Data that the Board of Correction has received from the Department of Correction shows a sharp drop in rates of serious inmate on inmate violence (slashings and stabbings) from the 1990s to the present day.

Slashings and stabbings in the New York City jail system have dropped from a remarkable high of 1552 per year in 1990, to 73 in 2013 and 93 in 2014.

This dramatic decrease in rates of criminal violence among inmates (inmate on inmate violence) happened during a period of time that New York City saw a decline in crime rates city-wide. From 1988 on, the number of serious crimes report in New York City fell precipitously. In 1988 “there were approximately 720,000 FBI Unified Crime Report Index (UCR) crimes. By 2008, there were only 198,419 crimes – a remarkable 72 percent reduction.”

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In this five years, the number went from 19 per year to 73 per year. During this 5-year period there was a dramatic increase in the use of punitive segregation beds. In 2007, there were 641 segregation beds used, whereas in 2012, that number had risen to 1009 beds in use.

DOC’s initial increase in the use of punitive segregation did not reduce inmate-on-inmate violence system-wide.

The chart below explains how the number of punitive segregation beds in use has compared to violence rates over time. Again, bearing in mind that slashing and stabbing numbers were in the thousands in the 1990s, and are much lower in this decade, the most salient recent increase in inmate-on-inmate violence happened between 2007 and 2012. In this five years, the number went from 19 per year to 73 per year. During this 5-year period there was a dramatic increase in the use of punitive segregation beds. In 2007, there were 641 segregation beds used, whereas in 2012, that number had risen to 1009 beds in use.
The chart above shows a dramatic increase in the Use of Force (UOF) on inmates by correction officers. This number has continued to increase, steeply, each year since 2006. During both the times of increasing use of segregation beds, and decreasing use of segregation beds, the UOF rates have continued to climb.

The definition of Use of Force has not changed over time. Uses of force without injury have always been recorded, and have been called grade “B” or “C” over time. There was not a time between 2006 and 2014 when the requirements for reporting all uses of force have changed. The definition is explained below.
DEFINITIONS OF Use of Force Classifications
(From Directive 5006-C dated 1/31/2008 and Teletype Order HG-01519-0 dated June 29, 2011)

a. CLASS “A” USE OF FORCE

i. A Use of Force or allegation of a Use of Force shall be considered a Class “A” Use of Force if it requires medical treatment beyond the prescription of over-the-counter analgesics or the administration of minor first aid, including those Uses of Force resulting in one (1) or more of the following treatments/injuries:

- Multiple abrasions and/or contusions;
- Chipped or cracked tooth;
- Loss of tooth;
- Laceration;
- Puncture;
- Fracture;
- Loss of consciousness, including a concussion;
- Suture;
- Internal injuries, e.g., ruptured spleen, perforated eardrum, etc.; and
- Admission to a hospital.

b. CLASS “B” USE OF FORCE

i. A Use of Force or an allegation of a Use of Force which does not require hospitalization or medical treatment beyond the prescription of over-the-counter analgesics or the administration of minor first aid (A Use of Force which results in a superficial bruise, scrape, scratch, or minor swelling is generally a Class “B” Use of Force).

ii. The forcible use of mechanical restraints in a confrontational situation that results in no or minor injury is a Class “B” Use of Force. (Ed: see change in 2011, when these and pepper spray use became labeled “C”)

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c. CLASS “C” USE OF FORCE

A USE OF FORCE OR AN ALLEGATION OF A USE OF FORCE THAT RESULTS IN NO INJURY TO STAFF OR INMATE INVOLVED IS A CLASS “C” USE OF FORCE. CLASS “C” USE OF FORCE INCLUDES INCIDENTS WHERE USE OF OC-SPRAY RESULTS IN NO INJURY, BEYOND IRRITATION THAT CAN BE ADDRESSED THROUGH DECONTAMINATION.
Officer-on-Inmate Uses of Force

Rates of uses of force by correction officers on inmates at the end of 2014 were at an all-time high. When an inmate is held in jail, the Supreme Court has made clear that the Constitution imposes upon the jail and municipality a duty to assume some responsibility for the inmate’s safety and general well-being. County of Sacramento v. Lewis, 523 U.S. 833, 851 (1998) (quoting DeShaney v. Winnebago County Dept. of Social Servs., 489 U.S. 189, 199-200 (1989)); see also Randle v. Alexander, 960 F. Supp. 2d 457, 471 (S.D.N.Y. 2013). The U.S. Department of Justice noted in its August 4, 2014 letter to the Department of Correction, which found a pattern and practice of unconstitutional violence against adolescents, that
Our focus on the adolescent population should not be interpreted as an exoneration of DOC practices in the jails housing adult inmates. Indeed, while we did not specifically investigate the use of force against the adult inmate population, our investigation suggests that the systemic deficiencies identified in this report may exist in equal measure at the other jails on Rikers.

Since the time of that report, DOJ has decided to intervene in the pending class action lawsuit concerning violence for all inmates, *Nunez v. City of New York*, 11 Civ. 5845 (LTS) (THK).

The rising level of use of force over the past eight years is a crisis. Evidence-based investigation of the root cause of this crisis is important and should be conducted so that appropriate remedies and reductions in injuries to inmates might be achieved in the future.