

# Federal report exposes “culture of violence” in New York City’s Rikers Island prison

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A report from the office of Preet Bharara, the US Attorney for the Southern District of New York, has exposed what it calls a “deep seated culture of violence” by New York City’s Department of Corrections (DOC) against teenage inmates in the Rikers Island prison complex, which houses over 14,000 prisoners.

The report tabulates the results of an investigation by this office of the federal Justice Department, covering the period from 2011 to 2013, into three jails that house boys from the ages of 16-18. Unlike most states, New York automatically charges youth aged 16-18 as adults.

While the report deals only with the population of boys, it notes that its findings “may exist in equal measure” in seven other jails for men and women inside the Rikers prison complex.

Bharara, speaking to the media, said that Rikers “is a place where brute force is the first impulse rather than the last resort, a place where verbal insults are repaid with physical injuries, where beatings are routine while accountability is rare.”

The report, which can be read here, reviewed hundreds of thousands of pages of paper and electronic documents from the DOC and medical records from Department of Health and Mental Health, which oversees health care at Rikers, as well as video surveillance recordings and testimony from inmates, medical and teaching staff, and guards.

According to the report, 44 percent of youth in custody in October 2012 experienced the use of force by prison guards at least once. “Adolescents are at constant risk of physical harm while incarcerated. The number of injuries sustained by adolescents,” the report observes, “is staggering.”

Many of these injuries, both from inmate-on-inmate violence and also from DOC staff, are serious. They

include “broken jaws, broken orbital bones, broken noses, long bone fractures, and lacerations requiring stitches. DOC too often fails to ensure that these injured inmates receive prompt medical care.”

A summary of the factual findings deserves to be quoted in full:

- “Force is used against adolescents at an alarming rate and violent inmate-on-inmate fights and assaults are commonplace, resulting in a striking number of serious injuries;
- correction officers resort to “headshots,” or blows to an inmate’s head or facial area, too frequently;
- force is used as punishment or retribution;
  - force is used in response to inmates’ verbal altercations with officers;
  - use of force by specialized response teams within the jails is particularly brutal;
  - correction officers attempt to justify use of force by yelling “stop resisting” even when the adolescent has been completely subdued or was never resisting in the first place; and
  - use of force is particularly common in areas without video surveillance cameras.”

The report also judged that the “DOC’s use of prolonged punitive segregation for adolescent inmates is excessive and inappropriate,” and comments on “the general failures by management to adequately address the extraordinarily high levels of violence perpetrated against and among the adolescent population.”

The report notes that these conditions violate the Constitutional rights of these inmates, including the Eighth Amendment prohibition against cruel and unusual punishment, and the Fourteenth Amendment’s protection of the rights of pre-trial detainees, a substantial percentage of the population at Rikers.

A number of case studies in the report throw into

graphic relief the horrors of life for young men inside Rikers. In one case, DOC staff assaulted four inmates by “punching and kicking them and striking them with radios, batons, and broomsticks. The beating continued for several minutes after the inmates already had been subdued and handcuffed. The inmates were then taken to holding pens near the clinic intake where they were beaten again by several DOC Gang Intelligence Unit members, who repeatedly punched and kicked them while the inmates were handcuffed. Two of the inmates reported that they had lost consciousness or blacked out during the incident. ... The inmates sustained multiple injuries, including a broken nose, a perforated eardrum, head trauma, chest contusions, and contusions and injuries to the head and facial area.”

Corrections officers filed a report in which they claimed that they used force only to defend themselves.

The use of prolonged punitive isolation—solitary confinement—is an especially egregious violation of human rights. “On any given day,” the report says, “15-25 percent of the adolescent population was in punitive segregation, with sentences ranging up to several months.” The report remarks on the severe psychological damage that this punishment can do to adolescents.

Many of inmates in the both the youth and adult jails are mentally ill. For them the use of solitary confinement is an especially brutal punishment, and may violate the Americans with Disabilities Act, the report notes.

The violence done to this most vulnerable part of the population is by corrections officers at Rikers has already become notorious. Recently the *New York Times* published its own investigation of conditions in the adult jails for the mentally ill, partly based on a leaked internal study by the city’s Department of Health and Mental Hygiene. The investigation noted, “Rikers now has about as many people with mental illnesses—roughly 4,000 of the 11,000 inmates — as all 24 psychiatric hospitals in New York State combined.” These inmates, at least in the adult population, suffer the brunt of the violence.

In September, Bradley Ballard, a 39-year-old mentally ill inmate, died after he was found near death following seven days of solitary confinement. He was denied necessary medication or any other assistance, while he was clearly in distress, having covered himself

with his own feces, stripped off his clothes, and tightly rubber-banded his genitals. The immediate cause of death was likely sepsis, a systemic infection that spread throughout the body. No one has been charged in connection with this.

Earlier, in February, Jerome Murdough, 56, a homeless former Marine suffering from bipolar disorder and schizophrenia who was arrested for sleeping in the stairwell of a public housing project in Harlem, died after he was confined to an overheated cell and left unchecked for hours.

On Friday, an advocacy group for mentally ill inmates held a protest outside for the District Attorney’s office, arguing that the Justice Department under Bharara is taking too long to prosecute the DOC officers and key figures in the Rikers management.

Last month, the city settled a suit for \$2.5 million in the case of Rikers inmate Ronald Spear, who died from blunt-force trauma to his head. The 52-year-old inmate suffered from kidney problems and needed a cane to walk. The lawsuit, filed by his family, claimed that DOC officers retaliated against Spear for his complaints about not getting adequate medical care. No one was ever charged in his death.

The Justice Department report on Rikers Island comes only a few weeks after the choking death by New York City police of Eric Garner on Staten Island, caught on video. Since then, a number of videos have surfaced showing a variety of episodes of police brutality by New York City cops.

The video recording of Garner’s death only confirms what millions of workers know: that police violence and murder are a daily part of life.

The US Attorney’s report shows that this violence continues inside the prisons. Far from being the exception, this abuse is very often the rule inside the sprawling gulag of 2.5 million prisoners in the American prison system.



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