



# THE CITY OF NEW YORK BOARD OF CORRECTION

## Violence in New York City Jails: Slashing and Stabbing Incidents

### SUMMARY OF KEY FINDINGS<sup>1,2</sup>

**I. Since 2011, the rate of slashing and stabbing incidents has increased each year, and it is on pace to do so again in 2015** – Against the backdrop of a shrinking jail population, the number of slashing and stabbing incidents in New York City Department of Correction (DOC) facilities increased from 35 in 2011 to 90 in 2014. This has resulted in an incident rate increase of 192.7%.<sup>3</sup> Thus far in 2015 there have already been 44 slashing and stabbing incidents, up from 20 in the same period a year ago.

**II. The majority of the weapons discovered in 2014 were inmate-made or improvised** – Approximately 79.0% of the weapons found in 2014 were shanks, shivs, or weapons fashioned from materials that typically are found in, or authorized for use in, the jails. Meanwhile, 10.2% were razor-like instruments that are not authorized for use in the jails and were likely trafficked in.<sup>4</sup>

### Introduction

New York City jails have become more dangerous in recent years. All major violence indicators have been increasing: uses of force are up 182.3% from 2009 to 2014 and serious injuries to inmates from fights are up 68.4% during the same period. This report focuses on the significant increase in reports of stabbings and slashings.

While slashing and stabbing incidents are not nearly as frequent as they were 25 years ago—with 1,550 slashing and stabbing incidents in 1990 alone, compared to 90 in 2014—the frequency of slashing and stabbing incidents has been increasing in recent years despite a shrinking average daily population

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<sup>1</sup> The analysis in this report is based on raw data and information provided to the Board by the New York City Department of Correction (DOC).

<sup>2</sup> All yearly figures are based on the calendar year.

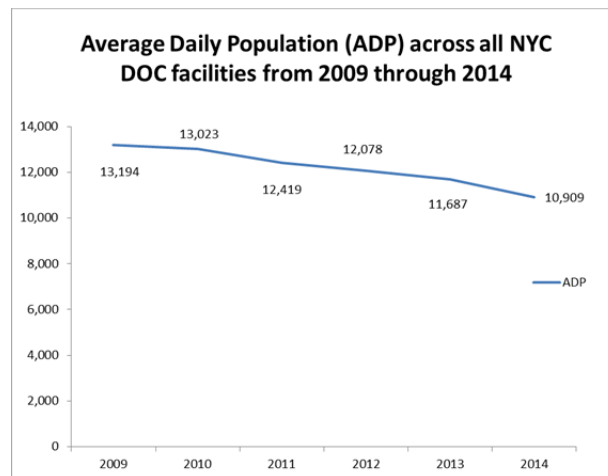
<sup>3</sup> Using the incident rate, as opposed to incident count, allows us to compare the number of incidents per year while factoring in the size of the inmate population and the number of days in the covered period. In 2014, the rate of slashings and stabbings incidents was approximately 0.070 incidents per month per 100 inmates. *See infra* Figure 2. Meanwhile, in 2011 the corresponding rate was 0.024.

<sup>4</sup> DOC staff categorized the remaining 10.8% of weapons as “other,” i.e., something other than shivs, shanks, razor-like instruments, or factory-manufactured knives.

(ADP)<sup>5</sup>. The number of reported slashing and stabbing incidents<sup>6</sup> per year increased 260.0% from 25 in 2009 to 90 in 2014. See Table 1. Meanwhile, ADP dropped 17.3%, from 13,194 inmates in 2009 to 10,909 inmates in 2014. See Figure 1. In all, the rate of slashings and stabbings increased by 335.4% in that five-year period. See Figure 2.

| Year         | Slashing incidents | Stabbing incidents | Total      |
|--------------|--------------------|--------------------|------------|
| 2009         | 16                 | 9                  | 25         |
| 2010         | 41                 | 7                  | 48         |
| 2011         | 26                 | 9                  | 35         |
| 2012         | 66                 | 7                  | 73         |
| 2013         | 70                 | 3                  | 73         |
| 2014         | 81                 | 9                  | 90         |
| <b>Total</b> | <b>300</b>         | <b>44</b>          | <b>344</b> |

**Table 1. Slashing and stabbing incident totals per year in NYD DOC facilities from 2009 through 2014**



**Figure 1. ADP in NYC DOC facilities from 2009 through 2014**

Early numbers portend a continuation of this upward trend in 2015. There have been 44 slashing and stabbing incidents so far this year; there were 20 during the same period in 2014. This year, 18 incidents were reported in March alone.

### The Impact of Slashings and Stabbings on Jail Operations

Slashings and stabbings have profound impacts on jail operations; each typically results in a facility-wide emergency lockdown. During lockdowns, inmates are locked into their cells or dorms, and all services, including visits, law library, recreation, and religious services are suspended for the duration of the lockdown. Inmates may leave their respective housing units only for court appearances or medical reasons.

Although uses of force and inmate-on-inmate fights occur much more frequently, they often result in lockdowns of a much narrower scope, often limited to the incident location.

Beginning on March 3, 2015, on the heels of four slashing incidents within a two-day period,<sup>7</sup> DOC took the extraordinary step of placing five of its jails – AMKC, GMDC, GRVC, MDC, and OBCC – on lockdown

<sup>5</sup> Average Daily Population (ADP) refers to the average number of inmates in DOC custody.

<sup>6</sup> The number of incidents is based on the total number of slashing or stabbing incident reports generated by DOC's Central Operations Desk (COD) each year. DOC policy requires facility staff to report all slashing or stabbing injuries to DOC's Central Operations Desk (COD). See N.Y.C. DEP'T OF CORRECTION, DIRECTIVE 5000R-A, REPORTING UNUSUAL INCIDENTS, Appendix A, para. C (11), at 9-10 (Nov. 19, 2004). Every slashing or stabbing incident involves one or more weapons and result in injuries to one or more inmates.

for approximately 36 hours. As is the case whenever a facility is locked down, inmates in those jails were unable to access programs and services mandated by the Minimum Standards, including, but not limited to, law library, recreation, religious services, and telephone calls. Additionally, inmates had reduced access to sick call and discharge planning services.<sup>8</sup>

Because the lockdown fell on a day scheduled for visits,<sup>9</sup> inmates were also unable to receive visitors during that time. Thus, the lockdown also affected those who travelled to Rikers to visit loved ones or friends at the locked down jails; some travelled to Rikers only to be told that their visits were cancelled.

DOC explained that it had effected the lockdown so that it could “conduct thorough searches,

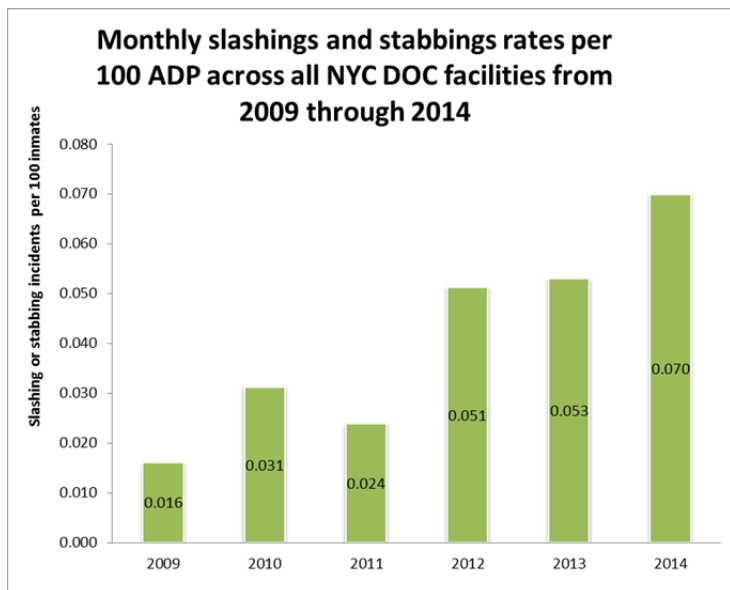


Figure 2. Rate of slashing and stabbing incidents per 31 days per 100 ADP in NYC DOC facilities from 2009 through 2014

investigate inmate tension and continue gathering intelligence to further develop a more comprehensive understanding of the current situation, and disrupt those recent efforts [to commit additional gang-related assaults].”<sup>10</sup> DOC further asserted that the lockdown measures were necessary to “ascertaining and neutralizing any and all threats to the safety and security of our facilities.”<sup>11</sup>

In the 12 days after the lockdown was lifted, however, there were eight more slashing and stabbing incidents – seven in four of the jails that had been locked down.<sup>12</sup>

<sup>7</sup> There were two slashing incidents in AMKC on March 1, 2015, and one each at GMDC and MDC the next day.

<sup>8</sup> At the Board meeting of March 10, 2015, Department of Health and Mental Hygiene (DOHMH) Assistant Commissioner Dr. Homer Venters testified that health staff saw between 22% and 38% fewer inmates at sick call and 24% to 46% fewer inmates at discharge planning during the lockdown.

<sup>9</sup> Inmates are permitted to receive visitors Wednesday through Sunday. Inmates whose surname begins with letters A through L were scheduled for visits on Wednesday, March 4<sup>th</sup>, while those whose surname begins with a letter M through Z were scheduled for visits on Thursday, March 5<sup>th</sup>. See N.Y.C. Dep’t of Correction, *Inmate Visit Schedule – March 2015*, <http://www.nyc.gov/html/doc/html/visit-an-inmate/visit-inmate-schedule-march-2015.shtml> (last accessed on April 9, 2015).

<sup>10</sup> Letter from Joseph Ponte, DOC Commissioner, to Gordon Campbell, BOC Chair (March 5, 2015).

<sup>11</sup> *Id.*

<sup>12</sup> There were slashing incidents at AMKC on March 13<sup>th</sup>, GRVC on March 6<sup>th</sup> and 10<sup>th</sup>, GMDC on March 8<sup>th</sup> and 11<sup>th</sup>, OBCC on March 16<sup>th</sup>, and RNDC on March 10<sup>th</sup>. There was a stabbing incident at AMKC on March 9<sup>th</sup>.

## Where many slashings and stabbings and other violent encounters occur

Just over half of all inmates in DOC custody are confined in general population (GP) housing units, where the greatest number of violent incidents occurred in 2014.<sup>13</sup> Nearly 52.2% (n=47) of slashing and stabbing incidents<sup>14</sup> and 49.0% (n=2,147) of inmate-on-inmate fights that year took place in adult GP housing.<sup>15</sup> See Figure 3.<sup>16</sup> Meanwhile, 24.6% (n=1,000) of the 4,068 reported uses of force in 2014 occurred in GP housing.<sup>17</sup> Future reports will focus on uses of force and inmate-on-inmate fights.

Of the ten reported slashing and stabbing incidents that took place in corridors, law library, recreation areas, and vestibules in 2014, eight were perpetrated by inmates classified as GP inmates.<sup>18</sup>

Nearly 6.7% (n=6) of slashing and stabbing incidents took place at intake in 2014.<sup>19</sup> In comparison, 6.4% (n=282) of all inmate-on-inmate fights and 11.7% (n=474) of all reported uses of force in 2014 took place at intake.<sup>20</sup>

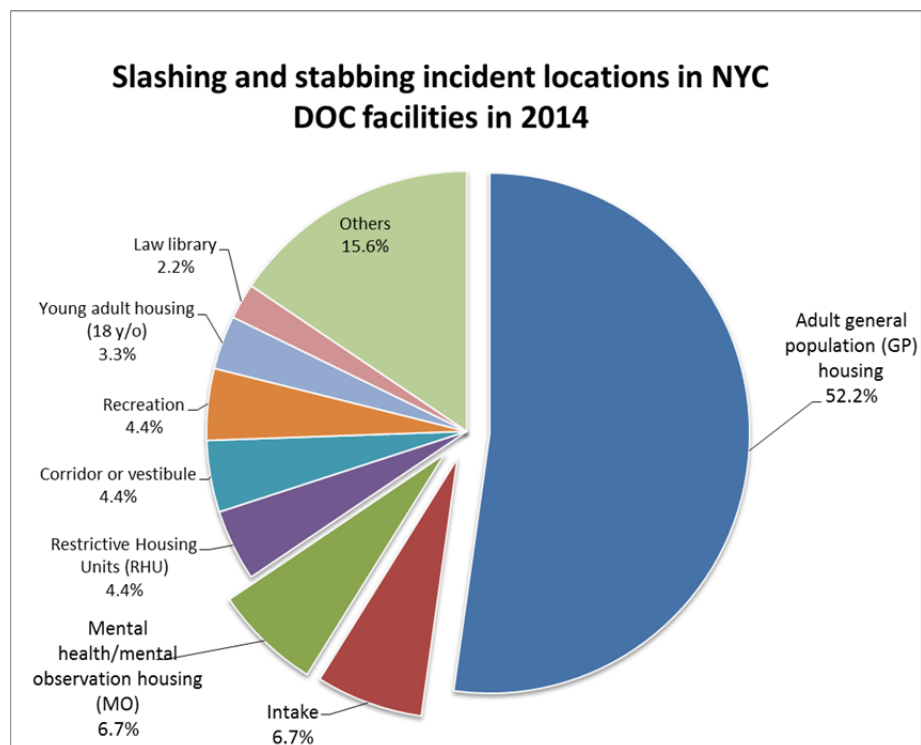


Figure 3. Slashing and stabbing incident locations in NYC DOC facilities in 2014

<sup>13</sup> Inmates who are not in GP housing are placed in special population housing such as administrative segregation, enhanced supervision housing, mental observation, new admission, protective custody, punitive segregation, etc.

<sup>14</sup> This figure is based on information obtained from the Central Operations Desk (C.O.D.) notifications and any updates thereto that were issued after each slashing or stabbing incident in 2014.

<sup>15</sup> See N.Y.C. DEP'T OF CORRECTION, Monthly Security Statistical Reports – Fiscal Years 2014-15 (on file). There were 4,381 inmate-on-inmate fights in 2014, averaging almost 12 fights a day. See *id.*

<sup>16</sup> The incident location category “others” includes administrative segregation, court holding pens, inmate buses, new admissions, protective custody, restraints housing, and sentenced housing.

<sup>17</sup> See N.Y.C. DEP'T OF CORRECTION, Monthly Security Statistical Reports – Fiscal Years 2014-15 (on file).

<sup>18</sup> These figures are based on information obtained from the Central Operations Desk (C.O.D.) notifications and any updates thereto that were issued after each slashing or stabbing incident in 2014.

<sup>19</sup> *Id.*

<sup>20</sup> See N.Y.C. DEP'T OF CORRECTION, Monthly Security Statistical Reports – Fiscal Years 2014-15 (on file).

In addition, a disproportionately high number of inmate fights and uses of force – though not slashings and stabbings – took place in the mental health/mental observation (MO) housing units in 2014. On average, 6.5% of inmates in DOC custody in 2014 were in MO housing,<sup>21</sup> where 21.9% (n=959) of all inmate-on-inmate fights<sup>22</sup> and 14.8% (n=604) of all reported uses of force in 2014 took place.<sup>23</sup>

## Weapons

Just over three-quarters (n=68) of all slashing and stabbing incidents in 2014 occurred inside housing units, which are relatively contained settings.<sup>24</sup> Despite this fact, the Department has had little success recovering the weapons that were used in these assaults.

When a slashing or stabbing occurs, DOC staff place the facility on lockdown, secure the crime scene or incident location,<sup>25</sup> and search the crime scene for weapons.<sup>26</sup> DOC staff are required to report whether they recovered weapons during the search.<sup>27</sup> In 2014, DOC failed to recover the weapons that were used in at least 80.0% of slashing and stabbing incidents.<sup>28</sup>

In all, DOC reported that it had recovered only 12 weapons in slashing and stabbing incidents in 2014.<sup>29</sup> Most were improvised or inmate-made using materials commonly found in the jail environment, e.g.,

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<sup>21</sup> This calculation is based on aggregated DOC census data. Nearly 6.7% (n=6) of all slashing and stabbing incidents took place in M.O. housing.

<sup>22</sup> See N.Y.C. DEP'T OF CORRECTION, Monthly Security Statistical Reports – Fiscal Years 2014-15 (on file).

<sup>23</sup> See *id.*

<sup>24</sup> This figure is based on information obtained from the Central Operations Desk (C.O.D.) notifications and any updates thereto that were issued after each slashing or stabbing incident in 2014.

<sup>25</sup> See generally N.Y.C. DEP'T OF CORRECTION, OPERATIONS ORDER 05/07, CRIME SCENE INCIDENT MANAGEMENT (May 8, 2007) (providing “guidelines regarding the required operational actions and administrative procedures that are relative to crime scene incident management and evidence gathering and preservation”). Securing a crime scene entails cordoning off the area, posting an officer at the entrance to the crime scene, recording all activities therein, permitting only authorized personnel into the area, and preserving the evidence. See *id.*

<sup>26</sup> See generally N.Y.C. DEP'T OF CORRECTION, DIRECTIVE 4508R-E, CONTROL OF AND SEARCH FOR CONTRABAND, part VII, sec. F, at 29 (May 15, 2009) (DOC staff perform emergency searches “when there are reasonable grounds to believe that dangerous contraband is contained in any area of the facility or its immediate surroundings”).

<sup>27</sup> See N.Y.C. DEP'T OF CORRECTION, DIRECTIVE 5000R-A, REPORTING UNUSUAL INCIDENTS, Appendix A, para. C(11), at 9-10 (Nov. 19, 2004).

<sup>28</sup> This figure is based on information obtained from the Central Operations Desk (C.O.D.) notifications and any updates thereto that were issued after each slashing or stabbing incident in 2014. The actual percentage is likely higher than 80.0%. While 80% of the slashing and stabbing incident notifications from C.O.D. in 2014 clearly indicate that weapons were not recovered, 7.8% provide no search results despite reporting requirements. See *supra* note 27 and accompanying text. On the other hand, the notifications clearly indicate that weapons were recovered in nearly 12.2% of the slashing and stabbing incidents.

<sup>29</sup> This figure is based on information obtained from the Central Operations Desk (C.O.D.) notifications and any updates thereto that were issued after each slashing or stabbing incident in 2014. See *supra* notes 27 and 18 and accompanying text. It is possible that DOC staff may have recovered additional weapons following slashing and stabbing incidents and that they were not reported to C.O.D. despite reporting requirements.

metal, plexiglass, and wood.<sup>30</sup> Ten were improvised or inmate-made, and two were scalpel blades.<sup>31</sup> Of the 14 weapons that were reportedly recovered following the 2013 incidents, seven were scalpel blades or hobby knives, while the rest were improvised or inmate-made.<sup>32</sup>

DOC routinely searches its facilities for contraband, and not just following slashing or stabbing incidents. The overwhelming majority of searches are random searches, which are searches of inmates, their living quarters, or common areas, and they are conducted almost exclusively by DOC staff assigned to the facility. DOC staff conduct “random” searches at each facility at least seven times per day.<sup>33</sup> In 2014 alone, DOC conducted 1,982,142 individual inmate searches during 224,102 random searches.<sup>34</sup> “Special” searches, meanwhile, are relatively infrequent and typically follow an incident or series of incidents at the target jail. Each special search is conducted by a search team comprised of staff from a number of facilities, and it usually targets just one or several housing areas in a jail. In 2014, during the course of 293 special searches, individuals were searched 24,735 times.<sup>35</sup>

Among the various search types, special searches are by far the most effective at recovering weapons. Although the 293 special searches accounted for only 0.1% of all searches in 2014, 43.9% (n=826) of the 1,882 weapons recovered from searches were recovered during special special searches.<sup>36</sup> In comparison, the 224,102 random searches accounted for 88.7% of all searches in 2014, but yielded only 15.5% (n=292) of the weapons recovered.<sup>37</sup>

Weapons are sometimes found independent of a search. For instance, DOC staff sometimes discover weapons during routine tours of their assigned housing areas. Most of the 2,100 weapons found in 2014 were inmate-made or improvised using materials commonly found in the jail environment, such as metal from radiators, plastic from light fixtures, and wood from broomsticks. About 79.0% (n=1,659) were shanks, shivs, or weapons fashioned from materials that are authorized for use in the jails,<sup>38</sup> including facility-authorized shaving razor blades, up from 77.8% (n=1,794) in 2013.<sup>39</sup> Meanwhile, 10.2% (n=215) were razor-like instruments that are not authorized for use in the jails,<sup>40</sup> slightly down from

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<sup>30</sup> Improvised or inmate-made weapons recovered in 2014 following slashings and stabblings included sharpened metal rods; sharpened pieces of metal, plastic, or wood; a broken light bulb; and institutional razors, which are razors that are provided to inmates for shaving. This information was obtained from C.O.D. notifications issued after each slashing or stabbing incident.

<sup>31</sup> These numbers are based on information obtained from the Central Operations Desk (C.O.D.) notifications and any updates thereto that were issued after each slashing or stabbing incident in 2014.

<sup>32</sup> These numbers are based on information obtained from the Central Operations Desk (C.O.D.) notifications and any updates thereto that were issued after each slashing or stabbing incident in 2014.

<sup>33</sup> See N.Y.C. DEP’T OF CORRECTION, OPERATIONS ORDER 20/92, RANDOM FACILITY SEARCHES OF INMATES, LIVING QUARTERS AND/OR COMMON AREAS, part II(A) (Dec. 14, 1992).

<sup>34</sup> See N.Y.C. DEP’T OF CORRECTION, Monthly Security Statistical Reports – Fiscal Years 2014-15 (on file).

<sup>35</sup> See *id.*

<sup>36</sup> See N.Y.C. DEP’T OF CORRECTION, Monthly Security Statistical Reports – Fiscal Years 2014-15 (on file).

<sup>37</sup> See *id.*

<sup>38</sup> See *id.*

<sup>39</sup> See N.Y.C. DEP’T OF CORRECTION, Monthly Security Statistical Reports – Fiscal Years 2013-14 (on file).

<sup>40</sup> See *supra* note 36.

11.0% (n=254) in 2013.<sup>41</sup> A pen-knife is an example of a razor-like instrument that is not authorized for use in the jails and was likely trafficked in at some point by a visitor, volunteer, or staff.

Most weapons are found in GP housing. In 2014, 78.1% (n=1,641) of all weapons were found in GP housing,<sup>42</sup> while relatively few were found in the visit areas, MO housing, or at intake. Only 4.2% (n=88) of the 2,100 weapons found in 2014 were found in visit areas,<sup>43</sup> down from 4.3% (n=100) in 2013.<sup>44</sup> Meanwhile, 3.5% (n=74) of weapons found in 2014 were found in MO housing,<sup>45</sup> up from 3.0% (n=69) in 2013.<sup>46</sup> In addition, only 2.0% (n=42) were found in intake areas,<sup>47</sup> down from 2.2% (n=50) in 2013.<sup>48</sup>

Recently, there were two high-profile security breaches. On February 8, 2015 a visitor who passed initial security screening with a 12.5" knife in his book bag was caught as he was entering OBCC, where the inmate he intended to visit was housed. On March 13, 2015, a new admission inmate slashed another new admission inmate in the intake area in AMKC after he somehow gained possession of a 5.5" knife. Given that the vast majority of weapons are found in areas other than intake and visits and that the majority of weapons found in the jails are inmate-made or fashioned from materials already inside the jails, these two incidents represent the exception, not the norm.

## Conclusion

The Department must reduce the number of weapons in its facilities. Even as it continues its efforts to curtail contraband trafficking into its facilities, DOC must do more to address the jails' deteriorating physical environments from which inmates draw raw materials to fashion weapons. As indicated by the Department's data presented in this report, the overwhelming majority of weapons found in the jails are improvised from materials already inside.

To reduce the incidence of slashings and stabbings, the Department must also improve its supervision of inmates in its care and custody. It should increase the number of correction officers and captains assigned to the housing units, and reduce the number of inmates confined in each housing unit. Improved inmate supervision in the housing units is essential because it is where the significant majority of slashing and stabbing incidents take place.

The Department recently announced plans to implement initiatives it hopes will reduce violence, including: expanded educational, therapeutic, and vocational programming for inmates; augmented staff training in areas such as conflict de-escalation, mental health, and gang intelligence; and, improved

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<sup>41</sup> See *supra* note 39.

<sup>42</sup> See *supra* note 36.

<sup>43</sup> *Id.*

<sup>44</sup> See *supra* note 39.

<sup>45</sup> See *supra* note 36.

<sup>46</sup> See *supra* note 39.

<sup>47</sup> See *supra* note 36.

<sup>48</sup> See *supra* note 39.

drug contraband detection. DOC has also announced a plan to overhaul its inmate classification system so that inmates are more appropriately grouped. These changes are promising and should complement efforts to reduce the number of weapons in its facilities and improve inmate supervision.

DOC should also reconsider a policy that it has implemented to curtail violence that has not achieved its objective. Changing the mandatory evening lock-ins for all inmates from 11 PM to 9 PM has not reduced violence. Beginning on August 27, 2014, DOC has required all inmates to lock-in for the evening at 9 PM, and no longer 11 PM as it had been for decades.<sup>49</sup> Given that many inmate calls occurred between 9 PM and 11 PM, this change effectively reduced by two hours the amount of time each day that inmates use the telephones to maintain contact with family and the community.

DOC suggested that earlier mandatory lock-in would reduce violence by keeping inmates locked in during those two hours when slashings and stabbings often took place.<sup>50</sup> Data demonstrate that thus far the policy has not had its intended effect: the frequency of slashings and stabbings actually has increased, with 51 incidents in the almost six months after the policy was implemented,<sup>51</sup> up from 42 in the same period a year earlier. With the earlier lock-in, slashings and stabbings now occur earlier in the day. Rather than reducing the number of slashing and stabbing incidents, the earlier lock-in merely shifted the timing of violence.

The Board of Correction has established an ad hoc committee on violence in the jails that will monitor and report on the effectiveness of DOC's efforts to reduce violence.

*Prepared by  
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April 22, 2015*

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<sup>49</sup> The earliest Departmental Directive available to the Board on lock-in scheduling is from 1979, but our understanding is that the 11 PM lock-in policy and practice were in effect earlier. See N.Y.C. DEP'T OF CORRECTION, DIRECTIVE 4009R, LOCK-IN/LOCK-OUT, at 1 (July 1, 1979, *rev'd* Aug. 27, 2014).

<sup>50</sup> At the July 8, 2014 Board meeting – almost seven weeks before the policy's effective date – the Board questioned DOC about its plan to move to an earlier mandatory daily lock-in for all inmates. In response, the Commissioner stated that a quarter of the slashings and stabbings occur between 9 and 11 PM, and that much of the violence takes place after 9 PM.

<sup>51</sup> The date range reviewed is August 27, 2014 to March 2, 2015.