

1-1-2007

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Recommended Citation

Michael W. Tillman-Davis, *My Time on Rikers Island*, 99 L. Libr. J. 151 (2007).

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First Person . . .

My Time on Rikers Island*

Michael W. Tillman-Davis**

Mr. Tillman-Davis provides a striking portrait of the time he spent as a legal coordinator—a law librarian—at the jail facilities on Rikers Island in New York City.

¶1 For one year, seven months, and nine days, Tuesday through Saturday, I rode the F train from the Briarwood/Van Wyck Boulevard stop in Briarwood, Queens, to the 21st Street/Queensbridge stop—also known as the Queensbridge Projects—or the E train to Queensborough Plaza in Long Island City, Queens. Sometimes this was a twenty-minute ride, sometimes it was an hour. By car, Rikers Island was only a fifteen-minute drive from my apartment in Queens. Then, rain or shine, snow or sleet, or in the oppressively humid New York City summertime when the heat rises from the concrete and asphalt and makes you feel like you are submerged in a hot bath of sticky, acrid tar, I waited for the Q101-R—the Rikers Island bus. This bus was filled with a mix of correction officers and civilians on their way to work, as well as friends and family members of all ages on their way to visit the men and women locked up on the island. The latter included old women with canes and crutches and young mothers struggling with child, stroller, and baby bags—usually someone would help them or give up a seat on the bus. There were homeboys going to see their homeboys. Men and women who had been incarcerated returning to the island to reclaim property. And then there was me.

¶2 Some days were better than others, but generally speaking, I loathed going to jail. The few minutes that I had alone with music on my portable CD player or with a book was a small solace for the trip to whatever jail I was heading for that day. The bus ride usually lasted about fifteen minutes, but it was the wait that got to me. Some days I would be lucky. I would come upstairs from the train and the bus would be right there. More often I would wait fifteen, thirty, or even forty-five minutes for a bus. A bus that was taking me to jail.

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Getting to Rikers

¶3 Rikers Island is indeed an island. It sits in the East River adjacent to LaGuardia Airport. In fact, a passenger on a flight taking off from or landing at LaGuardia can actually see the island. Rikers is connected to the borough of Queens via a bridge. On the Queens side of the bridge people coming onto the island encounter a security checkpoint. Only officers and civilian employees are allowed to drive across the bridge. Anyone coming to visit a relative or friend must get on the Q101-R, which picks up people who have taken cabs or driven themselves to the checkpoint area. On the Rikers side of the bridge is another security checkpoint. Both checkpoints monitor the people coming and going; even employees must flash a Corrections Department badge or identification card to get on and off the island. Visitors are allowed on and off the island via the bus.

¶4 Once on the island I had to go through a third checkpoint and metal detector. I was finally on the island, but not at a jail yet. Some people were allowed a Gate One pass. With a pass, correction officers or civilian employees could drive onto and around the island and park their cars at the jail where they worked. I was not one of those fortunate few—never mind that I didn't own a car—so I had to wait for a route bus to pick me up at the front of the island and drop me at whichever facility I was scheduled to be in for the day. Sometimes the route bus would be right there. Sometimes I had to wait for up to half an hour to be picked up. When I finally reached a facility, there was another security checkpoint. I walked through another metal detector and exchanged my Department of Correction identification for an institutional identification, which was basically a laminated piece of paper with the word "Visitor" stamped across it. After getting the institutional identification, I walked through a small holding area. A door would slide open along a track, I would step into an area perhaps four by five feet, that door would slide shut, and then another would open and allow me into the facility. Next was the walk to the law library. Once there, I could relax, eat my bagel or hero sandwich, and start helping the detainees with their library needs. For you see, my time on Rikers was served as a law librarian.

Law Libraries and Legal Coordinators on Rikers

¶5 A City of New York Department of Correction directive establishes a mandate requiring its jail overseers to staff and maintain institutional law libraries.¹ The directive is a seventeen-page document outlining the department's policy concerning law libraries and detainee access to the courts. It covers a wide range of topics,

1. Dep't of Correction, City of New York, Directive: Law Library Operations (May 19, 1986), available at <http://www.ci.nyc.ny.us/html/doc/pdf/3501.pdf>.

including law library equipment,² director of law libraries,³ correction officers,⁴ hours and days of operation,⁵ detainee/inmate access,⁶ law library accommodations and capacity,⁷ inmate assistants/training courses,⁸ discipline/misuse of facilities,⁹ and record keeping.¹⁰

¶6 The directive also establishes the position and responsibilities of legal coordinator,¹¹ which is the position I held while working on Rikers Island. Legal coordinators are supervised by the Department of Correction, a fact that always appeared to me, on some level, to be a conflict of interest on the part of the department. Its purpose is to control a detainee population—an incarcerated population. The purpose of the legal coordinator is to assist inmates in defending themselves by providing legal research assistance. Serving in this role, I found that the coordinator frequently works against the machinery of the criminal justice system, much in the way a defense attorney does. Just as the defense attorney is a crucial piece of the functioning of the criminal justice system, so too is the coordinator an indispensable cog in the smooth functioning of the law library.

¶7 It is the coordinator who, among myriad duties, maintains and updates the materials, hires and trains the detainee law clerks who help the coordinator, and assists with legal research and writing. All of the coordinators have attended law school. In truth, but for the legal coordinator, the libraries in the various institutions would be without direction. On more than one occasion, I met people in the halls of the jail who were soon to be released, or I ran into people on the street who had been released as a direct result of assistance they received in the law library. These meetings signified, of course, a victory for the individual who was home or going home, but they were also a personal validation for the work I was doing.

¶8 On Rikers Island the legal coordinator is an integral part of the operation of the law libraries. In facilities with more than six hundred inmates, there must be two full-time legal coordinators whose “tours of duty” overlap; in facilities with a population under six hundred, one full-time legal coordinator is required.¹² The coordinators are responsible for maintaining the legal reference materials and initiating reports of any missing or damaged volumes, preparing quarterly inventory reports, receiving and logging incoming reference materials, preparing monthly utilization reports, making sure that supplies are adequate, providing legal assistance to detainees without giving legal advice, staying abreast of changes to the

2. *Id.* at 1–2.

3. *Id.* at 3.

4. *Id.* at 5.

5. *Id.* at 6–7.

6. *Id.* at 7–9.

7. *Id.* at 9–10.

8. *Id.* at 10.

9. *Id.* at 10–15.

10. *Id.* at 10–16.

11. *Id.* at 3–5.

12. *Id.* at 3.

law, referring detainees to appropriate departmental or nondepartmental agencies when necessary, performing notary service, teaching legal research courses to detainees, and training and supervising detainee law clerks.¹³

The Facilities on Rikers

¶9 Rikers Island is not just one jail. There are ten facilities on the island: the Adolescent Reception and Detention Center (ARDC); the George Motchan Detention Center (GMDC); the Eric M. Taylor Center (EMTC); the Anna M. Kross Center (AMKC); the North Infirmary Command (NIC); the Otis Bantum Correctional Center (OBCC); West Facility; the Rose M. Singer Center (RMSC); the George R. Vierno Center (GRVC); and the James A. Thomas Center (JATC) which was closed in 2000. The Department of Correction provides custody of males and females, sixteen and older. Eight of the jails house male detainees and one houses females. West Facility is used for detainees with infectious diseases, and the NIC houses general population detainees but is noted for detainees who require extreme protective custody because of the notoriety of their case or their celebrity. Each facility has at least one law library and some have two.¹⁴

¶10 According to figures released by the Department of Correction, in fiscal year 2005, the latest year for which data is available, Rikers admitted 107,571 people.¹⁵ There was an average daily inmate population of 13,576.¹⁶ In FY 2005, agency expenditures totaled \$830.5 million, with revenues of \$16.5 million.¹⁷ There were 9477 uniformed staff throughout the system.¹⁸ Facilities on Rikers, other than institutions housing inmates, “include a bakery, central laundry, tailor shop, print shop, maintenance and transportation divisions, K-9 unit, and a power plant.”¹⁹ There are also barber shops in the facilities housing men and a beauty salon in the facility housing women.

Central Punitive Segregation

¶11 Also located on Rikers Island are the Central Punitive Segregation Units (CPSU). The CPSU is a jail within the jail. Detainees are housed in the CPSU if

13. *Id.* at 4.

14. In addition to the city’s facilities on Rikers Island, there are also eight smaller jail facilities located in the boroughs of New York that are a part of the New York City Department of Correction: two in the Bronx, one in Queens, one in Brooklyn, one in Manhattan, one at Elmhurst Hospital in Queens, one at the Kings County Hospital in Brooklyn, and one at Bellevue Hospital in Manhattan. The Elmhurst Hospital and Kings County Hospital facilities do not have libraries.

15. Dep’t of Correction, City of New York, General Facts and Figures, <http://www.ci.nyc.ny.us/html/doc/html/gnlstats.html> (last visited Nov. 11, 2006).

16. *Id.*

17. *Id.*

18. *Id.*

19. Dep’t of Correction, City of New York, Department Overview, <http://www.ci.nyc.ny.us/html/doc/html/overview.html> (last visited Nov. 11, 2006).

they consistently break institutional rules, are frequently violent, are known gang members, or if they come into the system and are known to fall into any of these categories. CPSU is twenty-three hour per day lockdown in a cell measuring about five feet by nine feet. Meals are served in the cell; any access to the law library is provided either by a law librarian visiting an individual cell or by inmates submitting written requests for materials.

¶12 The CPSUs are situated differently in each jail. In ARDC—the adolescent facility—the unit is in the basement of the jail. The library is centrally located in the unit and although they were not supposed to, the officers often let some of the young men out of their cells so that they could move about for an hour or so—an hour outside of their mandated hour of exercise time. I would sit with the young men—sometimes they would want help with their cases, other times they would just sit with each other and talk.

¶13 The CPSU in GRVC—an adult male facility—was different. That jail has only one library, which includes a separate room with a row of about six heavily wired cages. The CPSU inmates are brought upstairs in shackles and placed in these cages. I would provide service through a slot in the front of the cage. Rosie's—the facility for women—also has a CPSU. The women housed there are brought into the library separate from the other inmates. There are no cages in the library, so CPSU detainees have their own time.

The Otis Bantum Correctional Center

¶14 OBCC is the big time. OBCC houses regular detainees and it also houses a CPSU facility. OBCC has the capacity to house almost 1500 detainees.²⁰ The CPSU in OBCC is comprised of two five-story buildings. Inmates in the general population are allowed to visit the law library at the time designated for their particular tier or dorm. Inmates housed in the CPSU are not allowed out of their cells. They are required to make a written request for legal materials. The requests are collected by the CPSU correction officers and submitted to the law library. The legal coordinator fills the requests and the officers return the information or materials to the inmates in their cells. Unless they choose to do so, legal coordinators never physically see the inmates in the CPSU.

¶15 I am often asked if I was afraid working on the island. I can honestly say that I was not. I was always aware, but never really afraid. I always treated people with respect and it was forthcoming in return. I also feel that because of my role I was not seen as an adversary to anyone—officer or detainee—and so this afforded me a certain amnesty, at least in the law library. I never ventured into the housing areas—I had no reason to and, for the most part, the people who were coming to

20. Dep't of Correction, City of New York, Otis Bantum Correctional Ctr., <http://www.ci.nyc.ny.us/html/doc/html/div2.html#obcc> (last visited Nov. 11, 2006).

the law library were there to handle work, not to look for trouble with the legal coordinator. But on the occasions that I did work in the CPSU at OBCC I was always on edge.

¶16 The library is inside of a huge cage. Whenever I did see an inmate out of his cell, he was dressed in “full restraint status”—cuffed at the ankles, cuffed at the wrists—often with canisters covering the hands so that he could not cut anyone. The ankle and wrist cuffs were shackled together at the waist by means of a thick leather belt. Sometimes people had hoods covering their heads so that they could not spit on or bite anyone. Seeing someone in this state can be unnerving—at best, you can become somewhat accustomed to it, but never comfortable with it. And at night, outside the building, you could hear people yelling and hollering. I suppose some were talking to each other, others were probably just out of their minds. To me it sounded like the screams of a thousand madmen. To this day I feel like I am there when I envision that scene. Ironically, however, some of the most beautiful sunsets I have ever seen were from the west side of the island—outside the Otis Bantum Correctional Center.

Issues of Space

¶17 During my time on Rikers, I kept a distance between myself and the detainees. Sometimes this was a physical distance because of hygiene reasons. But more often it was an emotional and psychological distance. I was able to maintain a professional rapport with the detainee population that I encountered. I was there to provide a service based on a certain knowledge base and skill set, and this was respected by most of the detainees—at least those who used the law library. With detainees who were proficient in the law there existed a mutual respect for our ability to review case theory and update each other on new case law or statutory issues. However, during my orientation I was informed in no uncertain terms that legal coordinators had been extorted and blackmailed because they had become too close to detainees—they let their guard down. There were occasions when inmates would come to me under the pretense of requiring legal assistance, but then began asking me personal questions. If I saw that an interview was going that route, I ended the conversation. Consequently, I never had any problems with detainees trying to blackmail or extort me.

¶18 Nonetheless, at times I found it difficult to keep a distance. In any situation in which you spend long hours with the same person, it is difficult not to form a bond. One of the people with whom I bonded most was a young Puerto Rican man who was being held on a murder charge. He actually worked in the law library as one of the clerks. He helped other detainees physically access legal materials—forms, books, newspapers. We spent a significant amount of time talking when things would slow down in the library. We spoke about the circumstances surrounding the killing he committed, spirituality, and other general matters of

life. What I drew from the experience of getting to know him, and others, was that in life, one should refrain from judging others because each person's life circumstance is unique. This particular young man's defense for the killing was justification, i.e., self defense. Juries, as I understand it, tend to disfavor a justification defense. But unless you have lived a life hustling in the streets in a city like New York, you cannot begin to grasp the complexities of such an existence. In some sense, there is a notion of "I gotta get him before he gets me!" I have no idea about the outcome of his case; I left the Department of Correction before it came to a resolution. However, sometimes I reflect on his circumstance at the time and wish him well wherever he finds himself.

¶19 It has been four years since I worked on Rikers Island. When I arrived home after my last day I literally danced around the room, jumped up and down, and sang God's praises for allowing me to get out of there safely. I have never been incarcerated. However, working in a jail makes a person feel incarcerated. Yes, you know that at the end of your shift you will be able to go home and see your family and eat good food and feel relative comfort and safety in the presence of loved ones. But always in your mind is the jail. You become accustomed to walking around eight hours a day with your guard up, and the longer you stay in that environment the less the guard comes down when you leave. That is why I celebrated as I did on my last day. It was not anything planned, but I was home. I was done with my "bid" and I did not have to go back to that stinking, rotten cesspool of an island!

¶20 Anyone I have ever known or talked to who worked in a jail or prison or was incarcerated relates the same feeling. You purge your senses, your nervous system, and your emotional centers. I was overjoyed at the fact that I was done. I was finished with going to jail. Living in New York was rough. The city that never sleeps tends to wear on a person's nerves and patience. But being behind bars in New York worked overtime on my psyche.

Conclusion

¶21 My time on Rikers Island was an endurance test. My own mental strength was tested during those two years. But I am wiser and stronger for the experience. The skills that I acquired in law school helped me help the detainees that I worked with every day. The experience also gave me deeper insight into the plight of the vast numbers of men and women who are locked up and, especially, the necessity for education. An education is the best tool to help young people avoid the pitfalls encountered by many of the detainees I met. But in jail and prison, the education that inmates receive in the law library is an invaluable one. Once a person has been convicted of a crime they literally become the property of the state. The laws of the state bear down upon them. The law library is the only place in a jail or prison

where an inmate can receive an objective education in the legal aspects of his or her confinement. This is the only place where an inmate can turn to find recourse in the courts. The law library is a source of great knowledge, and a denial of a law library to inmates is an injustice in that the denial works to further ignorance.

¶22 My time working on Rikers was also my entrée into the profession of law librarianship and with issues important to law librarians. At this point in time, prison and jail law libraries need to be brought into the twenty-first century. Inmates and detainees need access to computer databases to keep current on the law. Although law libraries tend to receive pocket parts and slip opinions, they are often inadequate in that they operate with only print materials. In the interests of currentness and the furtherance of justice, individuals who are incarcerated should be provided access to legal resources that allow them to glean a full understanding of the ever-changing law.

¶23 Perhaps the most notable impact of the law library upon inmates can be seen in the aftermath of a prison riot. On Saturday, February 2, 1980, convicts seized the New Mexico State Penitentiary at Santa Fe, taking twelve guards hostage. When the institution was surrendered thirty-six hours later, rampaging inmates had murdered and mutilated almost beyond recognition at least thirty-three men; tortured eight of the hostage guards; and raped, wounded, and terrorized scores of other prisoners in the most savage penal riot in American history.²¹ The rioting prisoners destroyed most of the facilities throughout the institution, but the law library was left untouched. Even in the throes of a melee, prisoners recognized the value of the materials housed in that facility.

21. *See generally* ROGER MORRIS, *THE DEVIL'S BUTCHER SHOP: THE NEW MEXICO PRISON UPRISING* (1988).