

Washington, DC holds worker in jail for months after charges dropped

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In a particularly outrageous case of imprisonment without cause, Carlton O. Harris was allowed to languish in the Washington, DC jail this past spring for 77 days, despite the misdemeanor charge for which he had been picked up had already been dismissed. Only the intervention of another inmate, who informed his own attorney of the situation, put an end to the ordeal.

Harris, a 28-year-old roofer, was arrested on March 28 this year after an alleged dispute at his house. Prosecutors dropped the case the next day. DC corrections, however, kept Harris in jail because of an outstanding federal warrant in Maryland from a 2013 traffic citation for driving with a revoked license on the grounds of the National Institutes of Health (NIH). Harris was working on a roofing job at NIH at the time.

On March 30, federal marshals called the DC jail to bring Harris to the DC federal courthouse in Maryland over the outstanding warrant. DC officials told federal marshals Harris was still being held on misdemeanor charges and, despite the fact that his case had been dropped the previous day, would be released to them pending their resolution. And so Harris remained in DC jail for an additional two and a half months.

The *Washington Post* reported that in the meantime, after 10 weeks of unlawfully being locked up, Harris lost his job and is now struggling to provide for his two children.

The plight of Harris and other members of the working class caught up in DC's "justice" system is an example of the class-based US legal system and the erosion of fundamental democratic rights in the United States. Had Harris been well-off not only would he not have endured 77 days without freedom, but he would never have been arrested in the first place over an alleged dispute.

Harris knew he had a right to an attorney but was

afraid to speak up to his jailers for fear of greater punishment and physical abuse. "I know I had a right to a lawyer," Harris told the *Post*, "but when you're in their custody, it's out of your control. You kind of got to sit back and let them do their job. You speak up, they can go real bad. They can put you in a room, cuff you and beat you down. You can speak up, but it turns out you're going to have to shut up."

Harris attempted to reach out through other channels but was equally rebuffed. During his detention, he explained the situation to a caseworker with the corrections department who told him she had no further information. He also reached out to the DC Public Defender Service for Superior Court but was told it had not been assigned to his case, though they did eventually inform him to contact the federal public defender's office.

By this point, Harris told the *Post*, "I started to lose hope, and then I was very worried."

Finally, on June 14, due to the intervention of a fellow prisoner, the federal public defender's office contacted the US Marshal's office and arranged to bring Harris to federal court. He was brought to court the next day and finally released.

Since 2005, DC has paid over \$18 million to settle lawsuits on behalf of thousands of people held in jail beyond their release dates. The city is set to pay out \$6 million by the end of this year in a settlement agreement reached in 2013 over the same issue. Back then, the judge overseeing the settlement called the city's failure to deliver on promised reforms as "conscience-shocking." Four years later, the same problems persist, with the overwhelming number of victims poor and working class.

A few weeks before Harris was arrested, DC lawyers admitted in another lawsuit that the DC corrections

department had detained Gregory Smith for 23 days beyond his release date. The DC corrections department falsely claimed that it had never received Smith's release order. In February, the city admitted in court filings that the corrections department in fact received a time-stamped release order for Smith's release the day it was issued by a judge, and that it had been in his institutional file all along.

In addition, a recently-filed class action lawsuit on behalf of prisoners alleges that the District of Columbia is hiding the extent of the number of cases in which its jails hold people beyond their release dates.



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