



Prison Corruption

The Problem and Some Potential Solutions

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The Basics:

What is Prison Corruption? What is being done to combat prison corruption?

Corruption occurs in the American prison system in a variety of forms. In the most basic version, correction officers accept bribes or sexual favors to smuggle weapons, drugs, or cell phones to inmates, or to provide inmates with other benefits. Other kinds of prison corruption can involve higher-level prison officials. For example, some prison officials have been implicated in [pay-to-play schemes](#) with private prisons.¹ In other cases prison supervisors and administrators have been accused of covering up violations by correction officers or others within the prison, such as by [shielding human rights abuses](#).

Corruption in prisons causes problems that go far beyond mere dishonesty on the part of employees. First, corrections officers, as well as other inmates, are frequently injured by smuggled weapons. Systemic corruption thus creates a violent and dangerous environment within prisons that affects every corrections officer. For

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example, New York City administration officials attributed rising violence in Rikers Island prisons to gang activity as well as an [increasing number](#) of smuggled blades within the prison walls. Studies, including a [2013 United Nations report](#), have also determined that corruption by prison officers leads to abuses resulting in the prominence of certain groups of inmates at the expense of vulnerable groups. Additionally, gang leaders and other criminals have [used smuggled cell phones](#) to orchestrate crime and maintain external criminal networks from behind bars. Finally, as discussed in greater detail below in the brief case study on the Clinton Correctional Facility, corruption causes breakdowns in prison security that can lead to inmate escapes and other major problems.

Different approaches have been taken to address prison corruption across the United States and around the world. Discrete prison corruption initiatives have been launched in this country, including in the LA County and Atlanta prison systems, primarily as responses to high-profile corruption scandals. In contrast, the New York City Department of Investigation has recently undertaken a [wide-ranging initiative](#) to rid the Rikers prison system of corruption, working with the City's Department of Corrections to implement the changes recommended in two [comprehensive reports](#) focusing on different problems found at Rikers.

In terms of international efforts, while the United States thus far has engaged in prison anti-corruption reform aimed at individual prisons in response to specific problems,² the United Kingdom has spent the past decade reforming prison corruption initiatives on a national level. This paper will discuss all of these efforts, including lessons learned from the 2015 escape from the Clinton Correctional Facility in New York.

What kind of environment fosters prison corruption?

There is much debate over whether prison corruption is primarily the product of [individual opportunism](#) or systemic failures. Experts find that [poor pay and low hiring standards](#) in America's prisons have made guards particularly susceptible to corruption. For example, most New York State correction officers have only [200 hours](#)

of formal training before beginning work in prisons. This is only a small fraction of the [twenty-six week course](#) provided for state trooper training in New York.

Correction officers largely agree that corruption is primarily caused by a desire for money, and further fueled by the promise of increasing payoffs. Correction officers working in the United States in 2011 earned an [average annual salary](#) of \$43,550, nearly 14% below the [national median household income](#), the U.S. Bureau of Labor Statistics reported. However, last year, [DOI found](#) that correction officers at Rikers could earn from [\\$400 to \\$900](#) a day smuggling drugs and other contraband into the prison complex. A [California prison guard](#) attested to earning more than \$150,000 in one year by smuggling cell phones. The disparity in earning potential between smuggling and a correction officer's salary can make corruption seem like an appealing option.

However, low salaries for corrections officers are hardly the only cause of prison corruption. [Some argue](#) that while improved hiring screening and wages might reduce some prison corruption, more corruption actually stems from the lack of consequences for corrupt behavior, a lack of correction officer supervision, and unclear job

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expectations. As the number of female inmates has grown in recent decades, there has been a corresponding increase in reports of inappropriate relationships between correction officers and inmates.

Examples of Prison Corruption Incidents

Los Angeles County: At the Intersection of Human Rights Abuse and Corruption

An FBI human rights abuse investigation led to several corruption convictions in Los Angeles County, California. In [2011, the FBI enlisted](#) Anthony Brown, an inmate at the Men's Central Jail, to collect information about allegedly abusive and corrupt deputies. Sheriff's officials learned of the FBI probe, and summarily orchestrated a scheme to derail the FBI's jail investigation. [Ten prison officials have now been convicted](#) for their roles in the plan including the Los Angeles County Sheriff and Undersheriff.

FBI Operation Ghost Guard in Georgia

[Operation Ghost Guard](#) was initiated in 2014 after a smuggled cellphone allegedly enabled a prisoner serving a life sentence to put a kidnapping and murder scheme in motion. Ghost Guard involved a two-year investigation by the FBI in the Georgia Department of Corrections, after which authorities indicted forty-six officers across nine Georgia prisons for smuggling contraband. The investigation revealed that guards were paid between \$500 and \$1000 per smuggled phone, and noted that in 2014-15 more than 23,500 phones were seized (from a state inmate population of just 50,000). The phones were used to commit identity theft and various financial frauds, drug trafficking offenses, and the kidnapping scheme mentioned above.

New York City: Rikers Island Institutional Corruption Issues

Beginning in late 2014 and continuing through 2015, the New York City Department of Investigation [issued a series of reports](#) in which it described its investigations, detailed its findings, and made numerous recommendations for the Rikers Island prison complex. The report revealed, for example, that of 150 recently hired correction officers, applicant file reviews showed 54 with red flags that should have precluded hiring, including officers with criminal records. After the report was issued, numerous New York City officials, including Councilman Dan Dromm and [Mayor Bill de Blasio](#), have stated that Rikers reform is a priority. Subsequently, many DOI hiring recommendations were immediately enacted.

The NYC Department of Corrections put many other corruption-prevention mechanisms into place following the DOI reports. In order to combat smuggling by correction officers, visitors, and prisoners, the prison began deploying regular K-9 patrols and using body scanners at prison entrances and exits. Rikers' front-entrance staff members were trained in enhanced Transportation Security Administration-style procedures. Hundreds of new security cameras were added throughout the prison complex, and more are continuing to be added.

NYC Correction Commissioner Joseph Ponte [released a statement](#) in August 2015 outlining some of these reforms that have already taken root. As a result, seizures of contraband at the entrances of the prison increased by twenty percent immediately following the institution of the improved security measures. The de Blasio administration continues to work on improving the Rikers prison system, maintaining a [focus on uncovering corruption](#).



New York City Department of Investigation Commissioner Mark Peters and Bronx County District Attorney Darcel Clark announcing corruption charges against two Rikers Island correction officers on [May 18, 2016](#).

Outside of these efforts, which dealt primarily with problems with correction officers and other internal prison issues, a recent criminal probe led to the corruption arrest of the Corrections Officers' Benevolent Association president, [Norman Seabrook](#), for taking kickbacks connected to the investment of his union members' welfare funds.

The Rikers Island efforts stand out for their attempts to comprehensively address corruption issues in the entire facility, as opposed to merely fixing problems identified in a particular scandal.

Lessons from Abroad: Prison Corruption Initiatives in the United Kingdom

In 2006, the Metropolitan Police and Prison Services created a report that found that more than [1,000 prison staff](#) had smuggled drugs and weapons as well as participated in inappropriate relationships with inmates within the walls of United Kingdom prisons. After the report was leaked to the press, prison corruption was identified as an endemic institutional flaw and made a national priority. The government took action and began many different initiatives including the removal of cell phones from prisons and an effort to halt the flow of drugs into prisons. These efforts culminated in the creation of a new investigatory anti-corruption unit sponsored by the Metropolitan Police and the Prison Service. The government also has instituted [best practice guidelines](#) to help combat prison corruption on a national level. The guidelines provide protocols for a national prison corruption prevention program, including detailed definitions of what is and is not prison corruption.

The FBI Prison Corruption Initiative: National Efforts for a Particular Problem

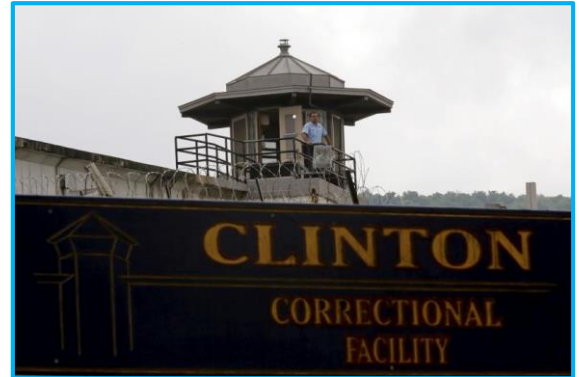
Since June 2014, the [FBI Prison Corruption Initiative](#) has attempted to address at least one major aspect of prison corruption, namely contraband smuggling by prison officials in exchange for bribes. The program is designed to work by developing collaborative relationships with state and local corrections officials to identify and root out this conduct. This undertaking is wide-ranging in its application, and while it focuses on just one aspect of prison corruption – contraband smuggling – it is probably the single biggest issue. Making headway in eradicating contraband smuggling in prisons around the country would have a major impact.

Case Study and Lessons Learned

The Prisoner Escape at the Clinton Correctional Facility

On June 5, 2015, two inmates, David Sweat and Richard Matt, escaped from the maximum security Clinton Correctional Facility in upstate New York, having cut through the back walls of their cells. That night, Sweat and Matt left their cells after the nighttime count and made their way through the walls and various tunnels to a manhole outside the prison walls. Their escape led to a major manhunt, spanning more than three weeks and involving more than 1,300 officers from various law enforcement entities, which cost the state [over \\$23 million](#). Matt, who was found armed, was shot and killed on June 26; Sweat was apprehended on June 28.

Soon after the escape, a major investigation was launched by the New York State Office of Inspector General (NYSOIG). The goal was to determine why the escape had occurred, and to propose relevant reforms and best practices to avoid recurrence. The NYSOIG investigation and resulting [report](#) revealed numerous problems at the Clinton facility that contributed to the escape. Some of these were security and management failures that did not involve corruption per se.



For example, Matt and Sweat were both allowed to work in the tailor shop despite various security violations and other actions that should have resulted in their not being permitted to work there. In addition, the corrections officials responsible for the night count did not walk by the cells as they were supposed to; had they done so they would have seen that Sweat was out of his cell most nights creating an escape route. And the cells were not periodically searched as they were supposed to be, which likely would have led to discovery of the holes. These, among others, were very important failures, albeit not corruption-related, and many of these, had they been fixed, would have thwarted the escape.

Corruption-related factors in escape

I. Joyce Mitchell: Contraband smuggling and inappropriate relationships

The biggest factors in the Clinton escape were clearly corruption related. The most important of these was the corrupt conduct of Joyce Mitchell, a civilian employee who supervised inmates, including Sweat and Matt, in the prison tailor shop.

Mitchell violated prison regulations and paved the way for the escape in numerous ways. The most important violation was in smuggling contraband. Some was fairly innocuous, at least at the beginning; for example, Mitchell provided the inmates with food and cooking spices from outside the prison, which was against the rules. Soon Mitchell progressed to smuggling items that were far from innocuous, however. Mitchell brought the inmates lighted reading glasses, which Matt said he needed to paint at night, but that were used in the escape so that the inmates could see in the tunnels. Once Mitchell was made aware of the escape plans, Mitchell brought Sweat various tools that he was using to plan his escape, including tools to remove the lock on his cell door. Mitchell also provided the inmates with hacksaw blades when Sweat realized he would have to cut through the back of their cells to effect the escape. Mitchell later brought in drill bits and other tools, smuggled into the prison by being hidden in ground beef that was then frozen. Mitchell was able to bring these things into the facility because she and other prison employees were not searched and did not have to go through metal detectors.

In addition to Mitchell's smuggling of contraband for the inmates, Mitchell ultimately agreed to help Sweat and Matt get to safety once they had escaped from the facility by picking them up in her car. According to Mitchell and

Sweat, Mitchell planned to join the inmates in their flight, running away with them to start a new life. When she was aware the time for the escape was drawing near, Mitchell started to assemble items that the inmates would need when they made it to the outside, like clothing, maps, and equipment, including weapons and ammunition.

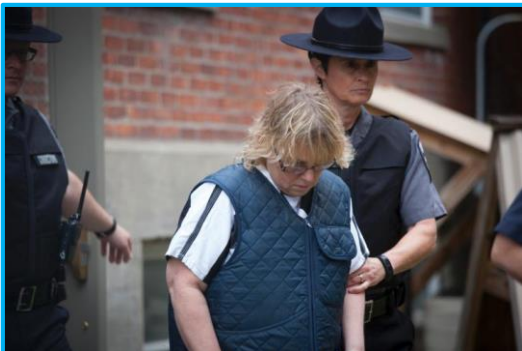
The NYISOIG report found a few motivating factors that led Mitchell to her corrupt conduct, including that Matt provided Mitchell with some paintings. Mostly, though, Mitchell seemed to have been drawn into the scheme because of romantic feelings for both Matt and Sweat. She was suspected of sexual activity in the tailor shop with Sweat before he was removed from his assignment there, and later on in the escape planning Mitchell and Sweat exchanged explicit love notes when he was asking her for help after the escape itself. Mitchell also engaged in sexual activity with Matt in the tailor shop as the escape approached.³ According to Sweat, Mitchell also asked him and Matt to kill Mitchell's husband for her, which may have been another motivating factor for her to help them escape.

II. Eugene Palmer: Contraband smuggling and inappropriate relationships

Another contributing corruption issue identified by the NYISOIG was the relationship Matt and Sweat formed with Correction Officer Eugene Palmer. Palmer served as an escort officer, bringing inmates between their cells and the workshops. Palmer developed a close relationship with Matt, to the point where, according to Palmer, Matt had said he would kill any inmate who assaulted Palmer. Palmer accepted artwork from Matt and Sweat, who were both talented artists. In exchange, Palmer did a number of things. He brought the inmates painting supplies, in violation of prison rules. More importantly, however, Palmer did favors for Matt and Sweat that directly assisted their escape plan: Palmer escorted Matt from the tailor shop to his cell without taking him through metal detector checks, acted as a go-between for the items moving between Joyce Mitchell and the inmates, gave access to Matt and Sweat to the catwalks behind their cells, warned Matt of upcoming cell searches, and helped Sweat to be reassigned to the tailor shop and to the cell next to Matt's, all of which were extremely valuable to the inmates in planning and executing their escape.

Palmer, like Mitchell, was permitted to go in and out of the prison unsearched, so he could remove paintings and other items for the inmates and provide them to other prison employees; he did this for the paintings Matt made for Mitchell, for example. Unlike with Mitchell, it does not appear that Palmer was explicitly aware of the escape plan and the ways in which he was aiding it. But he unquestionably knew that he was breaking the rules and helping the inmates in ways that could be dangerous, particularly given that he was the conduit for many items and did not know everything that he was transporting to Matt and Sweat. Indeed, on at least one occasion he acknowledged being concerned about what might be in the frozen meat Mitchell was sending to Matt and Sweat, but went ahead and brought them the meat, which unbeknownst to Palmer concealed hacksaw blades.

In the months following the escape, both Mitchell and Palmer were arrested, pleaded guilty to criminal charges, and were dismissed from their employment. Numerous other Clinton officials were suspended and subjected to other administrative penalties.



Joyce Mitchell



Eugene Palmer

III. Takeaways for Prison Oversight Officials

When it comes to rooting out the kind of prison corruption that led to the Clinton escape — namely, contraband smuggling and other blatant rules violations by prison employees -- and the failure of higher level officials to identify and stop them, many lessons have emerged from the NYSOIG investigation. The NYSOIG report also contains comprehensive findings and recommendations about other, non-corruption, aspects of prison operations that contributed to the escape, such as problems with how correction officers conducted the inmate counts, cell searches, and other issues, but we do not address those issues further here.

a. Measures to thwart smuggling of contraband

Perhaps the most egregious violation that directly led to the escape is the complete failure to search employees entering the facility for contraband. Had these searches occurred, Joyce Mitchell would not have been able to smuggle in the hacksaw blades and other tools Sweat and Matt used to effect the escape. Specific recommendations of NYSOIG included: (1) front gate security staff will open and examine the contents of all bags and containers of employees entering and exiting the prison; limits on the number and size of containers will be enforced and clear bags and containers will be required; (2) utilization of metal detectors will significantly increase; (3) a random selection of employees will be pat-frisked upon entering and exiting the prison; (4) random use of canines to detect contraband will be considered; (5) security staff will be retrained in these procedures; (6) prison management will implement effective monitoring to ensure compliance with front gate procedures; and (7) during shift changes a lieutenant or high-ranking security officer will monitor front gate searches.

Searches at the entrance to the prison constitute a critical front-line measure to cut down on contraband smuggling. With respect to NYSOIG's recommendations, the lack of discretion given to the front gate security staff is important; especially in a smaller facility where everyone knows everyone, it is better to take away the possibility of pressure to let a friend walk through without being searched.

NYSOIG also recommended that as a further check on contraband smuggling, cell search procedures should be altered to include that: (1) all cells are searched within a defined time, but not at predictable times, that all searches are actually done and properly recorded, including the time of the search, and that floorplans are up to date; (2) cell searches should be thorough and include bar-and-hammer examinations, vent and toilet inspections and checking of the integrity of the cell walls including observations from the catwalk; (3) officers will be retrained; (4) officers must report all contraband found in a search; (5) the prison should consider establishing a team of specially trained staff to conduct cell searches.

NYSOIG also found that proper use of metal detectors for all inmates moving between workshops and their cells can act as another check on contraband smuggling, at least of metal items that could be used as weapons or escape tools or communication devices. NYSOIG recommended that all inmates be subjected to the use of metal detectors when moving between workshops and cells and when going to or from a medical call, and that cameras be installed to monitor metal detector usage.

b. Measures to thwart inappropriate relationships between prison employees and inmates

NYSOIG recommended a number of measures to try to stop the type of inappropriate relationships that led Joyce Mitchell and Eugene Palmer to help Matt and Sweat escape from Clinton. NYSOIG indicated that strict rules



New York State Department of Corrections officers search for escaped inmates in [June 2015](#).

should govern the standards of conduct between inmates and civilian prison employees, including that the custody and security of inmates must take precedence over production goals of the workshops, which had been a problem at Clinton. NYISOIG specifically recommended that: (1) the placement and assignment of civilian staff should be regularly evaluated; (2) inmate work assignments should be reviewed at least annually; (3) random inspections of inmate work stations, including storage areas, should be implemented; (4) all inmate movements should be documented in shop log books; (5) staff will ensure that inmate time cards are accurate and that inmates punch in and out their own cards; (6) cameras should be installed to monitor employee and inmate activity in the shops; (7) meetings of civilians, correction officers and higher-level prison officials should occur regularly; and (8) civilian employees should wear standard attire.

NYISOIG also found fault with the training of both security and civilian staff at Clinton, and recommended changes including: (1) improvements in the timeliness of training for newly promoted officers; (2) strengthening of training for security functions like cell searches and night rounds; and (3) new civilian employees should have to complete appropriate training, including training on dealing with inmates, and should receive annual training thereafter.

Conclusion

Prison corruption is a multi-faceted issue, but as this review demonstrates, in the end most of this conduct can be divided into two categories: contraband smuggling, and inappropriate relationships between prison officials and inmates. Neither of those problems is easy to fix, but with the detailed recommendations made as part of the NYISOIG Clinton investigation, DOJ's work in the Rikers system, and the UK Prison Corruption Initiatives, practitioners can find thorough and well-researched best practices to aid in their attempts to address this type of corruption.

Endnotes

¹ Many states and the federal government contract with private prisons to house inmates, instead of housing all inmates in government-run correctional facilities.

² The Department of Justice recently announced plans to end the use of private prisons for housing federal inmates, although that decision was not attributed to a greater incidence of corruption in those private facilities. The decision followed on the heels of a comprehensive report by the DOJ Office of Inspector General that found that private prisons had much higher rates of contraband cellphone confiscations than government prison facilities, but the reasons for the difference were not clear.

³ Much of this behavior was possible because of a negligent correction officer, Allan Trombley, who ignored what was going on under his supervision at the tailor shop. Moreover, while inmates and prison officials became aware of these relationships (or at least the strong possibility that they were occurring), prison officials did not take firm enough action to prevent them from continuing. In part, this was because when a superior of Mitchell's filed a memorandum about her behavior, Mitchell complained of harassment. Mitchell also filed a grievance against a superior who was giving her poor evaluations. These actions paid off, and Mitchell was permitted to remain in the tailor shop despite an awareness on the part of prison officials about at least some of her inappropriate conduct. Another problem was that Clinton officials did not refer the matter to the Department of Corrections Office of Special Investigations, as they should have, and the matter remained internal to Clinton and was ultimately dropped.

Author:

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What is CAPI?

CAPI is a nonprofit resource center dedicated to improving the capacity of public offices, practitioners, policymakers, and engaged citizens to deter and combat corruption. Established as partnership between the New York City Department of Investigation and Columbia Law School in 2013, CAPI is unique in its city-level focus and emphasis on *practical* lessons and tools.

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