

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/observations-from-rikers-a-germans-first-visit-to-the-island>

Public Facing Advocacy Writing

Last year, a high-ranking United States delegation of more than 25 members visited Germany to become informed about German prison policy. The delegation was led by Jeremy Travis, president of John Jay College of Criminal Justice, and Nick Turner, president and director of the Vera Institute of Justice. For one week we discussed prison security, treatment of prisoners and accommodations, resocialization of prisoners, and training of staff members. For me, the visit was a great way to learn how different justice systems work and the challenges they face. I was very impressed with the open-minded views of my American colleagues and enjoyed the days we spent together very much.

Later, while I was in New York City for vacation, the Vera Institute was kind enough to organize a visit for me to go to Rikers Island. It was an opportunity for me, a German, to see how American jails operate. For the first time in my life, I would look into a correctional facility in the United States.

Rikers Island is situated in the East River and surrounded by water. After passing the only causeway onto the island, I found myself in a correctional metropolis. The so-called New Yorks Boldesta moniker for the citys correction officers work here. About 10,000 inmates live on the island, roughly 6 percent of whom are women. Almost all are on remand. I thought while visiting, I do not know why these inmates are here, but I have the feeling that most of them have not committed serious crimes. Turns out I was right. A lot of them are here because they cannot afford bail, an official told me. For comparison, the number of prisoners on remand in Berlin is 650, seven times lower than in New York City.

The Rikers regime is harsh. I see an inmate in his orange jail clothes shuffling toward us, towing a garbage bag full of his belongings, handcuffed behind his back and followed by an officer. Handcuffing is standard issue at Rikers. On every corner, there are banners that say handcuffing is for the officers own safety. But is it really necessary to handcuff inmates who are already within a prison or a jail?

The situation on Rikers Island is not comparable with imprisonment in Berlin, or Germany in general. Prisons are meant to enforce punishment and judgment. They have to take the prisoner's freedom for a period of time, which is laid down by the court; otherwise, we say, justice is not served. But in Germany, prisons are not allowed to do this through a hard regime like the one on Rikers Island. And that is the reason you will see differences between German prisons and American ones.

About 80 percent of the inmates in Berlin jails work, go to school, or participate in vocational training while incarcerated. Therefore they make about 11 per day during their time away from society. Most inmates are locked in their cells only at night (9:30 p.m. to 6 a.m.) and can otherwise move freely in the living areas or units. They can use public telephone freely, and every inmate has his or her own television. Berlins jails are located near where people live, which allows for inmates to remain connected with their communities while incarcerated. In the United States, prisons and jails should be located closer to inmates home communities in order to foster connections rather than tear them apart.

Germany's prison policy changed in the early 1970s, when the German Constitutional Court decided that, according to the German constitution, prisons must focus their work on resocialization of inmates. The court ruled that any restrictions of prisoners rights were only legal on the basis of a proportional parliamentary law.

If we look back, Germanys prison policy has been successful over the last 40 years. Violence in German prisons is not a serious problem. And if you talk with older or retired prison officers, they will admit that, now, staff and inmates feel, and are, safer.

Work in any correctional facility should be work for the future. It makes sense to teach inmates what is right and what is wrong. It makes sense to educate them and improve their skills, because sooner or later almost all of them will return to society. They will again be fathers and sons, neighbors and colleagues, sisters and friends.

Indeed, jails have to do a bold job: ensure justice is served, while enabling people to successfully return to society. In order to achieve this, we must treat inmates regardless of their offense or status as humans and citizens.

This blog post reflects the author's own opinion and is not an official statement.

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