

## Do NOT Go Directly to Jail

Visiting a loved one in Rikers? Good luck.

by Graham Rayman

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On a recent gloomy Wednesday morning, under a light drizzle, 19-year-old Tamika Gordon waited at Queens Plaza for a bus to take her to see her boyfriend at Rikers Island.

On most weeks since August, Gordon, of Brooklyn's East New York section, has been taking two trains to Queens Plaza for the 30-minute bus ride to the nation's largest jail complex. The bus ride, however, was only the beginning of what would become a day-long odyssey.

After several searches, more bus rides, and the interminable (and often unexplained) waits at each step, the bus ride back to Queens Plaza, and the final subway ride home, Gordon would have spent more than nine hours in transit for a 60-minute visit with her boyfriend. She was interviewed by the *Voice* at Queens Plaza at 10:30 a.m., but she didn't leave Rikers until after 5 p.m., she said by phone the next day.

"It's an all-day thing," Gordon says. "You have to plan your life around it. On a good day, you wait two hours for a one-hour visit—on a *good* day—and the COs are rude. Sometimes they load you on the bus at Rikers and we're sitting there, and the driver is standing outside smoking, and it's like he's not going to take you until he's ready."

Gordon says she was once turned away for wearing a tank top. Another time, she says, she waited eight hours to see her boyfriend. In the end, she was told she couldn't see him. "It was almost 9 p.m., and I was sitting there with a couple of other people, and the officer goes, 'You're an idiot for staying so long.' "

Gordon was trudging a well-worn path taken by many previous visitors to the remote complex, which sits in the East River in sight of LaGuardia Airport. Maybe you've never had to visit Rikers, but you probably know someone who has. Each year, about 350,000 people—or about



**Nyki Oliver, 19, of Fort Greene, Brooklyn, on her way to visit her cousin at Rikers Island. The trip takes "mad time," she says.**

photo: Cary Conover

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1,000 a day—visit someone at Rikers or elsewhere in the sprawling city jail system. There are a lot of reasons why Rikers visits take so long—some reasonable and others not—but together they amount to a hidden penalty exacted by the criminal-justice bureaucracy on a population largely made up of moms, wives, girlfriends, and sisters.

In 1992, a federal judge issued a ruling that forced the Correction Department to meet basic requirements for jail visits. Chief among those was a rule which said that visitors could not wait more than an hour to see a prisoner. In addition, anyone who arrived within visiting hours was guaranteed to see a prisoner.

Under the decree, says John Boston, a lawyer with the Legal Aid Society's Prisoners' Rights Project, the department improved its visiting procedures and consistently came close to meeting the one-hour requirement. But in 2001, a federal judge dismissed the consent decree. No one outside the DOC has done an examination of the visiting process, but anecdotally, observers say the quality and efficiency of the visiting process has deteriorated.

In addition, the Correction Department is much more aggressive about banning visitors who commit infractions, like bringing in banned items or arguing with correction staff. The list of banned visitors has grown to more than 1,100 names.

"We hear stories that the lines are longer, and things take longer, people are subjected to more searches, and they can't bring in minor items," says Dale Wilker, another lawyer with the Prisoners' Rights Project.

"Essentially, they suspend everyone for everything," a jail observer says.

An Internet bulletin board hums with complaints about Rikers visits. One poster titled her missive "Visiting is a job!" She writes that she arrived recently at 12:45 p.m. and didn't get inside until 2 p.m. "I still didn't get off the island until 5:30," she writes. "I don't understand why it takes this long."

In a recent public hearing, Kareem Sharperson, a teenager working with an inmate advocacy group, the Osborne Association, testified that visits are usually less than an hour. "Every time I visited my father at Rikers, I never had a full hour," he said. "Most of the time, it took him 15 minutes to get downstairs to start the visit."

Sharperson added: "The average time I spent visiting my father was between five and six hours. That is a very long time to wait, with an average of two hours before and two hours after the visit."



Visiting Rikers, says Tamika Gordon, 19, of East New York, is an "all-day thing." She says she once waited eight hours to see her boyfriend.  
photo: Cary Conover

In a lengthy response to a *Voice* query, Correction officials blamed the sheer inconvenience of visiting Rikers on its location and security requirements. But they strenuously objected to any assertion that the efficiency of the visiting process has declined since the consent order was lifted.

Correction Department spokesman Stephen Morello argued that the agency has done a great deal to make the visiting process at Rikers as efficient as possible. He says most visits still begin within one hour of the visitor's arrival.

"We recognize them as the sons and daughters, mothers and fathers of our community, and we consider visitation a critical element in the ability of inmates to see their incarceration period through and to return to the community with a strong chance of living lawful lives," he says.

Some examples that Morello proffered of the city's attempts to accommodate the families of inmates: Relatives no longer need to visit Rikers to deposit funds in inmate accounts; it can now be done online, by phone or by credit card (though the private firm that handles the transaction charges a fee for the service).

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There is also a lost-and-found service, more parking spots set aside for visitors as well as vehicles to transport handicapped visitors, and extended visiting hours for inmates in protective custody. A video in the central visiting house, he says, informs visitors of rules and available services.

Morello says the buses that take visitors from central registration to the individual jails are operating more efficiently, and visitors can get a free blood-pressure screening and obtain health information. More phones have been added as well. "We have, in fact, made significant progress on improving the process," Morello says.

He also noted that Correction Commissioner Martin Horn has long argued for placing the jails in the boroughs proper, saying that the location of Rikers "demonizes and marginalizes" inmates and "makes it difficult for families, friends, and attorneys to visit, and for those in custody to maintain contact with their communities," Morello says.

But Horn's plans to build new jails in the Bronx and Brooklyn are still in the works. Another plan to place a facility in the Oak Point section of the Bronx has been stalled by a bankruptcy proceeding involving the owner of the property. And the city is still looking for the right proposal to expand the Brooklyn House of Detention and add shops and housing to the mix.

Correction officers, meanwhile, tell the *Voice* that things used to be a lot worse. "Once you get to Rikers, from beginning to end, it's probably about two and a half hours," one veteran correction officer says. "Given the location and the need for the searches and the volume of visitors, it's about as good as it can be."

Beyond the remote location of the island, there are, the officer points out, legitimate reasons why the visiting process might be slowed. An inmate might not be prepared. There might be a search going on in the facility. After a fight, inmates are locked in their cells. And when a lot of visitors show up, moving them through the process eats up time.

But it's pretty hard to imagine a valid justification for what happened to Alicia Williams, now 46, of Brooklyn. In October 2005, Williams was visiting her husband when officers accused her of passing something to him.

The officers asked Williams to step into a room. There, they had her sign a form consenting to a search. She says that two female officers watched as a third patted her bra and checked around the waistband of her pants.

The officer then told Williams to remove her pants and push her underwear down to her knees, she says. The officer found no contraband, but told her afterward that the visit with her husband had been terminated anyway.

Under the rules, officers are allowed to frisk visitors, but there is no provision for a strip search. In fact, the city has already lost two class-action lawsuits for strip searches of misdemeanor inmates. Williams hadn't even been charged with a crime.

"I cried all the way home," she says. "I felt humiliated and disrespected."

Williams says she believes the search was retaliation against her husband, who had spoken about a jail riot that had taken place earlier that week. "The same officer told me, 'Tell your husband he needs to shut up—he has a big mouth,'" Williams says.

Williams subsequently complained to the Board of Correction, a city-jail oversight body, but didn't receive any response. She recently filed a lawsuit over the incident.

"My goal is to let them know they can't be doing that to people," she says. "What they did was wrong."

The search was improper, says Williams's lawyer, Cynthia Conti-Cook. "It's a dehumanizing and offensive exercise that violated her civil rights," she adds. "We believe in this situation it was retaliatory. There were a lot of other alternatives the officers had."

The overall value of allowing jail visits, experts say, is that it keeps inmates happier and improves the likelihood that they will stay out of jail after being released. Under the "minimum standards"—the city rules that govern inmate care—a visit can only be revoked when it would constitute a "serious threat" to security. Increasingly, however, the department has stopped allowing the use of non-contact booths for visitors who break the rules and instead has banned them outright, jail observers say. On the enormous list of banned persons are names going back to 1999. In some jails, booths once used for visits are now used for storage.

The central reason for the reduction in booth visits, sources say, is simply budgetary: Booth visits cost money in both staff and overtime.

The suspensions, meanwhile, are supposed to be reviewed every 30 days, but it doesn't appear that those reviews are going on. "Once you get on that list, you don't get off," a jail observer says. "It's to prevent visitors from coming. The Correction Department is never asked to explain itself, and there's no real process to appeal the ban." For example, the DOC often arrests visitors caught with contraband—but even if their resulting criminal cases are dismissed, the visiting ban still remains in effect, and their names remain on the list.

"The concept of the indefinite suspension is contrary to the original intent of the standard," says Dale Wilker of the Prisoners' Rights Project. "You were supposed to turn them away only if even a non-contact visit would not prevent the threat. The idea was to save the visit and still protect security. It wasn't meant to be punitive. Now it seems they move right from infraction to suspension."

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"The idea was that visits are so important for an inmate's well-being that you tried to encourage them," another observer says. "But now, they are essentially creating disincentives to do it. Only reason to do that is to save money."

Morello, the DOC spokesman, disputes these claims. First off, he denies that the department has reduced or eliminated booth visits, or reduced staff or overtime. "A non-contact visit is still available as an alternative to the restricted list for those who commit lesser infractions," he says. Department figures show that booth visits make up less than 1 percent of all visits—but the number of booth visits more than doubled in the first six months of 2007, compared to the same period in the previous year.

Three-quarters of the people on the restricted list, he continues, were arrested for misconduct during the visiting process. Moreover, since people rotate out of Rikers in 45 days on average, many of the people on the list would have no reason to visit the jails today.

Finally, he says, visitors are allowed to request review of a suspension every 30 days. "The offenses most often at the root of a restriction are serious security-related offenses, not minor offenses, or at the whim of officers," Morello says.

Based on an examination of visitor complaints filed with the city Board of Correction, verbal clashes with correction staff seem to be a major reason for suspensions—a situation that often amounts to a self-fulfilling prophecy, given the seemingly Kafkaesque treatment that some Rikers visitors have encountered.

"There didn't used to be so much of the visitors getting into battles with the officers," says one jail observer.

Visitor Joanne McNeil wrote to complain that an officer kept her waiting 25 minutes only because he wasn't finished reading his newspaper. "There is a growing problem at Rikers where correction officers are abusing and mistreating visitors for no reason," she wrote. "When a visitor speaks up, the COs get combative."

In addition, some of the rules cause problems. For example, Rikers officials sensibly banned cell phones from the jails, which prevent the devices from use by inmates. The problem is that there are few working lockers to store them in. So visitors who show up carrying a cell phone either have to trudge back home, leave the phone in an unlocked locker at the jail, or risk having it confiscated and losing their visiting privileges. Some people simply toss the phone in the trash. Enterprising van drivers will store phones in their vehicles—for a \$5 fee.

An aggrieved mom posting on an Internet bulletin board said she couldn't find an empty locker to store her phone. "I took my sim card out of my phone and threw the phone in the garbage," she wrote. "My phone is replaceable. My dignity is kinda hard to replace."

Morello also disputes this claim, saying there are working lockers available. But he acknowledges the department did have a problem with people taking home the keys. In response, the DOC began padlocking the lockers until the keys were returned. Since then, he says, the problem has been reduced.

In another case, a woman was banned from the island for 90 days for complaining that visitors were treated as badly as inmates, records show. Sharon Ashby got a 120-day ban for unruly conduct. She had asked for a waiver for not having her child's birth certificate with her.

When Iris Duberge went to visit someone at Rikers in March of last year, she was told that she was still banned for an incident eight years earlier in which she was caught bringing contraband into the facility.

Maria Piccolo, in October 2006, got a 45-day suspension for dropping her identification card on a table rather than handing it to the officer.

After she complained about waiting in the cold, Ikeytie Willie claimed that the bus driver snapped: "It's *my* fucking bus." She also got a 45-day suspension. For his part, the bus driver claimed Willie was disrespectful to him.

Isania Perez had her visits suspended last January for 180 days when she forgot to turn in her cell phone at the initial checkpoint.

Victoria Davis says she was suspended from the island for a year after she said, "Excuse me . . ." to a captain who kept her waiting for a half-hour while he chatted with other visitors.



Alicia Williams, 46, of Brooklyn, said she was strip-searched during a visit to see her husband at Rikers in October 2005.

photo: Cary Conover

Nancy Rosario forgot that she was wearing a digital-picture keychain. She was banned for 180 days. "That's very hard for something that was done accidentally," she told the board.

Olga Kalantyrsky was banned six months for not wearing underwear and then telling an officer, "This is fucked up."

And when Theda Toye got into an argument with a Rikers bus driver, the driver told her: "Write a letter to the Board of Correction—no one is going to listen to you here."

In one respect, the bus driver was right: Visitors are supposed to send their complaints to the BOC, which is supposed to review those appeals and, to some extent, advocate for the visitors. But how seriously the agency takes those complaints is another matter.

The board is supposed to rule on appeals of visiting bans within five days, but the understaffed agency never makes the deadline and often doesn't even issue a ruling. The board's leadership has yet to make an issue of the suspensions with Correction Department officials.

Take the case of Donyne Lucas, 41, of Long Island City. She was banned indefinitely for bringing tobacco into the jail for her boyfriend. (It's considered a banned substance). She and her boyfriend contacted the Board of Correction to file an appeal.

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Lucas says the board didn't lift a finger to help her. She even stopped by the agency's Chambers Street offices. "As far as I know, they did nothing," she says. "Whatever they had in the computer, that's what they let stand."

Lucas, along with her seven-year-old daughter, didn't get to see her boyfriend for more than a year. "It was really hard," she says. "I think they should have just canceled my visit for six months—not indefinitely."

Jessica Ramirez received an indefinite ban in February 2006 after contraband cash was found in a magazine that she was bringing to her boyfriend. She appealed the ban to the DOC, she says, but her letters were ignored. She then wrote to the Board of Correction.

More than a year after her initial appeal—and well after her boyfriend had already been released—she was told the ban had been lifted. "It was very frustrating," she says. "It's not like I had a criminal record. They could have just given me a warning."

A request for comment from the Board of Correction was still pending at press time.

Back at the lonely bus stop at Queens Plaza, the bus carrying Tamika Gordon departed. Before long, more pilgrims arrived for the Rikers Express.

"I'm not the one who's locked up, but it seems like that sometimes," Monique Smith said as she waited. "Sometimes you get all the way out there and they've already had a visitor, and so you can't go see them."

By contrast, a defense lawyer also waiting for the Rikers bus said it's much easier for lawyers to visit. She said she rarely waits more than 30 minutes to see her client. That efficiency, of course, was generated by a lawsuit that forced DOC to make special provisions for defense lawyers to see their clients without having to wait hours.

A few steps away, 19-year-old Nyki Oliver, of Fort Greene, Brooklyn, said she was visiting her cousin. "I try to go out there whenever I have a day off," says Oliver, who works at a midtown department store. "Going out there, it's just takes mad time."

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