

The Virgin Islands Consortium

Independent Monitor Says Golden Grove Not Making Sufficient Progress on Decades-Old Agreement

Government / **Published On April 07, 2022 05:15 AM /**

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Aerial shot of the John A. Bell Adult Correctional Facility, also known as the Golden Grove Correctional Facility on St. Croix. By. ERNICE GILBERT/ V.I. CONSORTIUM

An independent monitor appointed by the courts has said that inmate violence at the John Bell Adult Correctional Facility remains unabated, and that the Virgin Islands Bureau of Corrections is demonstrating decreased compliance with staffing requirements in a manner that is dangerous.

The facility, also known as the Golden Grove prison, has been under a consent decree for over 35 years, since 1986, due to an investigation that at the time found inmates were

being subjected to quote “egregious or flagrant conditions that deprived them of their rights, privileges or immunities secured by the Constitution.”

Originally anticipated to last just two years, the consent decree was intended to ensure that people detained at Golden Grove were protected from unreasonable fire safety risks, as well as wanton and reckless physical violence from other inmates and staff. Minimally adequate medical care and sanitation were also requirements of the agreement between the Virgin Islands and the federal government.

After decades of slow progress on solving issues relating to chronic understaffing, electrical problems and security concerns, Kenneth Ray was appointed by the Court in 2017 to monitor the implementation of the reforms that were initially required so many years ago. Mr. Ray has been submitting regular status reports updating the court on the Bureau of Corrections’ progress, and at the beginning of the week asked for a month-long deadline extension on submitting his latest report, which was due on March 28th.

The reason, Mr. Ray says, is because the territory has not been contributing the necessary information for his team to assess progress and determine the level of compliance with a new plan that was embarked on last November to refresh and accelerate the compliance process. That plan, dubbed the Fierce Urgency of Now, came about after Mr. Ray’s last report found that the Bureau’s compliance with the longstanding consent decree had quote “backslid”. Between November and now, however, the territory’s plan seems to have been derailed. Mr. Ray says that as it stands, consent decree compliance appears to have quote “decayed to deleterious levels in some areas”.

Ray lists staffing levels, and issues with monthly document submissions including incident reports as evidence of the decay. He concluded that the territory’s efforts to improve compliance remained ineffective, and that inmate-on-inmate violence continued unabated.

Corrections officials are pushing back, however. Kyza Callwood, Bureau spokesperson issued a statement on Tuesday disagreeing with Mr. Ray’s assessment that violence among inmates remained unabated, which Callwood said was based on the wrongful assumption that inmate-on-inmate assaults could be eliminated entirely.

Mr. Callwood then went on to provide statistics that seemed to support the assertion that violence among inmates continued without diminishing in intensity, which is the dictionary definition of the word “unabated”. The BOC official indicated that the twelve incidents of inmate-on-inmate violence recorded in 2021 and 2022 were in line with the figures from the year prior, seeming to prove that for two years at least, the Bureau has been unable to abate, or decrease, the level of inmate violence.

Mr. Callwood said that the inmate population has, since the pandemic, become disproportionately composed of people charged with extremely violent crimes, as the risks of Covid-19 infection usually led to non-violent offenders usually being able to avoid jail time. The Bureau of Corrections spokesperson noted that staff at Golden Grove have undergone aggressive training on correctional best practices, and that high quality surveillance cameras were installed to detect and record violent incidents.

Callwood conceded that the monitoring plan had encountered delays, but said that those had since been corrected, and that the Bureau expected the Fierce Urgency of Now plan to pay quote “major dividends in the long term”.

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