

Board of Correction Meeting

February 9, 2021

Statement of Incarcerated Person

Regarding Restrictive Housing and Physical Assault at MDC and OBCC

Presented by Naz Akyol and Bridget McCarthy

I am 28 years old and I grew up in the Bronx. I love to write poetry, make music, and cook. I am currently being held at Manhattan Detention Complex (MDC); I was transferred here from Otis Bantum Correctional Center (OBCC) on Rikers Island in early July. I have been incarcerated since May 2019 and for most of my incarceration, I have been in various forms of restricted housing, including Enhanced Supervision Housing (ESH) and the box.

In my housing unit, we get strip searched when we go to and from all areas of service and programs, and if we refuse, we are forced. Directives are not being followed because strip searches are not done at random; they are done routinely, in a targeted way, and to deter us from going places. Sometimes, I am not allowed to leave my cell for two or three days at a time, even to take a shower. When I file grievances, they are not addressed. The same thing happens with 311 calls; when I call to make a complaint about the facilities, the complaint is never investigated, and officers forge log entries that say I refused to cooperate with the investigations.

I do not have any adequate notice or documentation detailing my restraint status and why I have been placed in restricted housing. In other facilities that I have been in, there were programs and social service groups that I could participate in, times I could go outside in a more open setting, and levels of the housing unit that were less restricted that I could move onto with time. For example, at ESH, there were different levels and with good behavior, I could be moved from the highly restrictive Level 1 to the less restrictive Level 2 where I had more entitlements; ultimately,

I could even return to general population. This gave me hope and incentive. At MDC, I have no idea about the time frame for my confinement in restricted housing; there are no programs or housing designations, so there is nothing to look forward to.

I am refused access to information about the rules and procedures that govern my confinement, without which I am not able to adequately represent myself at due process hearings. Sometimes, I am not even allowed to go to the hearings to defend myself. I am refused access to departmental directives and housing area rules that would detail my entitlement to minimum standards and basic rights; this creates a deeply embedded, unwritten policy of rights violation. I am often told about rules that do not exist and forced to comply with them without proper documentation authenticating the existence of these rules. I feel completely isolated and hopeless. I do not get to interact with anyone except for the one person I share my cage with. Being in restricted housing makes me feel very angry and sad. I hear things, and I often get very depressed and frustrated.

Being in the box during my current and previous incarcerations has affected me. When I went home before my current incarceration at MDC, I had a very hard time adjusting. I did not want to be outside; I only wanted to be by myself. When I got placed in Level 1, the most restricted level of ESH housing, in December 2019, I felt suicidal and I cut my wrists. Even then, I was not sent to the mental health unit; no one took me seriously. I have been diagnosed with bipolar disorder, borderline personality disorder, and depression. I do not get to meet with a mental health official very often, and when I do, the meetings are very brief. By the time I get comfortable enough to talk, the meeting is already over. I am on medication, but I sometimes still have suicidal thoughts. I feel like I have nobody to talk to and no one to get help from. While in restricted housing, corrections officers treat us detainees with less care and more hostility, and they provoke

us with fearful, disrespectful behavior. When I express these thoughts, I automatically get disregarded. I feel like I am missing out on so much and I have no one on my side anymore.

Recently, I have been subject to over 20 instances of use of excessive force by Emergency Services Unit personnel. I have suffered serious injuries during these instances, including a broken nose, a dislocated shoulder, a dislocated knee, and a laceration on my forehead that left a scar. I had to be taken to the hospital for my injuries, and I have been told that I may need surgery for my knee. My housing unit has been targeted by ESU officers over the past weeks, and the number of physical assaults has skyrocketed. These assaults happen for the smallest, most trivial things. There is clearly discrimination going on because my housing unit has been under 24-hour surveillance by ESU and they specifically pick on everyone housed in my unit with increasing frequency. I want people outside the jail to know that this is happening and that everyone involved knows about this targeted violence.