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Criminal Justice Issues and Prisoners' Rights

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by [Jean Casella and James Ridgeway](#) | October 31, 2011



Two recent stories in the New York City media delve into the controversy surrounding the lack of an emergency evacuation plan for Rikers Island. [Solitary Watch's original story](#) on this subject went viral in the days leading up to Hurricane Irene. In our [follow-up](#) we cited the response from the New York City Department of Corrections, which stated that prisoners on Rikers had never been in danger during Irene, but also left the impression that there was no plan in place to evacuate the island in case of a more powerful storm or other emergency.

City Limits published a long piece titled [Hurricane Passes, But Worries About Rikers Evacuation Remain](#), which begins with a recap of the controversy:

In August, as the city was scrambling to prepare for what many were predicting to be a potentially devastating hurricane, controversy arose over what was otherwise an innocuous answer at a press conference: There would be no evacuation of Rikers Island, Mayor Bloomberg said.

After a prisoner advocacy blog called Solitary Watch posted something about the mayor's announcement drawing comparisons to stranded prisoners left behind in New Orleans during Hurricane Katrina, a number of other websites followed suit, along with a few traditional news outlets. Twitter users caught on shortly after; a petition demanding the city take action was circulated. Many were struck by the fact that while the city was shutting down its transportation system and making other unprecedented storm plans, the some 14,000 people housed on Rikers Island would stay put.

Irene came and went, however, and with a wet whimper instead of a bang. The ten jail facilities on Rikers came through unscathed, as the mayor's office and the Department of Correction repeatedly said they would, and it seems as though the jail was never in any real danger from the storm to begin with. But the incident raised a question that received little public attention before: how the city would deal with the tens of thousands of inmates on Rikers, an island accessible by only one bridge, should an emergency arise.

Whether they had to evacuate Rikers or not during Irene, they'll have to evacuate eventually, says Dr. Irwin Redlener, director at the National Center for Disaster Preparedness at Columbia University's Mailman School of Public Health. The key point is, do they have an effective evacuation plan at the jail? And to my impression they do not.

City Limits corresponded, as we did, with Deputy Commissioner of Corrections Sharmen Stein, and apparently got the same email. The vast majority of Rikers Island is located in a No Flood Zone. Only one facility is located in Zone C; the first floor of that one jail may be vulnerable to some flooding, but is not susceptible to loss of life. In that instance, the inmates and staff assigned to the first floor would be relocated to higher floors in the jail, or moved temporarily to other facilities on Rikers Island. It is only a narrow portion of the outer perimeter of the island where there are no jails that might be vulnerable to flooding, even in a Category 4 hurricane. That's exactly what we were told. But in hindsight Stein went a step further, telling City Limits that an evacuation plan does indeed exist, but has to remain secret:

Stein, at the DOC, denied previous news reports that the department has no evacuation plan for the facilities on Rikers, insisting that the department is continually reviewing and refining its contingency plans, and that these include the consideration of both small scale relocations and an evacuation of the entire population of the island, if need be. She would not comment on specifically where inmates would be transferred to in that case, citing security reasons.

We would relocate as much of the population as the situation requires, Stein wrote in an e-mail.

City Limits also interviewed former DOC Commissioner Martin Horn, now on the faculty at John Jay College:

[Horn] says that the department met with the OEM following Hurricane Katrina to revamp its emergency plans. These included evacuation, he says, but under extreme circumstances.

[We] concluded that it would be a very, very difficult exercise, and it would take a more severe storm than what we experienced this time, Horn explains. Getting tens of thousands of inmates off of Rikers Island is an enormous undertaking, and not something you do quietly.

An evacuation of that magnitude would take, at a minimum, 48 hours to carry out, Horn estimates. The realistic difficulties of carrying out such a task, he says, led the department to conclude that a defend in place plan is the most viable, with the possible evacuation of more vulnerable inmates the elderly, ill, or expectant mothers. At any given time, Rikers is equipped with enough fuel and food to self sustain for at least seven days, he says.

In a post-9/11 world filled with hypothetical worst case scenarios, Rikers Island seems especially at risk for emergency, considering its large population, the fact that there's only one route in and off of the island and its proximity to LaGuardia Airport.

Rikers, because of its physical location, and the logistics with respect to getting to and getting from the island being so fragile, puts it in a really special category, says Redlener. Not only is it a vulnerable population but it's also in a vulnerable location with a lot of unusual challenges.

My worst fear always was something at LaGuardia, says Horn. My worst-case scenario was some sort of explosion, and fumes drifting over.

During his time as commissioner, Horn wanted to reduce the population of Rikers Island, transferring inmates to jails in the other boroughs, to locations more easily accessible. I felt it was better to distribute the risk, he explains

A second article, Rikers After the Storm, appeared in [The Bronx Ink](#) and focused on the experiences of Rikers inmates and their families.

The families of inmates on Rikers listened to Bloomberg's statement in shock. I got a call from my sister-in-law on Saturday, said Maria Mojica of Castle Hill, whose 19-year-old son Jason Mojica is awaiting trial on charges of theft. She said turn on the news. The mayor just said they are leaving the kids on the island.

As Mojica watched the press conference, she began to panic. I had all these questions, she said. Is he safe? Can he call? Does he know there's a hurricane coming? She couldn't sleep that night and, unlike every other day since her son has been at Rikers, he didn't call.

Lisa Ortega of Hunts Point was also anxiously watching the news when she heard the mayor say Rikers Island would not be evacuated. Her son, Kendall KD Davis is awaiting trial on weapon possession charges. The then 16-year-old, who spent his 17th birthday on Rikers, suffers from anxiety and was also not allowed to use the phones.

My stomach was in knots the entire night, Ortega said. I knew my baby was in there suffering and unable to call me. I just wanted to hear his voice and know he was okay.

Ortega frantically called the jail throughout the day, trying to talk to anyone who could tell her what was going on. At one point, she said she finally reached a correctional officer who simply said, We good here, and hung up the phone

Kendall (KD) Davis told his mother in a phone call that at 5 p.m., correctional officers entered the part of the jail where he was being held and told him that he wouldn't be moved and couldn't make any phone calls.

It was complete chaos, Davis told his mother. No one knew what was happening and whether their families were safe. He also claims that officers were telling the inmates that if the storm got really bad they would evacuate the island and leave the inmates to fend for themselves.

Davis was so anxious that he couldn't sleep. It wasn't until he heard his mother's voice on Monday that he was able to relax.

The experience of Jason Mojica, who was housed in a tent city on the edge of Rikers, is something never mentioned by DOC spokespersons:

Mojica was out in the Sprungs, white canvas tents outside of the jail facilities, when he heard news of the storm. The Sprungs sit approximately 100 feet from the shore of the island. Mojica and the men in his tent were moved to indoor facilities where they would stay for the night. They came Saturday afternoon and told us that we had to evacuate, he said. They said there was no room in the main facilities so we had to stay in condemned buildings on the other side of the island.

He said that they were given buckets, brooms and mops to clean out the cells where they were to stay for the following 48 hours. The cells were awful, Mojica said. They were full of trash, feces and some black substance covering the floors. Some of the cells had no running water and toilets that would not flush.

On Monday, they were allowed to go back out to the Sprungs. He was also allowed to call his mother and learned that his family was

safe.

The New York State Department of Corrections denies claims that inmates were unable to use phones during the storm. According to the warden of the facility, who was on site at Rikers throughout the storm, staff members were told that all inmates be allowed to make their phone calls.

Bronk Ink also talked with the guards union:

New York City Correction Officers Benevolent Association spokesman Michael Stilly does not think an anticipatory evacuation plan for Rikers is necessary.

He says that it is extremely difficult to evacuate 13,000 inmates under maximum security, plus hundreds of officers, to another location and still maintain the peace.

We have to prepare for incidents as they come and trust our officers, he said. They look after societys most violent criminals 24 hours a day. I believe they can weather a storm. He also added that union members are their top priority.

But Ortega demands a plan. Our sons deserve a way off the island in the event of a major storm, she said. They are just kids who are still awaiting trial. In they eyes of the law they are innocent. Dont they deserve better than this?

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

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by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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If what the city/state is saying is true, then I see 0 reason for concern. It sounds to me like they have considered this question, & an evacuation plan is in existence, but not for public consumption.

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