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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2015/06/18/will-lawsuits-and-exposes-lead-to-reform-of-floridas-brutal-prisons/>

Campaign and Advocacy

close

Search

close

close

by [Laura Cepero](#) | June 18, 2015

Floridas prisons have become notorious for their abuse and neglect of the people in their care. Now, as per an agreement between the Florida Department of Corrections (DOC) and the Disability Rights Group of Florida, the state will be overhauling its system of treatment for people with mental illness at the Dade Correctional Institution (Dade CI), located just south of Homestead, which houses the prison systems largest mental health facility.

Disability Rights filed a lawsuit against the DOC following a series of articles published by *The Miami Herald* during their in-depth investigation over the past year. [According to The Herald](#), individuals in the Transitional Care Unit (TCU) at Dade CI were subjected to various abusive forms of punishment by guards, such as being locked into showers rigged to reach a temperature of 180 degrees, being forced to fight one another for the staffs entertainment, and being given food that contained laxatives and even urine. A group nicknamed [The Diet Shift](#) allegedly gave out empty trays on a routine basis, in order to starve the people in their custody.

Perhaps the most notable case of abuse is Darren Rainey. On June 23, 2012, Rainey, who was serving two years for cocaine possession and suffered from severe schizophrenia, was allegedly locked in the scalding hot shower while Officer Cornelius Thompson, Officer Roland Clark, and other guards taunted him. Rainey begged to be let out and after approximately two hours, he was dead. According to [the Inspector Generals report](#), issued exactly two months later, the cause of Rainey's death had not been determined. A fixed winged video was available, but the shower was not visible from the cameras angle. In addition, the disc was damaged while being viewed in Windows Media Player. The report indicated that a new copy of the video was requested.

Harold Hempstead, who is currently serving time for burglary, was an orderly at Dades TCU when Rainey died. [Hempstead kept a diary](#) detailing Rainey's death, as well other suspicious deaths and instances of abuse by corrections officers. After filing several complaints that led to no disciplinary action, Hempstead turned to *The Miami Herald*. His journal is now in the hands of investigators.

On September 11, 2012, Richard S. Mair, who was serving time for second degree murder, [hanged himself](#) in his cell. He left behind a suicide note detailing the abuses he witness at Dade Correctional, include Rainey's death. Five days before his suicide, Mair also sent a letter to Governor Rick Scotts Chief Inspector General, Melinda Miguel, who [turned the investigation over to DOC inspector](#) Michael Meaney. After just a month of investigation, Meaney closed the case based on the fact that Mair was unavailable for a follow-up interview.

Other incarcerated people have made similar allegations. The Disability Rights Group of Florida has found evidence of others being subject to the scalding hot shower, among other abuses, that guards often targeted the most severely mentally ill, and the medical staff failed to report the abuses. [According to The Miami Herald](#), former counselor Harriet Krzykowski stated that she suspected that security staff was abusing and starving people in custody. Krzykowski was told that she might find herself alone in a dorm full of violent inmates with no officers to protect her if she reported abuse. She also claimed that, in order to cover-up these incidents, corrections officers fabricated reports so that prisoners would be deemed the aggressors.

DOC Inspector General Jeffery Beasley has been accused of covering up many of the DOCs various alleged abuses. The state began [investigating Beasley](#) personally after four of his employees accused him of pressuring them to minimize cases that might give the agency a black eye.

As part of the [agreement](#), the state has begun evaluating the facility and implementing reforms. Some of the reforms include Crisis Intervention Training (CIT) for all security staff members, the addition of an assistant warden and ombudsmen to oversee mental health programs, and the installation and upgrade of additional audio/video cameras. Through enhanced training opportunities for staff and the continued development of comprehensive solutions to issues posed by a growing population of mentally ill inmates, the department will continue to expand and enhance our mental health capabilities, said DOC spokesman McKinley Lewis.

Peter Sleasman, of the Florida Institutional Legal Services Project, which brought the lawsuit for Disability Rights Florida, has said that his group is investigating other TCUs around the state. [According to ThinkProgress](#), the state was investigating the questionable deaths of 10 individuals in July of 2014.

Darren Rainey's cause of death has still not been determined. His family filed a [civil rights lawsuit](#) against the Department of Corrections and Corizon, the facility's private healthcare contractor at the time, alleging that the FDOC knew about widespread abuse by correctional officers upon inmates with mental illness and that staff employed by Corizon had knowledge of the abuse by correctional officers. According to the lawsuit, over 90 percent of Rainey's body was burned.

In January of 2015, State Senator Greg Evers (R-Baker), Chairman of the Senate Criminal Justice Committee, filed a 40-page amendment to [SB 2070](#). The bill, based on a proposal made by Senator Rob Bradley (R-Merritt Island), would have weakened Governor Scott's power over the Department of Corrections by requiring approval for his future DOC appointments by an independently elected Cabinet. The bill would have also created a Florida Corrections Commission (FCC) that would investigate allegations of abuse and corruption. The commission's nine members would be appointed by the Governor and confirmed by the Senate. Finally, SB 2070 would investigate staff members who used inappropriate force against prisoners, require private health care contractors to carry liability insurance for medical care that causes harm to patients, and prevent retaliation against whistleblowers. However, after going back and forth between the Senate and the House, CS/SB 2070 ultimately [died in the House](#).

The U.S. Department of Justice recently opened a [criminal investigation](#) into Rainey's death, as well as other allegations of Eighth Amendment violation, at the urging of Amnesty International, the American Civil Liberties Union (ACLU) of Florida, and the Florida Council of Churches. Howard Simon, Executive Director of the ACLU of Florida, called for [a change in the culture in Florida prisons](#). He followed up by stating, [T]hat is not going to happen until officials are routinely held accountable for the brutality that too often characterizes our state prison system.

Laura Cepero is a Florida attorney specializing in criminal appeals and postconviction relief. Prior to law school, she served as Amnesty International USA's State Death Penalty Abolition Coordinator for Florida.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

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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Thank you so much for this article. The amount of terrible things that happen to the men in Florida prison systems is disgusting. How much longer are we going to have prison brutality and wrongful incarcerations happening? My father Jeffrey Abramowski has spent 13 years wrongfully incarcerated for second degree murder, a murder he did not commit. The victim was my dad's friend, who he had recently helped install a new tub into his home. My dad also jumped in front of a man trying to beat him with a golf club, all before the man was found bludgeoned to death with a claw hammer and iron. My dad was convicted on lies and misinformation. The state prosecutors and state medical examiner LIED to the jury telling them that a 2 out of 15 DNA match was solid, which couldn't be further from the truth. The state medical examiner also LIED on the stand stating that a DNA marker that was extremely rare was found and my dad matched it, so it had to be him. AGAIN that was a lie, the so-called extremely rare DNA marker was actually quite common, with thousands having it. I could go on and on with the disgusting tactics and manipulations that our state prosecutors, judges, and prison workers have been apart of. It's truly sad that the people we think are protecting us, are actually taking our lives, the lives of our brothers, sisters, mother and fathers. This has to stop.

All that lawsuits and exposs will accomplish for the Florida Department of Corrections is a veneer of change, purchased with mountains of taxpayers' dimes, with no lasting change whatsoever. The proof of this statement is evident in the hundreds of lawsuits and exposs regarding wrongful convictions, and to verify this, one needs only to do a little Internet browsing on one of the subjects of this article, Richard Mair.

In Brevard County, Richard refused to accept a walk on his charges in trade for testifying falsely against Jeffrey Abramowski. If he had no honor, Richard wouldn't have served a day in prison, let alone be driven to suicide there. Richard provided Jeff with a sworn statement of Brevard deputy Gary Harrell's attempts to solicit false testimony. Eventually, Brevard did find someone to testify falsely against Jeff, and I know his name, just as I know the name of another man who provided Jeff with a sworn statement regarding having nearly testified against him.

There have been three high profile exonerations in Brevard, all involving coached jailhouse informant testimony and the perjured testimony of pretend scent tracker, John Preston. Juan Ramos was acquitted at retrial in 1987, Wilton Dedge was DNA exonerated in 2004, and William Dillon was DNA exonerated in 2008. Wilton and William, both white, were compensated for their false convictions by Floridians, not the public servants who stole a combined 49 years of their lives. Juan has not been compensated for his five years on death row, and it is likely that Brevard prosecutors spent more than he was due by law \$250,000 to prevent him from being

compensated. One man was executed (Gerald Stano, 1998), and dozens of identically framed Brevard men remain framed, including Gary Bennett, who was convicted in January of 1984, more than a year after John Preston was determined by a federal court to be a fraud within prosecutors and the medias knowledge, confirmed by the January 30, 1984 Orlando Sentinel article, Legal foes differ on value of dogs nose. The OS published supposed exposs about John Prestons Brevard perjuries, without mentioning that Preston testified on their turf with FBI participation resulting in the 2002 execution of Linroy Bottoson.

On June 26th, Brevards Florida Today reported the arrest of a 17-year-old Charles Hughes as though his guilt was indisputable, while mentioning only scent tracking as evidence as though FT hadnt written expos after expos about scent evidence.

This is a verifiable portrayal of the veneer of change accomplished by lawsuits and exposs it plays out in Texas in exactly the same manner with cases involving DNA-discredited dog handler Keith Pikett, with whom the FBI was also involved. It plays out for outdated fire accelerant forensics, outdated blood splatter forensics and outdated Shaken Baby Syndrome criteria; it plays out for the FBIs debunked hair and fiber analysis and the FBIs debunked Comparative Bullet Lead Analysis it plays across the board. Veneer is veneer, and applying it to abusive and violent corrections officers and their corrupt supervisors will be no more effective than applying it to corrupt police, malicious prosecutors and lawless judges for false convictions has been. Legitimate change will come when U.S. Attorney General Loretta Lynch admits that the FBI isnt adhering to their mandate to investigate public corruption, and begins to file Color of Law charges against agents and supervisors, perhaps even Director James Comey and his predecessor Robert Mueller.

<https://wobblywarrior.wordpress.com/2015/06/03/my-fck-the-world-im-outta-here-note-fl-needs-an-impeachment-process-now/>

THANKYOU FOR RUNNING THIS ARTICLE MY BROTHER IS INMATE HAROLD HEMPSTEAD HE SPOKE TO THE MEDIA AFTER TRYING TO FIND JUSTICE FOR DARREN RAINEY ON HIS OWN FOR ALMOST 2 YEARS HE RISKED HIS LIFE BY SPEAKING TO THE MEDIA ABOUT HIS BROTHER IN CHRIST BEING MURDER IN A TORTURE CHAMBER GUARDS BUILT OUT OF A SHOWER AT DADE C.I PLEASE TO THE EDITORS AND WRITER OF THIS STORY PLEASE ENCOURAGE YOUR READERS TO JOIN MY BROTHER AND I IN REMEMBERING DARREN RAINEY BY TAKING TO ANY AND ALL SOCIAL MEDIA SITES AND ONLY WRITING ABOUT THE DEATH OF DARREN RAINEY AND HOW THERE STILL IS NO JUSTICE WERE PLANNING ON DOING THIS ON TUESDAY JUNE 23 BETWEEN THE HOURS OF 6PM AND 10 PM AS HIS JOURNEY THAT LED TO HIS DEATH BEGAN AROUND 6 WHEN PRISON GUARDS WERE VERY ANGRY ABOUT DARREN RAINEY NOT CLEANING HIS CELL HE FELL AT 830 AFTER BEING IN THE SHOWER FOR ABOUT 1 AND 1/2 HOURS MY BROTHER NEVER HEARD DARREN RAINEY MAKE ANOTHER SOUND AFTER THAT BUT FOR THE NEXT 1 AND HALF HOURS ALOT OF STAFF AND THE GUARDS SCRAMBLED TO COVER THEIR BUTTS ABOUT WHAT HAD JUST HAPPENED.I WILL FIGHT FOR JUSTICE FOR THIS POOR MENTALLY ILL BLACK MAN TILL CUFFS ARE ON THE WRIST OF THE 32 GUARDS WHO PUT HIM IN THAT TORTURE CHAMBER AND UNTIL I BELEIVE DARREN RAINEY REST IN PEACE MY BROTHERS LIFE HAS FOREVER BEEN CHANGED HE WILL NEVER STOP HEARING DARREN RAINEY SCREAM AND BEG TO BE LET OUT OF THAT HORRIBLE SCORCHING HOT SHOWER.THIS MAN DESERVES JUSTICE.THANKYOU ONCE AGAIN AND PLEASE I ASK YOU ASK YOU READERS TO JOIN US ON THE 23RD THE 3RD ANNIVERSARY OF DARREN RAINEYS DEATH.

2 guards put Darren Rainey in that torture chamber 32 was a typo sorry about that i must have hit an exrtia button on the keyboard

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