



News

Inmates say the system works against them

By Doron Tyler Antrim
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COXSACKIE — This month's reported assault on prison guards by a habitually combative inmate at Cossackie Correctional Facility focused attention on the violence they can experience each day. But, according to letters sent to The Daily Mail by several inmates, guards have meted out their own brand of justice against inmates, especially those who file complaints about alleged abuse.

Inmates have spoken about alleged staff misconduct to representatives of the Correctional Association of New York, an advocacy group that visited the prison over two days in May 2010. During its visit, the group surveyed 345 inmates — at the time almost a third of the population.

“Survey participants and inmates with whom we spoke repeatedly asserted that they were verbally harassed by staff and were retaliated against if they filed complaints about staff conduct,” the group said in a published report of its findings. “Some reported physical abuse by staff and others asserted they received false misbehavior reports.”

The prison's administration “didn't really agree with our assessment,” said Jack Beck, director of the Correctional Association's Prison Visiting Project.

One inmate, who took part in the survey and requested anonymity out of fear of reprisals for speaking out, wrote in a letter that “nothing in [the Correctional Association's] investigation was exaggerated.”

“We all laid out the absolute truth,” he said of those surveyed.

“The beatings, retaliation, false misbehavior reports aren't a fabrication at all,” he added. “It's ‘standard operating procedure ... This is Cossackie’ is a saying that you would hear very often.”

Intimidation extends to the entire prison population, he asserted; even some civilian workers are branded “inmate lover.”

“They never face any consequences for their actions,” he said of guards. “They are getting away with the same kind of criminal acts that us prisoners are convicted for by the courts.”

Complaints are reviewed by staff and department heads and heard by the Inmate Grievance Resolution Committee, a body of inmate representatives and prison staff. If the committee fails to find a resolution, the matter is referred to the prison superintendent.

Complaints about staff abuse, however, sidestep this process and go directly to the captain’s office for investigation.

Inmates described the investigations as shams.

“According to [Department of Corrections and Community Supervision] records, since 2007, there has been only one instance of a Cossackie security staff member who received a notice of discipline for excessive use of force,” agency spokesman Peter Cutler said. “In that case, an arbitrator found the employee not guilty and returned him to work.”

The presence of the IGRC and another body, the Inmate Liaison Committee, “provide all inmates with the opportunity to express their concerns on any issue, including the alleged mistreatment by staff,” Cutler said. “Beyond those entities, the DOCCS Inspector General investigates all allegations of mistreatment and abuse.”

Some inmate grievances about alleged guard actions are dismissed out-of-hand, documents show.

The prison superintendent, Daniel Martuscello, responds to the complaints by writing that staff deny all wrongdoing and that the grievant was interviewed by a sergeant or lieutenant and provided no additional evidence or witnesses.

Those who file grievances “are immediately retaliated against ... The retaliation could be lack of recreational privileges, which mean that we won’t be able to call our family,” wrote inmate Bai Paasewe, 31.

More than 30 percent of the 858 grievances filed in 2009 were for staff conduct, a “concerning” percentage the Correctional Association report said. Eighty percent who said they used the grievance system viewed it as poor and over half — 56 percent — said that staff retaliated at least once.

“We recommend that the prison administration reassess allegations that staff retaliate against inmates for filing grievances and that they respond promptly to any substantial allegations of staff retaliation,” the report said.

The Correctional Association report said 62 percent of those surveyed classified relations between themselves and staff as very bad; that percentage makes Cossackie one of the worst prisons on that measure.

“I don’t want to speculate” why Cocksackie ranks so poorly, Beck said.

Forty-six percent of respondents said physical confrontations between themselves and staff occur very frequently, while slightly less — 37 percent — said they happen frequently.

Only 16 percent, however, reported they personally had been in a physical confrontation.

Lawrence Williams, 35, who is serving 10 years for assault, attempted robbery and possession of a weapon, described an alleged assault by four guards and a sergeant this summer in supposed retribution for an incident in the yard in which a soccer ball was kicked in the wrong direction and hit a female guard.

He said he was approached by an officer on July 14 and told to pack his things because he was going to be moved. Fifteen minutes later, he said, the officer returned with three others and a sergeant.

He placed some of his belongings on a cart and proceeded with the guards.

When he reached an officer station, he said, the sergeant told him to put his hands in his pockets and step in the stair case. Williams said he was then ordered to put his back against the wall. It was then, he claimed, that the guards attacked him.

He said the sergeant grabbed him by the neck and then stepped back so that an officer could hit him in the face. He was punched multiple times, in the stomach, chest and head, he said.

He was then instructed to remove his possessions from the cart and bring them downstairs. As he began, stepping down the first few stairs, he was allegedly kned in the back.

The officers then threw a bag of his belongings down the stairs; “I could see my property all over the midway landing,” he wrote. He collected the possessions and delivered them to the downstairs cart when a second bag was thrown, he said.

On his last trip to retrieve his things, including his mattress and legal paperwork, he was kicked by an officer, he said.

After all his belongings were placed in downstairs cart, Williams said the sergeant threatened him that bad things would happen if he filed a grievance.

He eventually did complain; he said in a letter in August that he was in pain and was being moved to the third floor.

“They’re crazy up there,” Williams’ wife, Stephanie, who lives in Staten Island, said of guards at Cocksackie. “They feel like they’re God. They’re being inhumane and unprofessional.”

She said her husband was wearing a back brace and walking with a cane when she saw him in

August.

In response to the Williams' grievance, Martuscello signed a document on Aug. 12 saying staff denies all allegations of breaking or destroying his property by throwing it down the steps. There is no mention of his reported injuries.

Paasewe, the inmate, charges that guards will assault inmates where they won't be caught on surveillance cameras.

"As a result, prisoners are never able to prove their case," Paasewe said, adding that the words of a guard will always be accepted as truth. Other inmates who see the violence are scared to testify "because they will also experience the same fate."

To reach reporter Doron Tyler Antrim call 518-943-2100 ext. 3323 or email dantrim@thedailymail.net.

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