

New York City
Department of Investigation



Contraband Smuggling in the City's Jails and Critical Recommendations for Improved Security Measures

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I. Executive Summary

Narcotics, weapons, cell phones, and other contraband,¹ are widely available within the New York City Department of Correction (DOC) jail facilities and are a persistent problem that threatens the safety and well-being of both correctional staff and persons in custody (PICs). The contraband trade fuels gang and criminal activity within correctional facilities, and the presence of illicit drugs and alcohol can create disorder and exacerbate substance abuse issues for PICs.² Narcotics, weapons, and cellphones enter City jails in several ways, including, in significant part, via correctional staff who smuggle these items into the facilities.

The Department of Investigation (DOI) conducts investigations of contraband smuggling into DOC facilities. DOI's investigations have focused on contraband entry via uniformed correction officers, non-uniformed DOC and other City employees, DOC volunteers and contractors, PICs, and other third parties. Contraband also enters DOC facilities through the mail.

In 2014 and 2018, DOI conducted a series of undercover integrity tests in which DOI investigators, posing as DOC staff, entered DOC facilities (via front gates equipped with metal detectors, x-ray machines and handheld metal detector wands) concealing narcotics and weapons that were undetected.³ As a result of these operations, DOI issued two reports, in 2014 and 2018, recommending policy and procedural changes to reduce the presence of contraband in City jails.⁴ Both reports identified vulnerabilities that allowed officers to bypass drug and weapon detection procedures at the facilities. These vulnerabilities included DOC's failure to enforce its existing contraband detection policies and procedures as to correction officers, and to impose additional procedures. Both reports proposed reforms and upgrades to security operations at DOC facilities to address the vulnerabilities.

¹ Contraband generally includes, but is not limited to, illegal drugs, alcohol, cigarettes/tobacco, currency, and prescription drugs found within the facilities and outside medical areas (i.e., suboxone or prescription pain killers/anxiety medication, etc.). DOC maintains an Incident Reporting System (IRS) database in which contraband recoveries are classified as "Discovery of Contraband." This category includes contraband weapons, often fashioned by PICs from found items. This report will focus primarily on narcotic and cellphone recoveries. Cellphones are categorized as "Dangerous Articles" in the IRS database. As used in this report, the term "Contraband" includes all of the items and substances referenced above, including cellphones.

² Shukla, Rochisha, et al. Urban Institute, "Contraband and Interdiction Strategies in Correctional Facilities" (2021).

³ DOC facility front gate control consists of a walk-through metal detector, an x-ray machine for items/personal belongings and a handheld trans frisker (metal detector wand).

⁴ New York City Department of Investigation. "Report on Security Failures at City Department of Correction Facilities" (2014) (2014 Report); New York City Department of Investigation. "Investigation Reveals Front-Gate Security Failures at City Detention Complexes in Manhattan and Brooklyn" (2018) (2018 Report).

DOC implemented some of DOI's recommendations, including the use of drug-sniffing dogs to screen correction officers at points of entry to DOC facilities, and the requirement that screening be conducted by officers from different facilities than the officers being screened. The 2018 Report recommended that the screeners be non-uniformed DOC personnel (that is, staff who are not Correction Officers or Correction Captains).⁵ DOC did not implement this recommendation and instead continues to assign uniformed officers from its Special Operations Division⁶ to conduct the screening.

DOC has not fully implemented many of the recommendations that DOI made in the 2018 Report and for that reason, among others, its staff entry screening system remains flawed. Since the 2018 Report, DOI has noted that staff continue to bypass front gate screening in many of the same ways noted in the previous reports. Moreover, DOI has observed a troubling increase in the number of dangerous opioids and cellphones recovered in DOC facilities.

Since 2018, DOI and its law enforcement partners have arrested approximately 38 DOC employees (both uniformed officers and civilians), contractors and volunteers for crimes related to smuggling contraband into DOC facilities.⁷ This number includes six individuals arrested on April 9, 2024 who are charged in the Southern District of New York — three former correction officers, one former Rikers program counselor, one former Rikers contractor and one former person in custody.⁸ The 32 other individuals charged since 2018 have been convicted and sentenced.⁹ DOI has investigated the methods by which contraband enters DOC facilities, and how DOC staff become involved in contraband smuggling.

Based on those investigations, DOI recommends that DOC adopt all of the recommendations previously made in order to reduce contraband within the jails, including moving locker rooms so that officers must pass through them prior to entry at the front gate, where they will be subject to screening. In addition, DOI makes several new policy and procedure recommendations.

⁵ The 2018 report recommended that DOC establish “a dedicated, independent team, ideally made up of non-uniformed staff, for the purpose of front-gate security screening operations.”

⁶ DOC's Special Operation Division is the unit tasked with physical security (such as controlling access points and conducting vehicle patrols.) on Rikers Island.

⁷ DOI has also arrested numerous associated PICs and their co-conspirators in relation to staff-involved contraband smuggling.

⁸ <https://www.justice.gov/usao-sdny/pr/six-defendants-charged-corruption-rikers-island>.

⁹ U.S. v. Rivera, 24 Cr. 318 (JSR) (S.D.N.Y. 2024), U.S. v. Webster, 24 Cr. 345 (GBD) (S.D.N.Y. 2024), U.S. v. Francisco, 24 Cr. 388 (LGS) (S.D.N.Y. 2024).

II. Background: Contraband in DOC Facilities

A. Contraband Recovery Data

Between April 2020 and May 2021, DOC reported that there were 1,020 contraband recoveries^{10 11} within its facilities, twice the amount of recoveries from April 2019 through April 2020, when there were fewer PICs in the City's jails. Notably, DOC prohibited outside visitors for PICs from spring of 2020 and through most of 2021 to prevent the spread of COVID-19 within the facilities, therefore the rise in contraband during this period is not attributable to smuggling via in-person visits to persons in custody.¹² Although the contraband figures did increase sharply in 2022 and 2023 (see Figure 1), DOC also greatly increased the frequency of housing area searches during this time — Tactical Search Operations (TSO's)¹³ to sweep facilities and confiscate drugs. DOC conducted only 4 TSOs in 2020, and one in 2021, but conducted 83 such operations in 2022 and 50 TSO's in 2023. DOC's efforts to combat the introduction of contraband also have included an examination of mail sent to PICs for concealed narcotics, and the use of narcotic detecting canines (K-9). However, as law enforcement strategies to interdict and confiscate contraband evolve, PICs and corrupt DOC employees have also adapted, exploiting lapses in security and learning to evade existing contraband controls. This has led, in part, to a drastic increase in the number of contraband cellphones and narcotics found within DOC facilities.

¹⁰ DOC defines "contraband" as "any item that is not sold in the commissary and that is not on DOC's approved List of Permissible Items... or that the inmate does not have permission to possess. Contraband includes items that may disrupt the safety, security, good order and discipline of the facility." DOC Directive 4508R-E: Control of and Search for Contraband. This includes, but is not limited to, any illegal drug, tobacco, marijuana, and weapons.

¹¹ The number of recoveries refers to the number of incidents in which contraband was seized, not the number of individual items of contraband recovered.

¹² <https://www.thecity.nyc/2022/2/9/22926241/when-visitors-were-banned-from-rikers-island-even-more-drugs-showed-up>.

¹³ TSOs involve searches of multiple housing areas in a facility, without notice to PICs and correction officers. These searches are conducted by correction officers from the highly trained Emergency Services Unit, Special Search Teams, and Correction Intelligence Bureau.

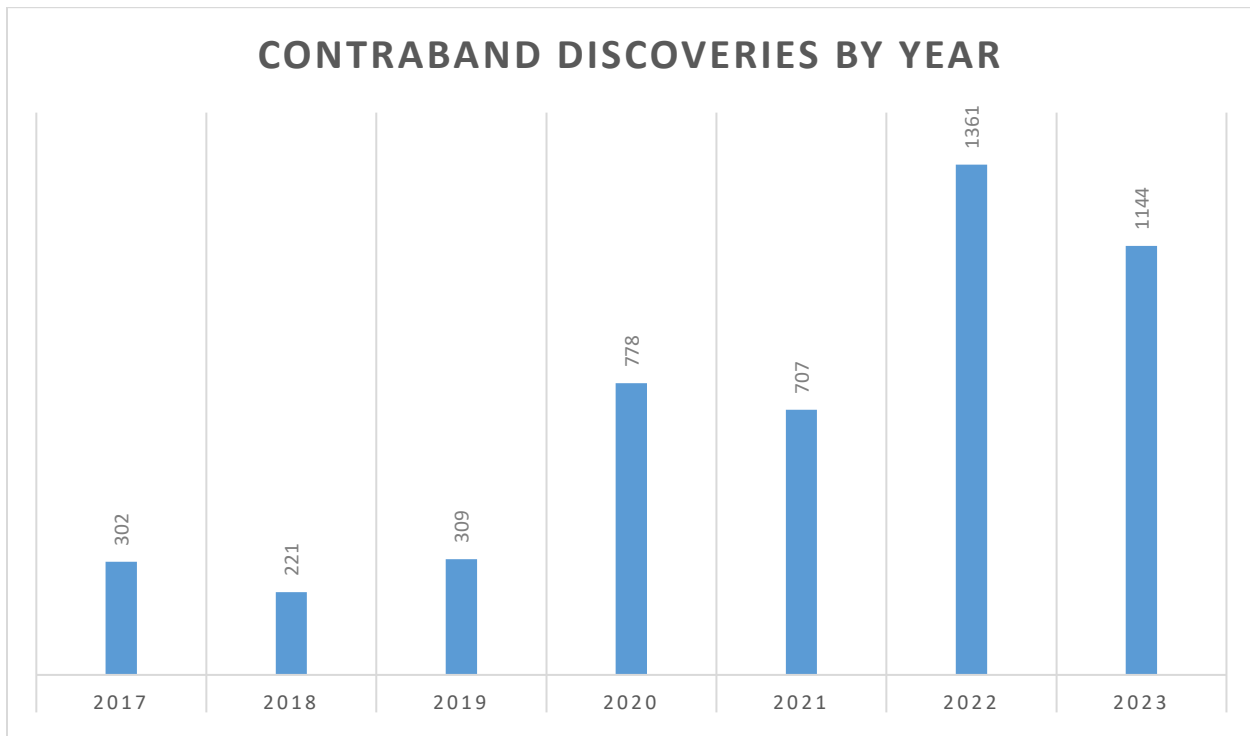


Figure 1. Contraband recovery events by year. ¹⁴

The contraband figures above reference data provided by DOC regarding contraband discovered or intercepted by DOC staff. The table above includes all types of recovered contraband, but the vast majority of the above-referenced figures are drugs and tobacco. Recovered substances are tested using field test kits,¹⁵ and DOC rarely confirms the field test results with laboratory testing, as recommended by the test manufacturer.¹⁶ As set forth in a separate DOI report on the field testing of suspected drugs,¹⁷ there is significant evidence that the field tests used by DOC do

¹⁴ DOC Incident Report System (IRS), “Discovery of Contraband” events.

¹⁵ These test kits use reagents that react to chemical compounds and change color to indicate the possible presence of narcotics. The kits require confirmatory laboratory testing and, as such, are deemed presumptive or preliminary until such testing is complete.

¹⁶ Manufacturer Sirchie states on their site “NOTE: ALL TEST RESULTS MUST BE CONFIRMED BY AN APPROVED ANALYTICAL LABORATORY! The results of this test are merely presumptive. NARK® only tests for the possible presence of certain chemical compounds. Reactions may occur with, and such compounds can be found in, both legal and illegal products. This test must be administered following its specific instructions and may be used in conjunction with other reagents in the NARK® II Sequential Testing System.” <https://www.sirchie.com/nark-ii-fentanyl-reagent.html>.

¹⁷ DOI is releasing a report entitled “Field Testing for Fentanyl -- An Examination of the Reliability of NYC Department of Corrections' Narcotics Testing.” The report concluded that DOC’s ability to accurately identify the quantity of fentanyl within the City’s jail facilities, and particularly the quantity that enters the facilities via the mail system, is limited given the unreliability of the field tests currently used to identify the presence of fentanyl in objects including papers, books, clothing and other items. As detailed in that report, DOI found, based on a

not reliably detect the presence of narcotics. That report is based on laboratory testing¹⁸ of a statistically significant sample of items that tested positive for fentanyl in field tests, but negative for fentanyl in the laboratory.¹⁹ DOC does not track fentanyl recoveries separately from the recovery of other drugs, therefore,²⁰ this report does not provide fentanyl recovery numbers.

B. Overdose Death Data

Despite concerns about the reliability of field tests, available data concerning suspected and confirmed overdose deaths suggest an increase in fentanyl usage in City jails. Increasingly, the fentanyl discovered in DOC facilities is concealed in sheets of paper. Fentanyl is a synthetic opioid that is 50 to 100 times stronger than morphine, producing effects such as: relaxation, euphoria, pain relief, and sedation, as well as confusion, drowsiness, dizziness, nausea, respiratory depression and death.²¹ Highly potent, only two milligrams of fentanyl is considered a potentially lethal dose²² and it is regarded as “the single deadliest drug threat our nation has ever encountered.”²³

Overdose death rates within DOC involving fentanyl and other synthetic opioids increased significantly in the last few years, consistent with national trends. Nationwide, overdose death rates involving fentanyl and other synthetic opioids increased over 56% from 2019 to 2020 — over 56,000 people died from overdoses involving synthetic opioids in 2020.²⁴ In 2021, synthetic opioids like fentanyl accounted for 67% of all fatal overdoses in the United States.²⁵ DOC facilities reflect these nationwide trends, revealing that opioids and other drugs are readily available to PICs. According to DOC records, there were no suspected overdose deaths in custody in 2019 and 2020. In 2021, four PICs died from overdoses: two from acute methadone intoxication, one from synthetic cannabinoid intoxication, and one from

statistically significant sample, that 85% of the items received via mail that tested positive for fentanyl in field tests tested negative in laboratory testing. While this report includes contraband seizure data generated in part by DOC field testing results, the unreliability of those tests must be considered in evaluating such data.

¹⁸ Via gas chromatography–mass spectrometry (GC-MS) and other analytic methods conducted by an accredited law enforcement/forensic laboratory.

¹⁹ See note 17.

²⁰ Data provided to DOI by DOC lists fentanyl (and other non-classified drugs) as “other.”

²¹ <https://www.dea.gov/factsheets/fentanyl>.

²² <https://www.dea.gov/fentanylawareness>.

²³ Statement of Drug Enforcement Administration (DEA) Administrator Anne Milgram. DEA. 29 April 2022. Fentanyl Awareness. Retrieved from <https://www.dea.gov/fentanylawareness> on 12 December 2022.

²⁴ <https://www.cdc.gov/opioids/basics/fentanyl.html>.

²⁵ DEA. 29 April, 2022. Fentanyl Awareness. Retrieved from <https://www.dea.gov/fentanylawareness> on 12 December 2022.

acute fentanyl, heroin, and phencyclidine intoxication.²⁶ In 2022, there were five confirmed or suspected overdose deaths,²⁷ and two suspected overdose deaths in 2023.

Non-fatal Narcan²⁸ and overdose events²⁹ also increased, peaking in 2021. In 2020 there were 220 Narcan and overdose events within DOC at a monthly rate of 3.88 events per 1,000 average daily population (ADP). In 2021, there were 347 Narcan and overdose events at a monthly rate of 5.14 events per 1,000 ADP. In 2022, there were 325 such events with a monthly rate of 4.75 events per 1,000 ADP and 555 events at a rate of 7.62 events per 1,000 ADP in 2023.

While suspected opioid intoxication is responsible for approximately one-quarter of the deaths in custody in 2022,³⁰ paper laced with synthetic cannabinoids remains a persistent problem. K2 is a “designer drug” and its chemical makeup and potency varies by compound. Like fentanyl, it is smuggled in via soaked paper, but can also be smuggled in solid form.³¹ K2 can cause anxiety, paranoia, tachycardia, and lightheadedness³² and at least one death in custody has been the result of K2 intoxication. PICs have posted videos on social media platforms³³ of apparent hallucinations, paranoia, aggression, heart palpitations, and nausea, consistent with the symptoms experienced by users of K2. DOI has observed similar apparent reactions to K2 documented on confiscated cellphones of PICs.

²⁶ DOC Health Affairs reported data.

²⁷ While some of these decedents displayed clinical signs of overdose, toxicological reports are still pending.

²⁸ Narcan is a brand name for naloxone, a medicine that rapidly reverses an opioid overdose. Narcan/naloxone is most commonly delivered to a person suspected of overdosing via nasal spray, but is also injectable. <https://nida.nih.gov/publications/drugfacts/naloxone>.

²⁹ The data provided by Correctional Health Services noted that “Any interpretation or analysis of these data regarding possible suspected overdoses must be conducted with caution. These data are compiled from documented patient events that involved naloxone administration, which is a standard, presumptive component of CHS emergency response protocols. They may also include patient encounters where a wide range of clinical presentations that can mimic overdose, are referenced.”

³⁰ Per available DOC data, 5 PICs have died from overdoses/suspected overdoses in 2022. There have been 19 total deaths in custody for the 2022 calendar year.

³¹ K2 or “Spice” is a “synthetic version of tetrahydrocannabinol (THC), the psychoactive ingredient in marijuana, K2/Spice is a mixture of plant material sprayed with synthetic psychoactive chemicals.” Retrieved from <https://www.dea.gov/factsheets/spice-k2-synthetic-marijuana> on 10 January 2023.

³² Tiana McMann et. al. Synthetic Cannabinoids in Prisons: Content Analysis of TikToks. JMIR Infodemiology 2022;2(1):e37632 Retrieved from <https://infodemiology.jmir.org/2022/1/e37632> accessed on December 12, 2022.

³³ McMann et al.

C. Narcotics Smuggling Methods

Fentanyl, either by itself or mixed with other contraband such as synthetic cannabinoids, is often sprayed or soaked onto sheets of paper for smuggling into DOC facilities. DOI has learned from various interviews of Correction Officers and PICs, and through other intelligence collected in investigations, that a single sheet of soaked paper can cost anywhere between \$1,000 to \$2,500 at a “wholesale” purchase price. These sheets are often segmented and sold in small squares for smoking at a much higher total sales price. Financial data³⁴ and intercepted/retrieved communications amongst PICs and coconspirators have indicated that some PICs have made tens of thousands of dollars selling these products. Recovered and laboratory-tested soaked pages have been disguised as comic books,³⁵ legal documents,³⁶ and other seemingly legitimate paperwork in order to camouflage their distribution throughout DOC facilities.

Through numerous investigations, DOI has determined that significant amounts of these narcotics are brought in by staff. A DOC staff member can bring in hundreds of soaked pages at a time, whereas a PIC may be able to get only one or two pages through the mail. The evidence obtained through DOI’s investigations reflects that staff members introduced soaked sheets and other contraband to the facilities with ease,³⁷ carrying them into the facilities as they would any legitimate documents.³⁸

DOI’s investigations indicate that K2 sheets are smuggled into the jails using similar methods as fentanyl-laced paper.³⁹ DOI intercepted such a delivery in September 2020, during which a Correctional Counselor attempted to enter a DOC facility with 49 pages of paper laced with K2.⁴⁰ Another officer was observed passing a stack of paper to an inmate and, after a search was conducted, DOC recovered 122 sheets of paper; laboratory testing of the paper revealed the presence of synthetic cannabinoids.⁴¹ In May 2020, DOI stopped a correction officer with a comic book which was later lab-tested, resulting in a positive indication of liquid K2 on the

³⁴ Bank accounts and money transfer applications.

³⁵ <https://www.nydailynews.com/2024/04/18/rikers-guard-testifies-he-smuggled-drugs-into-jail-in-issues-of-demon-slayer-manga/>.

³⁶ <https://nypost.com/2020/06/25/feds-bust-gang-that-smuggled-drug-soaked-comics-into-rikers/>.

³⁷ Corrections officers have been charged for bringing K2 into jail facilities via sheets of paper laced with K2. Video surveillance has captured these staff members passing the papers to PICs openly.

³⁸ Former correction officer Patrick Legerme testified that he would “walk right through” when bringing in contraband. <https://gothamist.com/news/i-brought-in-contraband-ex-rikers-guard-describes-how-he-smuggled-drugs-into-troubled-nyc-jail>.

³⁹ <https://www.nbcnewyork.com/news/local/crime-and-courts/current-ex-nyc-correction-officers-among-the-arrested-in-street-gang-bust-sources/2909970/>.

⁴⁰ *U.S. v. Lewis*, 21 Cr. 349 (JSR) (S.D.N.Y. 2021).

⁴¹ Former CO Johnny Chiles. *U.S. v. Moeleek Harrell*, et. al, 20 Cr. 239 (BMC) (E.D.N.Y. 2020).

pages.⁴² In its most recent investigations, DOI has observed that sheets soaked in fentanyl have been transported via methods similar to the K2 sheets.

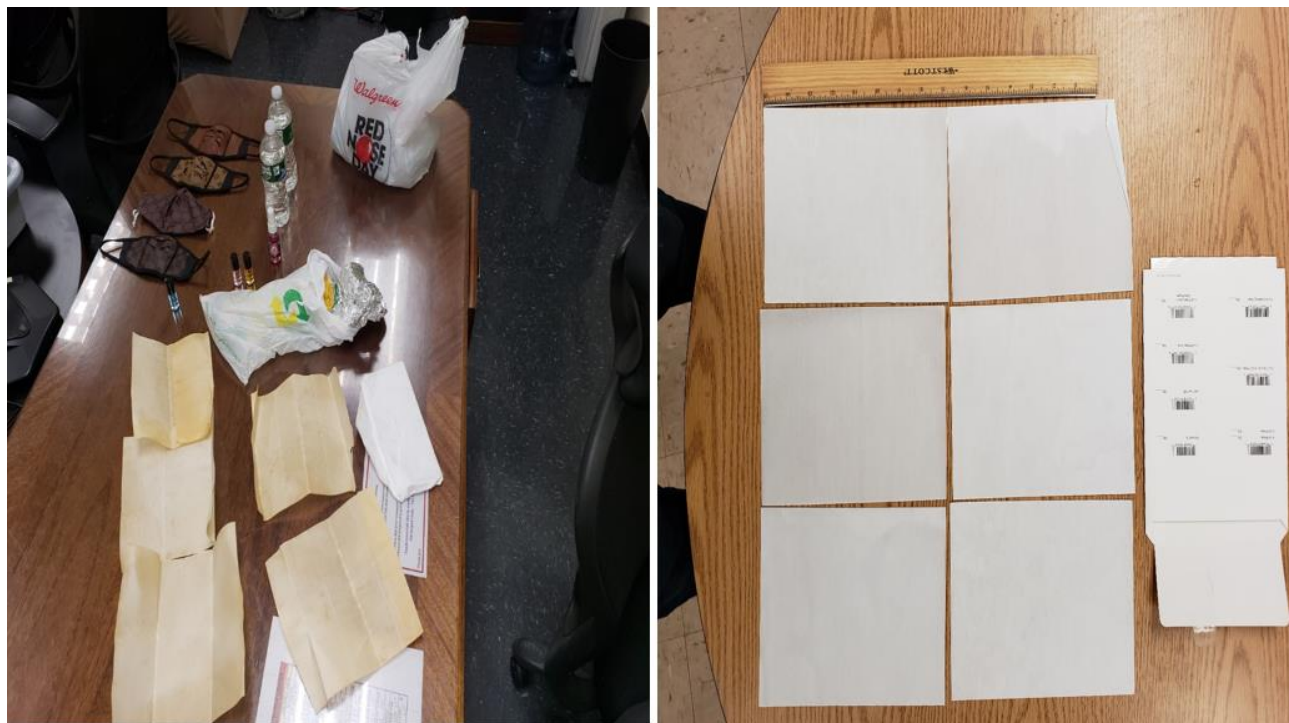


Figure 2: Seized K2 laced paper from staff members.

While documents are x-rayed upon entry to City jail facilities, x-ray machines do not alert to the presence of narcotics-laced paper. Narcotic detection dogs can be trained to alert on these substances, but DOC has a limited number of dogs available who are trained for this purpose. DOI's findings concerning correction officer involvement in smuggling are in tension, to some extent, with DOC's public statements concerning the primary source of fentanyl within the City jails. For example, in his 2022 testimony to the City Council, former DOC Commissioner Louis Molina stated that "most of [the fentanyl in the City jail system] enters in [fentanyl-laced] letters and packages" via the mail system.⁴³ While there is no doubt that some percentage of these narcotics comes in via mail (as evidenced by the large number of mailroom interdictions reported),⁴⁴ it is difficult to state that number with certainty, in part due to DOC's reliance on the results of field tests of mail items. As discussed

⁴² Former CO Darius Murphy. [U.S. v. Moeleek Harrell et. al](#)

⁴³ DOC October 25, 2022. Testimony before the New York City Council Committee on Criminal Justice Chair Carlina Rivera by Louis A. Molina, Commissioner, NYC Department of Correction. Retrieved from <https://www.nyc.gov/site/doc/media/october-25-testimony.page>. Accessed on 10 December 10 2022.

⁴⁴ Reported via DOC's Central Operations Desk and Incident Reporting System.

in DOI's recent report on narcotics testing,⁴⁵ field tests are not reliable, particularly with respect to the identification of fentanyl in items such as books, clothing, greeting cards and other materials sent through the mail.

III. DOC Screening Protocols

The 2014 Report concluded that DOC's protocols with respect to screening jail staff and contractors/volunteers upon entry to the jails were insufficient to detect and prevent staff from smuggling contraband into the jails. Furthermore, DOC staff responsible for conducting the screening were not consistently following existing protocols. Ten years later, these same issues persist. DOI has noted continued lax front gate procedures and observed staff circumventing established protocols. DOI has interviewed Correction Officers and civilian DOC employees charged in contraband cases, who admitted to bringing contraband into the jails⁴⁶ and explained that current procedures are inadequate to prevent the introduction of contraband.

Upon entry into a DOC facility, employees are required to display identification and to place any items they are carrying, including coats and jackets, on a conveyer belt that passes through an x-ray line-scan machine. Officers are also required to empty their pockets and place the contents in a bucket that also passes through the x-ray machine. An officer operating the machine reviews the machine's display to identify any items that may be contraband, including narcotics. The officer then walks through a magnetometer (metal detector) that detects the presence of metallic objects. Because magnetometers cannot detect narcotics, which therefore can be concealed in pockets and pass undetected through a metal detector, the 2018 Report proposed that DOC eliminate unnecessary pockets on uniforms, including those on cargo pants, to reduce DOC staffs' capacity to bring narcotics into the facilities undetected. In 2018 this recommendation was accepted by DOC, but in 2022 DOC changed its policy and again permitted Correction Officers to wear cargo pants with pockets, with no public explanation.⁴⁷ Even during the period when Correction Officer uniforms did not have cargo pockets, DOI observed (and arrested staff caught concealing narcotics in their socks, underwear, slash vests, shirts, and pants, demonstrating the limits of magnetometers to prevent contraband smuggling.

K-9 units posted at front gates can search for controlled substances in a non-invasive manner and can identify concealed substances, which a magnetometer cannot. But the limited number of available K-9s and handlers does not allow for 24-hour coverage of front gates, which would provide a significant deterrent to smuggling

⁴⁵ See note 17.

⁴⁶ Former CO Patrick Legerme testimony – U.S. v. Albert, 1:20 Cr. 064 (AMD) (E.D.N.Y 2020) (TRIAL; interviews with staff.

⁴⁷ DOC Teletype Order No. HQ-01603-0, issued July 5, 2022.

activity. One staff member told DOI that they would come in with contraband on weekends, holidays, and outside of the main tour change times, because they knew there would likely be no K-9s present. Another officer explained that they could call the front gate officer prior to seeking entry to the facility to inquire whether K-9 units were present; if so, they would not enter with contraband.

Furthermore, while Correction Officers are not permitted to have cellphones or other electronic devices with them at their post and while interacting with PICs, DOC has no mechanism to effectively enforce that policy for the majority of its facilities. In the Eric M. Taylor Center (EMTC) and Otis Bantum Correctional Center (OBCC) jails on Rikers Island, staff locker rooms are located in an area that officers pass through before they pass through the screening area, and officers are required to place any cellphones in those lockers prior to passing through the screening area. Therefore, for those two facilities, front gate screening does enable DOC to enforce the no-cellphone policy. In every facility other than EMTC and OBCC, officers pass through the screening area before they reach the lockers, and they are permitted to bring cellphones through the screening areas and required to leave cellphones in lockers thereafter. However, officers are not subject to further screening after leaving the locker rooms and therefore DOC has no mechanism to determine whether an Officer has failed to secure his or her phone as required, and no means to prevent an Officer from passing a cellphone to a PIC.

DOC staff who smuggle phones into facilities have informed DOI that they simply walk through the front gate screening with the contraband phone, leaving their personal phones in their vehicles because entering the facility with multiple phones might cause suspicion. Both the 2014 and 2018 reports recommended that DOC explore reasonable structural changes to the facilities in order to place staff lockers outside of the security gates. Because a cellphone would be flagged by both an X-ray scan and a magnetometer screen, DOC could effectively reduce the smuggling of contraband phones by placing staff lockers outside the security gates and prohibiting phones from coming through the screening area.

IV. Other Contraband Smuggling Risks

A. Unrestricted Movement

DOI has observed that most staff, particularly uniformed officers, have unrestricted movement throughout the facility. On multiple occasions, DOI has observed officers leave their assigned posts to deliver contraband to PICs. These officers walk into an unassigned housing area purporting to deliver food, blankets, or other items in order to pass contraband to a PIC. For example, one officer who had been barred from contact with PICs due to security concerns was observed entering restricted housing areas and meeting with PICs on multiple occasions. Another DOC

employee was observed entering a Rikers Island facility without authorization and bringing in contraband to a PIC. These officers were not stopped, or disciplined, for being off-post. In one notable example, an officer who was prohibited from working in any location where she might come into contact with PICs was able to visit a PIC, to whom she had previously smuggled contraband, in his housing area without interference. DOI has also noted a trend in which officers who have mobile posts (e.g., facility escorts, security, and recreation officers) have been recruited by PICs to bring in contraband due to their extensive access and mobility. Two of the staff arrested during DOI's most recent investigations had posts that allowed greater mobility throughout the facility. DOI also observed numerous staff members using these positions with extensive access to pass items between PICs in different housing areas, essentially serving as contraband transports between facilities. While DOI could not substantiate criminal charges against all of these officers, they were referred to DOC's Investigation Division for potential discipline.

B. Staff Perspectives

DOI's investigations have found that staff received bribes ranging from a few hundred to thousands of dollars in exchange for transporting contraband into the City jails. While money is a significant motivation, staff have also complained in interviews that they lacked support from managers, and that DOC (and other authorities) do not adequately address and prevent violence by PICs or PIC pressure on staff to smuggle contraband into DOC facilities.⁴⁸ These staff members felt that PICs had gained meaningful control over Rikers Island since the pandemic and explained that drugs could pacify the PICs, thereby reducing fights and disruptions in housing areas.

C. Inmate Control

DOI has observed that certain PICs, particularly those with leadership roles in criminal gangs, often have influence over other incarcerated individuals. These high-ranking gang members often have the resources available and standing within their organizations to bribe Correction Officers without competition from other PICs.⁴⁹ DOI has observed that certain individuals have remained in particular housing areas for long periods of time (months or more) and can become established authorities over other detainees in that particular housing unit. These PICs are deemed to "run the house," controlling which PICs are allowed to reside in the housing area through threats of violence. Staff members have informed DOI investigators that high-ranking PICs can dictate how easy or how difficult an officer's

⁴⁸ The majority of these voluntary interviews occurred between 2021 and 2022.

⁴⁹ Nearly all of the PICs who have bribed staff members that were subsequently arrested have active gang affiliations.

day is, due to those high-ranking PICs' control over other PICs, and that some staff members agreed to accept bribes from these high-ranking PICs for that reason.

D. Contractor/Volunteer Vetting

Certain volunteers/program providers working in DOC facilities are formerly incarcerated individuals. These individuals are subject to certain requirements, including that they may not work in the jails until one year after their release and that they must have completed any term of probation. DOI has noted that some of these providers are not properly vetted. One defendant⁵⁰ arrested on April 9, 2024, as referenced above, was incarcerated at a Rikers facility only 18 months before he began work as a program provider there. This individual's job was to assist in PIC community re-entry and began smuggling contraband shortly after he was hired. That same defendant had a long and recent history of fraud and was hired while on probation in another state.

V. Additional Contraband Recoveries

A. Cell phones

Unlike narcotic soaked sheets, cellphones are more difficult to smuggle into the jails by mail or visits because of their size and because they can be detected by x-ray machines. While the majority of staff are barred from carrying cellphones inside DOC facilities,⁵¹ phones are allowed in facility locker rooms as noted above, and most facility locker rooms are located past the initial screening point for officers. That presents an opportunity for staff to bring cellphones into unauthorized areas and makes it difficult to monitor compliance with DOC policies prohibiting cellphones.⁵² DOI has arrested several officers who have admitted to bringing in cellphones in exchange for bribes ranging from \$500 to \$2,000.⁵³

In 2021, DOC staff seized approximately 50 contraband cellphones in DOC facilities, now in the possession of DOI. In just one year, that figure quadrupled – DOI seized approximately 200 cellphones in 2022. This number decreased to 92 in 2023.⁵⁴ Nationwide, PICs have used cellphones to organize gang activity, coordinate escape attempts, intimidate witnesses, and direct other criminal activity outside the

⁵⁰ U.S. v. Webster, 24 Cr. 345 (GBD) (S.D.N.Y. 2024).

⁵¹ Certain persons are authorized to carry cellphones in jails, such as investigators and high-ranking DOC officials and their staff.

⁵² Shukla et al.

⁵³ <https://www.bronxda.nyc.gov/downloads/pdf/pr/2023/39-2023%20bennie-green-indicted-rikers-smuggling.pdf>.

⁵⁴ It should be noted that in 2023, Rikers Island's largest facility was closed, and the PICs and officers were moved to a facility where officers are screened after going to their lockers, likely reducing the number of cellphones able to be introduced.

facility, including ordering murders.⁵⁵ DOI has observed, via the forensic analysis of scores of confiscated cellphones found in jails, that PICs use cellphones to facilitate contraband smuggling and other illegal activities. PICs have used these phones to communicate directly with co-conspirators, and conduct drug-related financial transactions via banking applications. Cellphones allow PICs to have more explicit conversations, while evading detection by DOC officers who monitor and record the facility's telephone lines. As such, contraband cellphones are a major security risk.

B. Other Contraband

Marijuana recoveries were fairly consistent throughout all years. In 2019, there were 83 marijuana recoveries in DOC facilities. In 2020 and 2021, there were 108 marijuana recoveries per year, 148 in 2022, and 127 in 2023. Cocaine recoveries have declined from 33 discoveries in 2017, to 11 in 2022 and peaked at 92 in 2023. Tobacco recoveries peaked with 27 in 2017, reaching a low of 4 in 2020. There were 21 and 15 tobacco recoveries in 2021 and 2022, respectively, and 3 in 2023. In 2017 and 2018, there were 13 and 8 heroin recoveries in DOC facilities and 13 discoveries in 2019. 2020 saw a 350% increase in heroin recoveries to 46. There were 30 recoveries in 2021, 42 in 2022, and 34 in 2023.^{56 57}

⁵⁵ Senate Hearing 111-482. July 15, 2009. Contraband Cell Phones in Correctional Facilities: Public Safety Impact and the Potential Implications of Jamming Technologies. Hearing before the Committee on Commerce, Science, And Transportation. United States Senate. One Hundred Eleventh Congress. Retrieved from <https://www.govinfo.gov/content/pkg/CHRG-111shrg56406/html/CHRG-111shrg56406.htm> Accessed on 1 December 2022;

⁵⁶ All figures are via data provided by DOC.

⁵⁷ See note 2.

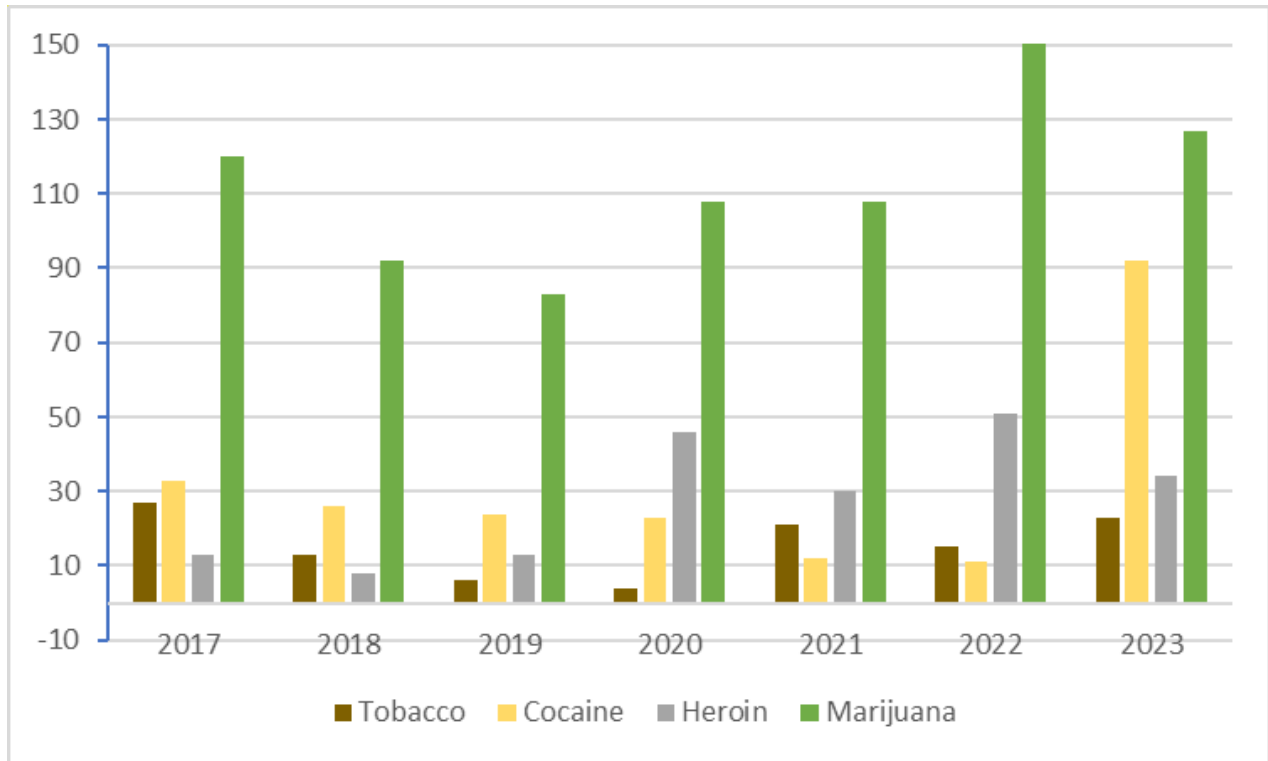


Figure 3. Recovered contraband by type, 2017 – 2022.

C. Weapons

Scalpels (metallic and ceramic), blades, and knives have also been found at Rikers and DOI has arrested staff for introducing such weapons into DOC facilities. Slashing and stabbing incidents have increased dramatically post-pandemic. There were 86 slashings and 8 stabbings in 2018, 104 slashings and 15 stabbings in 2019, and 89 slashings and 32 stabbings in 2020. In 2021, slashings and stabbings increased to 256 and 164, respectively. In 2022, there were 318 slashings and 159 stabbings, and in 2023, there were 243 slashings and 140 stabbings.



Figure 4: DOI interdicted weapons from staff members

VI. Conclusions and Recommendations

As smuggled contraband becomes more dangerous (e.g., the increased discovery of deadly fentanyl in City jails), and as PICs and corrupt staff devise more sophisticated methods of introducing contraband, DOC must continue to adapt to the changing landscape. DOC has reported plans to strengthen the interdiction of contraband coming in through the mail and has increased the number of search operations with respect to PICs. However, efforts to prevent staff from introducing contraband have been, in DOI's view, insufficient. Since 2018, DOI's criminal investigations have shown that many of the security vulnerabilities identified in 2018 remain, and in fact have been exacerbated by DOC's staffing problems. The numerous arrests of DOC staff for contraband smuggling make clear that the problem persists and that more aggressive measures are required to prevent it.

In light of our investigative findings, DOI reiterated the following recommendations (with modifications/enhancements) from previous reports following the SDNY arrests on April 9, 2024:

1. In 2014, DOI recommended that DOC explore reasonable structural changes to the facilities in order to place correction officer lockers outside of security gates. In 2018, DOI recommended that the lockers be located outside of front gate entrances. DOC partially implemented this recommendation by placing lockers outside the front gate entrance of a single DOC facility.

DOI now recommends that all DOC staff members' personal lockers currently located within the facilities and past the screening areas be re-located either outside of the facilities or at a location within the facilities before the screening areas. Staff members must be required to secure cellphones and other electronic devices in their lockers prior to entering the facility at the front gate or prior to moving through the screening areas. The new borough-based DOC facilities should be designed with this feature in mind. In the event that modification of DOC's existing facilities is impractical in light of the anticipated closure of Rikers Island in 2026, DOC should explore temporary and cost-effective solutions, such as installing trailers in the immediate vicinity of the facility to house staff lockers.

2. In 2014, DOI recommended that DOC place canine (K-9) units at the staff entrance gates to screen correction officers for drugs; in 2018 DOI re-issued this recommendation after determining that K-9 units rarely were placed at entrance gates. DOC partially implemented this recommendation; prior to the summer of 2023 DOC conducted sporadic front gate K-9 searches. However, DOC has not conducted any front gate searches with drug-sniffing dogs in over a year.

DOI now re-issues its recommendation that DOC increase the presence of K-9 Units at security checkpoints so that the units are present during as many tours as possible, including weekends, overnight tours and times between tour changes. DOC should develop a detailed plan to increase the K-9 presence at the front gate and submit the plan to DOI for review within 30 days.

DOI issues the following new recommendations:

3. DOC should use contractors or external law enforcement partners to serve as front gate staff, rather than DOC staff, in order to ensure that front gate staff are free of conflicts of interest and conduct robust searches and screening of DOC staff.
4. DOC should prohibit DOC staff from bringing open or unsealed containers into DOC facilities and front gate staff should check all liquid containers to ensure that they are fully sealed and have not been opened.
5. DOC should prohibit staff members from visiting unauthorized areas by: (a) requiring Correction Officers to swipe their ID cards when reporting to a housing area; and (b) disciplining officers found on a post to which they are not assigned without justification.
6. DOC should implement a standardized, comprehensive application review process for any non-DOC agency employee and any employee of a City vendor with access to Rikers Island, including prohibiting access by (a) any employee who does not meet standards applicable to DOC staff; or (b) any service provider who was

formally incarcerated at Rikers Island until at least 3 years after their release, to avoid undue familiarity concerns.

7. Persons in custody who have smuggled or possessed contraband in City jail facilities in the past, or who are deemed high risk due to their gang affiliation, should be rotated between different housing areas to minimize the risk of inmate control over any housing area.
8. DOC should establish a classification system for persons in custody who attempt to bribe staff, similar to existing Intended Contraband Recipient or Red ID applicable to inmates involved in slashings/stabbings. This classification system would affect placement in housing areas.