

# The Star-Ledger

## **Federal government will likely monitor N.J. women's prison in light of scathing report on abuse, commissioner says**

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During a rare public appearance before lawmakers Thursday, the embattled head of New Jersey's prison system said the federal government will likely begin monitoring the state's only women's facility soon.

Corrections Commissioner Marcus Hicks said negotiations with the U.S. Department of Justice should be finished within weeks. Federal investigators released a report a year ago concluding sexual abuse was rampant at the Edna Mahan Correctional Facility in Hunterdon County.

"My administration is changing the perception of corrections from a 'lock 'em up and throw away the key' mentality to one that focuses on holistic rehabilitation," Hicks said. He said he welcomed federal oversight and called changing the culture at Edna Mahan his "number one priority."

Hicks and other witnesses appeared virtually before the state Assembly's Women and Children and Judiciary committees, where lawmakers raised concerns that inmates remain in danger despite recent reforms.

"It's unclear to those of us up here whether things have gotten better or worse," said Assemblyman Raj Mukherji, D-Hudson.

Committee members also criticized the corrections ombudsperson, an outside watchdog, for not doing more to prevent abuse.

The all-day hearing was the first scheduled in the wake of new allegations that staff severely beat women in January during a series of late night cell extractions.

In a 3,608-word opening statement, Hicks did not apologize for that incident or take responsibility but laid blame on officers.

Those staff "brutally attacked" women and tried to cover it up, he said, in an incident that left him with "disgust and disappointment."

Hicks largely declined to comment further on the event, but he added that his office is supposed to be notified before any extraction takes place and policy largely prohibits late night extractions.

Over more than three hours, he acknowledged decades of mistreatment at the prison while touting recent reforms like the use of body cameras and an early warning system

for officers. The state is also looking at creating a special team to investigate sexual abuse allegations, he added.

“The status quo cannot and will not go on,” Hicks said. “Much change is needed, but we are moving in the right direction.”

Gov. Phil Murphy appointed a special investigator two days after news broke about the January incident, although it’s unclear when Murphy first learned about the allegations.

Hicks said in general he’s “always in contact with the governor’s office.”

Lawmakers repeatedly expressed concern that inmates cannot safely report abuse, and one cited data showing that Edna Mahan staff delayed responding to complaints at the highest rate in the state.

Hicks responded that unopened grievances had since been addressed.

Lawmakers also laid blame for years of documented abuse at the feet of Dan DiBenedetti, leader of the Office of the Ombudsperson, an independent prison watchdog.

“I am very concerned that your office did not really have Edna Mahan on your radar,” said Assemblyman Christopher DePhillips, R-Bergen.

DiBenedetti acknowledged that he hasn’t personally visited the prison in more than a year, and he said his office has long been short staffed. While he now has nine employees, DiBenedetti said he’s told the governor’s office he needs 15 to effectively oversee all prisons.

When lawmakers asked why he hadn’t flagged systematic problems before federal investigators arrived, DiBenedetti said his office had received few reports of abuse from Edna Mahan over the years.

That’s because prisoners believe the ombudsperson’s office is ineffective, former inmates told lawmakers, echoing others who’ve raised concerns about the agency.

Nafeesah Goldsmith, who spent years in Edna Mahan and said she was a victim of sexual harassment, said she constantly filed grievances while behind bars, yet she and other prisoners never heard back from the office.

“I’m still waiting,” Goldsmith said.

The ombudsperson can also conduct unannounced inspections in state prisons. The office does list two recent “unannounced” inspection reports on its website, yet DiBenedetti acknowledged Thursday that prison staff knew inspectors were coming — they just didn’t know every unit inspectors would visit.

Other witnesses raised the possibility of transferring the almost 400 women currently inside Edna Mahan to new, smaller facilities spread throughout the state.

The hearing came a day after officials announced a nearly \$21 million settlement with multiple women who said they were sexually abused behind bars in recent years.

During the hearing, several senators released a statement demanding more information about the agreement and renewing their call for Hicks to step down.

Lawmakers also said they planned to tour Edna Mahan on April 19.