

The Star-Ledger

N.J. lawmaker pushing to impeach prison leader after 3 officers are charged with misconduct

By Blake Nelson

NJ Advance Media for NJ.com and The Star-Ledger

Published Feb. 5, 2020

A New Jersey lawmaker is pushing to impeach the head of the prison system, a day after three officers were charged in a growing criminal probe into a series of alleged beatings at the state's only women's prison.

State Assemblywoman Jean Stanfield, R-Lumberton, said Friday it would be "dangerous" to keep Corrections Commissioner Marcus Hicks in office.

"People's lives are at stake, and if Governor (Phil) Murphy won't act to remove the man at the top of all of this, I will," Stanfield said in a statement.

At least six women have said they were hurt by staff last month at the Edna Mahan Correctional Facility in Clinton, and one woman told NJ Advance Media she was sexually assaulted by an officer. The allegations came less than a year after the U.S. Department of Justice found evidence of rampant sexual abuse behind bars.

Gov. Phil Murphy has appointed an independent investigator but he's stood by the commissioner so far, despite a growing bipartisan chorus demanding his ouster. Every Democrat in the state Senate recently signed a letter saying Hicks should go.

A prison spokeswoman previously said new leadership would only delay ongoing reforms, including expanding the use of cameras in prisons.

Impeaching a state official is similar to the process of impeaching a president.

All "State officers" can be impeached for any "misdemeanor committed during their respective continuance in office," according to New Jersey's constitution.

Stanfield said she planned to introduce a resolution "charging Hicks with official misconduct for failing to protect prisoners from serious harm and for violating their civil rights."

If a majority of the state Assembly voted to impeach, Hicks would then be tried by the state Senate. There are 40 senators, and two-thirds would need to approve conviction for Hicks to lose his job.

It was not immediately clear how many of Stanfield's colleagues supported impeachment. The state Assembly is controlled by Democrats, and leaders have only committed to hearings on the alleged beatings.

Hicks has also been criticized for the dozens of prisoners and several staff who died last year with the coronavirus.

“We have federal reports of constitutional rights violations, unnecessary COVID deaths, evidence of widespread sexual and physical abuse, and now criminal charges related to the ongoing mismanagement of our prisons,” state Sen. Mike Testa, R-Cumberland, said in a statement Thursday. “How much evidence does Governor Murphy need that Commissioner Hicks is unfit to lead the New Jersey Department of Corrections?”

Others said the women’s prison needed more than a new commissioner.

The federal government should take over Edna Mahan, said Senate Majority Leader Loretta Weinberg, D-Bergen, and Sen. Linda Greenstein, D-Middlesex. The American Civil Liberties Union of New Jersey reiterated a call to reform the ombudsman’s office, an independent prison watchdog.

Prosecutors have charged one officer with assault and accused two supervisors of lying to cover up excessive force by others. The state attorney general has said additional charges are likely against more officers stemming from the alleged beatings.

The union that represents supervisors at the prison urged caution.

While the “allegations are somewhat troubling,” officers deserve “a full and fair investigation,” William Toolen, president of the New Jersey Law Enforcement Supervisors Association, said in a statement.

NJ Advance Media staff writers Joe Atmonavage and S.P. Sullivan contributed to this report.