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UNITED STATES OF AMERICA: FLORIDA REINTRODUCES CHAIN GANGS

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Florida became the third state to use chain gangs in 1995, following the lead of Alabama and Arizona, where the authorities reintroduced chain gangs in May. Last used in the USA thirty years ago, chain gangs are being hailed by their supporters as an effective anti-crime deterrent, but by opponents as a step backwards, evoking images of slavery.

Amnesty International believes that the use of chain gangs constitutes cruel, inhuman or degrading treatment, in violation of international standards on the treatment of prisoners.

On 21 November 1995 "restricted labour gangs" - the official term in Florida for chain gangs, reappeared in three Florida prisons in North, Central and South Florida, involving 90 inmates. They are currently in use by 6 prisons, involving 210 inmates. Chain gangs are also in use in at least one of Florida's 67 county jails. According to press reports, chain gangs were last used in Florida in the 1940s.

Prisons

Unlike prisoners in chain gangs in Alabama, Florida prisoners are reportedly not shackled to each other, but their own legs are chained together. Individual shackles have been criticised by some Florida state law representatives who claim that this practice makes the punishment less harsh, and poses a higher risk of escape.

Press reports state that on 21 November twenty prisoners from South Florida Reception Center, Dade County, were taken to their worksite in handcuffs (later removed to allow them to work) and leg chains. Chained at the ankle with 24" of chain, the prisoners were made to work eight hour-days, five days per week tidying and cleaning land surrounding the prison. The prisoners were supervised by 3 guards, armed with shotguns, pistols, and pepper mace (a pepper-based spray used for subduing purposes), and under orders to shoot if anyone tried to escape after firing a warning shot.

According to reports, chain gang members in Florida's prisons will consist of all Florida prison inmates who violate prison rules except those convicted of first degree murder or escape attempts, sex offenders and those with psychological or medical conditions which may prevent them from working. The gangs will be provided with a portable toilet, water, hot meals and protection against chafing from the leg irons. No sun protection cream or insect repellent is supplied.

County Jails

One of Florida's 67 county jails is currently using chain gangs, reportedly as part of a program to reduce the "comfort level" of jails in the county, which includes removing privileges and requiring inmates to pay for part of their keep.

According to reports, jail inmates in Columbia County, North Central Florida, were put to work on a chain gang on 22 November 1995, dressed in black and white striped trousers, caps and shirts with "SHERIFF'S CHAIN GANG" written on the back. They worked in pairs cleaning and tidying verges of highways, tied together with a chain attached to a leather strap around each inmates' waist. One inmate reportedly wore shackles around his ankles.

According to information received, inmates in Columbia County jails are reportedly invited to "volunteer" for the gangs. However, those who refuse to work on the gangs are reportedly made to serve 100% of their sentence instead of 85%.

Sheriff Tramel of Columbia County has reportedly called the chain gangs "a high-visibility deterrent", and is reported to have said of them: "There was a purpose when we put people in the stocks in the town square - it was to embarrass them. Now the public is seeing these men and some of them are embarrassed". He is also reported to have said "We don't abuse anyone here. The prisoners are treated humanely".

International Standards

Amnesty International believes that the practice of using chain gangs constitutes cruel, inhuman or degrading treatment, prohibited under Article 7 of the International Covenant on Civil and Political Rights, (ICCPR) ratified by the US Government on 8 June 1992.

Article 10 of the ICCPR says: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person".

Article 33 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (SMR) states: "instruments of restraint, such as handcuffs, chains, irons and strait jackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints."

Article 45 (1) of the SMR states: “When prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form.”

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