

# Revelations of brutality deepen crisis over New York's Rikers Island prison

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A nonstop series of revelations of horrific conditions at the massive New York City jail complex on Rikers Island has led to a deepening crisis and drawn the attention of the federal Justice Department. The crisis most directly affects the administration of Mayor Bill de Blasio, who promised “criminal justice” reforms when he took office at the beginning of the year. At the same time, it has far broader repercussions, calling attention to the reality of mass imprisonment in the US and the way it is used to destroy the lives of literally millions of young people.

Last week, an administrative law judge in New York took the unusual step of recommending that six corrections officers at Rikers Island be fired from their jobs for beating a mentally ill inmate. In April 2012, the six men, five guards and a captain, had handcuffed and shackled Robert Hinton, who was being held in a cellblock for prisoners with mental illness. They then carried him into a solitary confinement cell and beat him until his “nose was broken, his eyes were swollen shut, he was bleeding from the mouth and had a fractured vertebra,” as reported in the *New York Times*. The officers then attempted to cover up the incident.

This is only one among countless instances, most of which have not yet been reported, of the uncontrolled brutality meted out to inmates at Rikers on a regular basis. Numerous deaths and serious injuries have been documented, along with an elevated rate of suicide, due to the inhuman conditions. So far this year, at least six corrections officers at Rikers have been charged with violence toward inmates, and three more with trafficking in banned substances.

The *Times* documented 129 cases of brutality by guards against inmates last year alone. The case involving Robert Hinton is remarkable not for the behavior of the officers but because the perpetrators

may in this rare instance receive something more than a perfunctory penalty.

Rikers Island, New York City's main jail complex located in the East River between the boroughs of Queens and the Bronx, is actually composed of 10 jails housing more than 12,000 inmates who are guarded by a corrections force of 9,000. The majority of the prisoners at Rikers have been convicted of no crime. Drawn from the poorer sections of the population, they are held in pre-trial detention because they are unable to make bail. Others are serving sentences that are one year or less. The yearly budget of the complex is \$860 million.

The list of scandals emerging from this massive and geographically isolated complex includes not only routine and sadistic brutality, but also medical neglect and malpractice. One of the outrageous aspects of the prison system, as exemplified at Rikers and detailed in a recent article in the *New Yorker* magazine, is the warehousing of prisoners who have been caught up in a dragnet that targets young black and Latino men in particular. Many of these prisoners, including some who have been falsely accused, are pressured to plead guilty in exchange for slightly reduced sentences. If they refuse the plea, they may end up being imprisoned even longer just waiting to go to trial.

Despite the horrific reports of mistreatment, guards operate with virtual impunity. Long delays in the investigation of brutality and the systematic falsification of reports by guards promote a culture of impunity. Most of the investigations take years to reach a conclusion, usually resulting in short suspensions. Even the proposed dismissal of the six officers in the current case is a mild penalty compared to what would happen to “civilians” who carried out similar actions. In addition, the administrative law judge's

recommendation is to be reviewed and can be modified by the corrections commissioner, and can subsequently be appealed as well.

Incompetent medical care is another issue that plagues those held on Rikers Island. A recent report in DNAinfo New York reports that the for-profit Tennessee-based prison health care company Corizon, which provides both mental and physical health services to more than 11,000 inmates at Rikers, has been investigated in connection with four separate inmate deaths there between 2010 and 2012. During that same period, however, the company has been awarded two contract renewals worth tens of millions of dollars.

The contract renewals were not impeded by numerous concerns that have been raised over the years regarding inferior care provided by Corizon. In 2013, psychiatrists from New York University and Yale University raised this issue in connection with psychiatric services at Rikers. Corizon is being sued by the American Civil Liberties Union and the Southern Poverty Law Center in connection with poor health care services provided to prisoners in Alabama and Arizona.

The holding of inmates for extraordinarily long periods of time under degrading and inhuman conditions amounts to a clear violation of the ban on cruel and unusual punishment under the 8th Amendment of the Constitution. This abuse, reminiscent in some respects of what has taken place at the notorious Guantanamo prison camp over the past 13 years, is described in the *New Yorker* article on Kalief Browder.

The 16-year-old was arrested by New York City police on an unsubstantiated charge of stealing a backpack. This was subsequently expanded to include robbery, grand larceny and assault. With his family unable to raise \$3,000 in bail money, Browder was sent to Rikers, where, as a result of bureaucratic delays, indifference and institutional callousness, he spent more than 1,000 days.

Browder was subjected to violence by guards and other inmates. He was held in solitary confinement, in one case for 10 months. He made at least two attempts at suicide. His treatment was consistent with that of other teenage prisoners, according to the US attorney's report. Finally, after repeatedly refusing to confess to a crime he did not commit, Browder was released. As his

lawyer explained, "Kalief was deprived of his right to a fair and speedy trial, his education, and, I would even argue, his entire adolescence. If you took a sixteen-year-old kid and locked him in a room for twenty-three hours, your son or daughter, you'd be arrested for endangering the welfare of a child."

The growing anger over the conditions at Rikers has led to several official moves to defuse public outrage. Last August, the US attorney for the Southern District of New York, Preet Bharara, released a scathing report, characterizing conditions at Rikers as a "culture of violence." The report discussed the frequent use of solitary confinement and the devastating psychological consequences of this practice, especially among young inmates.

The report proposed a deadline for the city to develop a plan to reform its treatment of young inmates, a deadline that has come and gone. The only response by the city thus far is the announcement that it plans to cease the use of solitary confinement for 16- and 17-year-olds.

Mayor de Blasio appointed a new corrections commissioner, Joseph Ponte, five months ago. The promised reforms have been cosmetic at best. Ponte, in fact, recently promoted two senior administrators who had been responsible for the juvenile section of Rikers and have been accused of major falsification of statistics regarding violence at the jail that were then provided to federal prosecutors.

The abuse and brutality at Rikers are not an aberration or the product of misbehavior by a few "bad apples" among corrections officers. They are part of a conscious strategy of criminalizing the poor and controlling a population of youth that is condemned to chronic unemployment. Rikers Island is one of the most notorious examples of the national policy of mass incarceration. It represents American capitalism's admission that it can offer no future to the next generation of the working class.



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