



## New York State Correctional Officers & Police Benevolent Association, Inc.

# *"Keeping New York Safe"*

### **Officers Attacked and Injured by Inmates at Elmira Correctional Facility**

#### ***Violence Against Staff Continues at Five Points Correctional Facility***

**May 21, 2021**

**Elmira, NY** – Several officers of Elmira Correctional Facility sustained injuries during two separate attacks last week at the maximum security prison. Two attacks as well occurred at Five Points Correctional Facility and a make-shift weapon was recovered after an inmate fight at the prison.

On Monday, May 10, at Elmira prison, an officer was observing inmates as they began to head to their evening meal from the cell block. One inmate suddenly exited his cell and ran towards the officer, threatening to kill him. As the inmate approached, the officer administered one application of OC Spray. It had no effect. The inmate turned and ran down the cell block. The officer pursued him and observed a weapon in the inmate's hand. He was given several orders to drop the weapon but he refused. A second officer approached the inmate from the opposite side of the cell block. He administered OC Spray, which again had no effect. The inmate turned, and ran into his cell and attempted to flush the weapon down the toilet. The two officers entered the cell. The inmate turned around and struck one of the officers in the left side of the face with his fist. The two officers grabbed him in a body hold and forced him to the floor. Struggling on the floor with the inmate, the officers were able to get his arms behind his back and apply handcuffs. Once in handcuffs, the inmate became compliant.

The inmate was removed from the cell and placed in a Special Housing Unit pending disciplinary charges.

An ice pick type weapon was recovered near the toilet. A search of the cell recovered a second weapon, a razor with masking tape as a handle.

The officer who was struck in the face sustained pain and swelling to his face and left shoulder. The second officer sustained pain and soreness to his forearm and knee while subduing the inmate.

Both officers were treated by facility medical staff and remained on duty.

The inmate, 36, is serving a life sentence after being convicted in Richmond County in 2019 for Murder 2<sup>nd</sup>, and Strangulation 1<sup>st</sup>.

On Thursday, May 13, an officer was escorting an inmate back to his cell from a disciplinary hearing. Once at his cell, the inmate refused to enter. Additional staff responded to the cell and attempted to apply handcuffs to the inmate. He turned and struck one officer twice in the face. He struck a second officer in the face. That officer grabbed him in a body hold as he continued to be combative. During the struggle, he struck a third officer twice in the face prior to staff bringing him to the floor. On the floor, OC Spray was administered as he continued to struggle with five officers. Officers forced his arms behind his back and applied handcuffs. Once in handcuffs, the inmate became compliant.

The inmate, 34, is serving 25 years after being convicted in Bronx County in 2012 for Manslaughter 1<sup>st</sup> and Attempted Assault 2<sup>nd</sup>. He was transferred to Five Point Correctional Facility.

Three officers were injured in the incident. Two officers were taken to outside hospitals. One officer was treated for a fractured thumb. The second officer was treated for pain to the left side his head and face and pain to his knee. He was diagnosed with a concussion.

The third officer was treated for a minor laceration under his left eye. He was treated by facility medical staff and remained on duty.

At Five Points Correctional Facility, staff were attacked in two separate incidents and a wooden make-shift weapon was recovered after three inmates were involved in a fight in the recreation yard.

On Saturday, April 24, an officer and nurse attempted to give an inmate medication in his cell. The inmate spit in the eye of the officer and kicked the nurse in both legs and arm while administering the medication.

On Friday, April 30, an officer observed two inmates fighting another inmate in the yard. They were given direct orders to stop fighting and they complied. The inmates were ordered to the wall so a frisk could be conducted. During the frisk, one inmate was in possession of a wooden make-shift shank with a string handle.

The weapon was seized and the inmate was placed in a Special Housing Unit pending disciplinary charges.

On Monday, May 10, an officer observed an inmate lying face down on the floor in his cell. Two officers entered the cell and the inmate jumped to his feet and began attacking both officers. The officers grabbed the inmate in a body hold and forced him to the ground. Still violently struggling on the ground, the officers forced the inmate's arms behind his back so handcuffs could be applied. In

handcuffs, the inmate continued to struggle with officers. They brought him to his feet and removed him from the cell.

He faces disciplinary charges in the attack.

“Officers sustaining injuries at the hands of inmates has become a common occurrence across the state. The circumstances might vary, but the attacks are unprovoked and are continuing at a rapid pace. With a weakened disciplinary system now in place there must be alternatives to hold inmates accountable for violent acts inside the prison. Prosecuting inmates on a regular basis would certainly be a step in the right direction. Especially in cases where it potentially could increase the time an inmate is incarcerated, it would send a clear message that attacks on staff will not be tolerated and there will be consequences. Jon Budlemann, the Cayuga County District Attorney did just that last week when he announced the conviction of two inmates central to a riot at Auburn Correctional Facility in 2019. I commend him for stepping up and taking decisive action” - stated Mark Deburgomaster , NYSCOPBA Western Region Vice President.