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[Back to Article](#)

Justice Watch: Report exposes filth, abuse at Miami-Dade County Jail

A report on Miami-Dade jail conditions depicts a department that is deliberately indifferent to suicide risks, fails to provide adequate medical or mental health care and houses inmates in unsanitary and unsafe conditions.

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When the Justice Department issued a scathing report on conditions at Miami-Dade County jails, it came as no surprise to criminal defense attorneys who have seen them first hand and heard about the horrors from their clients.

"There is a pattern and practice of constitutional violations in correctional facilities," the 40-page report states. "Prisoners suffer harm, including death."

The investigation was undertaken by the Justice Department's civil rights division in 2008. The county can face fines if it fails to rectify the deficiencies listed in the Aug. 24 report.

Defense attorney Dan Lurvey said the putrid smell of the jail is so bad that it sticks to his clothes long after he leaves.

"Miami-Dade County Jail is one of the most horrible places I have ever stepped foot in — and I have been in a lot of prisons and jails," said Lurvey, a partner at Lyons & Lurvey in Miami. "I guess in some Third World countries there are jails that are worse."

Attorney David O. Markus, a partner and criminal defense lawyer at Markus & Markus in Miami, added Miami-Dade's jails are symbol of a problem nationwide.

"It is the criminal justice system's dirty little secret — our jails are inhumane," he said. "I'm very happy the Department of Justice wrote a report on it, but sometimes reports aren't enough and we need action. We need to put their feet to the fire."

If the problems are not rectified, the U.S. attorney general's office could sue and seek fines. The system also could be placed under the supervision of a federal judge, which occurred in the 1980s.

Miami-Dade Mayor Carlos Gimenez has vowed to work with the Justice Department on jail conditions.

Tim Ryan, director of the county's Corrections and Rehabilitations Department, had no comment on the report.

He oversees six facilities holding up to 7,000 inmates, making it the nation's eighth largest jail system. Medical and mental health care is provided by a division of Jackson Health System.

The report estimates 1,000 inmates with mental health problems are housed at any one time, or more than 14 percent of the population. As a result, the jail is one of the largest psychiatric facilities in Florida.

Inadequate Health Care

The report listed the preventable suicides of eight inmates by initials in a five-year span. Most were in the general jail population after showing signs of psychosis or suicidal tendencies.

In one case detailed in the report, a 41-year-old man was discovered hanging from his cells bars by a shoelace Aug. 5, 2005 in a multiple-occupancy cell at the pretrial detention center at the main jail.

Other prisoners yelled for assistance, but when a corrections officer arrived he did not have any tools to cut down the prisoner. The guard gave another inmate his personal keys to try to cut him down.

Although guards are required to administer cardiopulmonary resuscitation immediately, the prisoner did not receive medical attention until nursing staff arrived six minutes later. The inmate should not have been in the general population because he "had expressed suicidal ideation several months earlier and had a history of at least one suicide attempt," the report stated.

The report also slammed the mental health unit at the main jail, saying "procedures for administering psychotropic medications are dangerous" and "lacked appropriate controls."

Justice Department investigators were on hand one day to witness inmates getting their medication. They were not impressed.

"We observed several prisoners tell the nurse that she was giving them the wrong medication or dosage or at the wrong time," the report stated. "Six prisoners received no medications, even though these prisoners apparently required an intensive level of mental health services."

Jackson Health System, the health care provider for the corrections department, issued a statement when the report was issued, saying a number of improvements already have been made.

Jackson said it is working closely with the county to address the issues noted in the report, including inmate health care.

"Jackson is carefully reviewing these findings and is fully cooperating with the federal government," the statement read. "We are committed to finding quick, effective and long-lasting solutions that will ensure that all inmates are provided with quality and timely health care."

But prospects for fresh spending by the county-owned hospital system are dim since it's been in financial turmoil for years.

While much of the report focuses on mental health and medical care, it also came down hard on correctional officers for engaging in a "pattern or practice of using excessive force against prisoners." Investigators found guards are "deliberately indifferent" to serious risks to inmate safety.

The report sites several incidents, including one in August 2007 in which a corrections officer and an inmate had a prolonged fight while nine fellow officers, including a field trainer, watched.

"A second officer kept other prisoners at arm's length while the prisoner and the officer engaged in a fistfight," the report states. No use-of-force report was filed as required.

In another incident the same month, an inmate said he was assaulted by a corporal while again other guards watched. "He attempted to run towards the view of the security cameras but was dragged back out of view by the officers," the report stated.

Abuse observed

In possibly the most egregious incident, a security tape watched by investigators depicted an inmate handcuffed to a table. "The video shows an officer punching the side of the prisoner's face," the report stated.

And finally, there are the unsanitary and unhealthy conditions at the jails. Bags of biohazardous material and trash were stored in hallways, isolation cells "were filthy," and investigators found a bloody sheet on a cell bed, the report found.

Lurvey said he's seen such filthy conditions.

"It's a true nightmare," he said. "The clanking, the smell, the screaming."

He said he recently visited a Leon County jail in Tallahassee, and it was a country club by comparison. "It was almost pleasant," Lurvey said.

He said a recurring problem is getting care for a client with a serious dental problem, such as an abscessed tooth.

"You have to get a motion in front of a judge, and even then the judges realize their orders won't necessarily have the impact they want them to have," Lurvey said.

He questioned the timing of the report when the county has little discretionary money. He said there is little doubt discretionary cash will go to other pressing needs other than the jail.

Still, the Justice Department has some clout. Lurvey thinks the county will make some changes, even if it's window dressing.

"Any time they start getting attention from an agency with enforcement powers, the administrators at the jail are going to take note. They don't want to get fined," he said. "They will make some temporary arrangement until this goes away."

Markus said the jails need to start by improving the basics.

"For starters, we need to get edible food and drinkable water in there," he said. "My dog would turn up his nose at the food they serve in the jails."