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MANHATTAN U.S. ATTORNEY ANNOUNCES THE ARRESTS OF TWO
RIKERS ISLAND CORRECTION OFFICERS FOR MARIJUANA
DEALING

Defendants Allegedly Smuggled Marijuana, Scalpels, and Other Contraband into Two Prison Facilities

Preet Bharara, the United States Attorney for the Southern District of New York, Rose Gill Hearn, the Commissioner of the New York City Department of Investigation (“DOI”), and Brian R. Crowell, Special Agent-in-Charge of the New York Field Office of the U.S. Drug Enforcement Administration (“DEA”), today announced the arrests of Correction Officers AUSTIN ROMAIN and KHALIF PHILLIPS for engaging in marijuana dealing inside Rikers Island prison facilities. It is alleged that, while on duty as Correction Officers, ROMAIN and PHILLIPS smuggled marijuana and scalpels into two different maximum security Rikers Island prison facilities and sold them to inmates. ROMAIN and PHILLIPS were arrested today while at work on Rikers Island and will be presented in Manhattan federal court before U.S. Magistrate Judge Kevin Nathaniel Fox tomorrow.

Manhattan U.S. Attorney Preet Bharara said: “As alleged, correction officers Austin Romain and Khalif Phillips had a duty to ensure the security and safety of the prisons and inmates in their care, but instead they compromised it in the name of personal profit by smuggling and aiding in the selling of drugs, scalpels, and other contraband. We will not tolerate misuse of authority by those entrusted with supervising incarcerated individuals and keeping them safe, but who instead choose to join them in unlawful activity.”

DOI Commissioner Rose Gill Hearn said: “With 30 contraband arrests involving DOC employees in the past 10 years, DOI has worked hard to send the message that those who smuggle drugs and weapons into the City’s jails will face criminal penalties. The Correction Officers arrested today allegedly subverted jail safety and made their fellow-officers' jobs more difficult and dangerous. We will continue to investigate this insidious form of corruption and work with our colleagues in the U.S. Attorney’s Office, the DEA, other law enforcement agencies, and the Department of Corrections to ensure this kind of abuse is rooted out.”

DEA Special Agent-in-Charge Brian Crowell stated: “This two year investigation into an illicit contraband distribution ring operating within the jail cells of Rikers Island uncovered two Correction Officers allegedly responsible for smuggling contraband into the jail. The alleged contraband distribution ring supplied inmates with drugs, scalpels and various illicit products that were requested and paid for through an evasive money wiring system the officers oversaw outside the jails walls. Their alleged actions endangered their fellow officers. I commend the diligent investigation by the NYC Department of Investigation and the New York Drug Enforcement Task Force.”

According to the allegations in the Complaint unsealed today in Manhattan federal court:

ROMAIN has worked as a Correction Officer for the New York City Department of Corrections since August 2007 and during all relevant time periods was assigned to two different maximum security facilities on Rikers Island, the George R. Vierno Center (the “GRVC”) and the Otis Bantum Correctional Center (the “OBCC”). PHILLIPS has worked as a Correction Officer since February 2006 and was assigned to the GRVC.

On multiple occasions during the past year, ROMAIN and PHILLIPS have smuggled marijuana into the GRVC and the OBCC and sold it to numerous inmates housed in those facilities who in turn sold it to other inmates. ROMAIN and PHILLIPS also smuggled scalpels and tobacco into the facilities and sold them to other inmates.

While ROMAIN and PHILLIPS worked independently from each other, both of them essentially supplied the inmates with marijuana in the same manner. In general, the defendants would contact the inmates’ wives and girlfriends via cellphone numbers provided to them by the inmates and arrange to pick up the marijuana, tobacco, and scalpels from them. ROMAIN and PHILLIPS charged the inmates a fee to bring them the marijuana, scalpels, and tobacco. The inmates then sold the marijuana and other contraband that ROMAIN and PHILLIPS supplied to them.

ROMAIN, 31, and PHILLIPS, 31, both of Brooklyn, New York, are each charged with one count of engaging in a conspiracy to distribute and possess with the intent to distribute a controlled substance and one count of distributing and possessing with the intent to distribute a controlled substance. They each face a maximum sentence of 10 years in prison (five years on each count).

Mr. Bharara praised the investigative work of the DOI and the DEA’s New York Drug Enforcement Task Force, comprised of members of the DEA, the New York City Police Department, and the New York State Police.

This case is being handled by the Office's Public Corruption and Narcotics Units. Assistant United States Attorneys Carrie H. Cohen and Russell Capone are in charge of the prosecutions.

The charges contained in the Complaint are merely accusations and the defendants are presumed innocent unless and until proven guilty.