handcuffed, several other officers continued to punch and kick him. He was hit in the mouth after being handcuffed.” The report noted the prisoner was later found by a sergeant “standing outside the security office handcuffed and bleeding about the face.”

The same month, “Jacob D. objected to a tier change and insisted on speaking with an officer. Three officers extracted him from his cell. He was handcuffed behind his back and, while they were taking him to the segregation unit, the officers pushed his head into the wall. He was hit in the face, thrown down stairs, kicked, and punched repeatedly.”

In May 2006, “Antonio R. was wandering around the intake area asking for his methadone,” a medication that is prescribed to heroin addicts. According to the report, “An officer told him to return to his holding pen. Antonio apparently did not obey quickly enough, as the original officer and others proceeded to beat him, first in the main open area and then in an adjoining tunnel. They hit Antonio with a radio, knocked out his dentures and smashed them under a boot.” The letter noted that he suffered multiple bone fractures, a collapsed lung, and had to be placed on

a ventilator.

“In February 2006, while being processed into the CCJ for driving on a suspended license, James W. would not (and could not) remove jewelry embedded in a piercing because it was permanently soldered.” After blocking a blow by an officer who attacked him for this supposed misbehavior, the report said other officers were called over to beat him down. “One officer hit him repeatedly with a handcuff wrapped around his hand.” The prisoner suffered a perforated eardrum and hearing loss.

In June 2007, a group of officers conducted a strip search of inmates on a particular unit following a fight among prisoners. One prisoner, who had not been involved in the fight, was choked for placing his hands at the back of his neck rather than on his head. Reacting to the choking, the prisoner grabbed the guard’s arm, who “immediately swing and hit Thomas in the eye with a walkie-talkie, causing a wound that required five stitches to close.... The officer continued hitting Thomas after the first blow, although Thomas offered no resistance.”

Similarly, “In February 2007, Matthew S. was ordered to leave the barber shop for standing up before his turn. When he tried to explain why he stood up, an officer grabbed him by the collar and told him to leave the barber shop.” The prisoner argued with the guard, for which multiple guards ganged up on him, handcuffed him and shoved his face forcefully into the concrete.

The report lists many other such incidents. In fact, the report notes that from January to June 2007, there were some 250 cases of inmate assault and battery and 5 cases of sexual assault. A picture emerges of systemic brutality, with guards ganging up on prisoners on almost any pretext, superiors either looking the other way or in some cases physically joining in on the abuse, and jail staff falsifying incident reports.

Although the report gives one insight into the hellish conditions at the Chicago jail, they can hardly be assumed peculiar among the thousands of jails throughout the country. Last year, the US corrections system held 2.3 million people, again breaking national and international records. Not only does the US imprison the greatest number of people in the world, but it also incarcerates the highest rate of its population. The Bureau of Justice Statistics recently reported that 762 out of 100,000 Americans were incarcerated in 2007. Meanwhile, violent crime has continued to decline.



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