

# UN Rebukes U.S. for 'Torture,' Other Rights Violations in Justice System

by Marianna Wertz

On May 16, the United Nations Committee Against Torture in Geneva, publicly rebuked the United States over charges which were brought to the international body by Amnesty International. In a 45-page report which described specific cases that it said violated the UN Convention Against Torture, to which the United States is a signer, the Amnesty report documents instances of human rights violations in American prisons and jails, and by law enforcement officers, which are no less serious than the kinds of violations for which the United States criticizes other governments around the world. It is the first time, however, that the United States has been criticized before the Geneva body.

While Amnesty International is a British-run non-governmental organization, used by its controllers for targetting sovereign Third World governments for destabilization over alleged human rights violations, in this case, Amnesty has served a useful purpose, in documenting the proverbial "mote" in the eye of the United States. The United States, whose State Department savages countries around the globe, such as Peru and Malaysia, which are battling the international financial elite and their terrorist/drug mafia, now is itself in the international spotlight for documented violations of human rights of the most serious sort.

In a news release, Amnesty Executive Director William F. Schulz said that "certain forms of torture or ill-treatment of men, women, and children by U.S. police or custody officials, as well as cruel, inhuman, and degrading prison conditions, are fast becoming institutionalized across the country. . . . The UN Committee Against Torture should condemn this behavior, thereby telling the world that the U.S. must adhere to international law and accept the same minimum standards for its own conduct that it so often demands from other countries."

In its response to the Amnesty charges, the UN Committee Against Torture expressed "its concern about the number of cases of police ill-treatment of civilians and ill-treatment in prisons. Much of this ill-treatment by police and prison guards seems to be based upon discrimination." The committee's ten independent experts urged the United States to abolish the use of electro-shock stun belts and restraint chairs on uncooperative prison inmates, and also expressed concern about the "excessively harsh regime" in "supermax" very high-security

prisons, including the use of chain gangs.

The United States was represented by U.S. Assistant Secretary of State Harold Hongju Koh, who made a defensive statement in response. The United States' 74-page reply "makes clear our unequivocal and unambiguous condemnation of torture as a tool of governmental policy. . . . Although our commitment is unambiguous, our record is not perfect," Koh told the committee. "Torture does not occur in the United States, except in aberrational situations and never as a matter of government policy. When it does occur, it constitutes a serious criminal offense."

Here are summarized excerpts from Amnesty's report, a sampling of the kind of horrendous conditions now occurring in the American justice system. While *EIR* has reported recently on many such instances, the Amnesty report pulls together a fairly comprehensive picture, from which we here excerpt only a small, representative portion. If the following accounts read like a report of conditions in some "Third World dictatorship," remind yourself that *this is happening in America*.

## Capital Punishment

Since January 1998, the United States has executed seven people who were minors when they committed their crimes, a practice banned under international treaties. The United States is alone in this practice among Western democracies, and only Iran has executed a minor in recent years.

In May 1998, a lawsuit was filed concerning conditions for death-row inmates in Idaho Maximum Security Institution. The suit states that inmates are held in solitary confinement for 163 out of 168 hours every week, in small concrete and steel cells, with solid metal doors and a narrow slit for a window. Inmates are allowed out of their cells for a maximum of one hour a day, excluding weekends, for recreation, alone and handcuffed in one of 12 enclosed wire-mesh pens measuring approximately 7 x 15 feet. The prisoner named in the lawsuit, Randy McKinney, states that he has lived under such a regime for 16 years.

Emile Duhamel was found dead in his Texas death-row cell on July 9, 1998. He was a severely mentally impaired man, with an IQ of 56, and had been diagnosed with serious mental illness, including paranoid schizophrenia. Although



*Scenes of brutality at a private prison in Brazoria, Texas, as shown in a video prepared for training of the prison guards.*

he was reported to have died from “natural causes,” there was concern that medical neglect, and the high temperatures (over 40°C) in the non-air-conditioned cells during the summer, may have contributed to his death.

### **Police Misconduct**

The report references the Amadou Diallo killing in New York and the Los Angeles Police Department (LAPD) Rampart Division beating and shooting of unarmed suspects, and falsified arrests—all instances of severe police misconduct that are well known.

It adds three other cases: Margaret Mitchell, a frail, mentally ill, homeless African-American woman in her 50s, was shot dead by an LAPD officer in June 1999 after she threatened officers with a screwdriver, as they questioned her about a shopping cart containing her belongings. In April 1999, a 14-year-old unarmed African-American, Aquan Salmon, a suspect in an attempted street robbery, was fatally shot in the back by a police officer as he tried to run away. The officer was cleared of wrongdoing. In October 1998, a police officer fatally shot 18-year-old unarmed black teenager Donta Dawson in the head as he sat in his stationary car. The officer said that he opened fire after seeing Dawson lean forward suddenly.

### **Electro-Shock Stun Devices**

These devices are belts, designed to inflict severe pain and instant incapacitation at the push of a button, through a 50,000-volt electrical charge, which passes through the wearer’s kidney. They are increasingly being used to restrain prisoners both in prisons and in courtrooms.

In June 1999, severely mentally ill Arizona death-row inmate Claude Maturana suffered a seizure in a Department of Corrections van as he was being transported from the hospital to a court hearing. At the time of the seizure he was shackled, handcuffed, and wearing a stun belt. While he claimed that he was stunned in transit, causing the seizure, the state denies it; it is now impossible to prove whether the stun belt was activated, and there are no neutral witnesses.

### **Oleoresin Capsicum and Other Chemical Sprays**

Most U.S. police agencies authorize the use of Oleoresin Capsicum (OC, or pepper spray), as it is supposed to be safer and more effective than chemical mace or impact weapons. Since the early 1990s, more than 90 people in the United States are reported to have died in police custody after being exposed to OC spray. While most deaths have been attributed by coroners to other causes, such as drug intoxication or positional asphyxia, or are unexplained, there is concern that OC spray could be a factor in some cases.

In May 1999, Lewis Rivera, a homeless man arrested for loitering in a shopping mall, died in police custody in Miami, Florida, after being subjected to pepper spray, and kicked, beaten, shackled, and left in a police cell. James Earl Livingston died in July 1999 in Tarrant County, Texas, after being pepper-sprayed and placed in a restraint chair.

### **Dangerous Restraint Holds**

During the past decade, many suspects in U.S. police custody have died from “positional asphyxia” after being placed in dangerous restraint holds such as being “hogtied” (where the subject is trussed up from behind with his or her ankles shackled to their wrists) or chokeholds (application of pressure to the neck).

Dwayne Nelson died after being placed in a Total Appendage Restraint Procedure, a form of hogtie, by Los Angeles County Sheriff’s Deputies, while being transported to jail in September 1998.

In October 1999, Demetrius J. Brown died after being placed in a neck-hold while guards tried to strap him into a restraint chair in Duval County jail in Jacksonville, Florida; his was the second chokehold death in the same jail in 16 months, and led eventually to a ban on the procedure in the jail.

In December 1999, Amnesty received reports from La Plata County Jail, in Colorado, of inmates being handcuffed to rings set in walls or on the floor of isolation cells for hours at a time as punishment, or being held face-down on the floor

of cells in four-point restraint, with their ankles secured by leg-irons and their hands cuffed to wall or floor rings.

### Interrogation of Children

Some children have been sentenced after trials at which their confessions, taken under coercive circumstances by police, were used as evidence against them.

In April 1999, an appeals court overturned the conviction of a 14-year-old African-American girl, Lacreasha Murray, sentenced in Texas to 25 years imprisonment for the beating death of a baby. Five days after the death, Murray, then 11 years old, was interrogated by the Austin Police Department for two and a half hours without a break, without a lawyer present, and without her parents or guardians being informed. She denied numerous times killing the baby, but signed an incriminating, police-written statement saying that she may have dropped and kicked the toddler.

In August 1998, two African-American boys, aged seven and eight, were charged with first-degree murder on the basis of alleged statements they made to Chicago police, while being questioned for hours without their parents, an attorney, or a youth officer present. The charges were later dropped, after discovery of evidence pointing to an adult culprit.

### Torture and Ill-Treatment in Prisons and Jails

The United States now imprisons an unprecedented 2 million men, women, and children, which is one-fourth of the

world's recorded inmate population. The resultant overcrowding of prisons and jails, and a greater focus on punishment rather than rehabilitation, have led to cuts in facilities in many prisons and to methods of control that can be cruel and degrading.

Florida prisoner Frank Valdes died of injuries sustained while he was being "extracted" from his cell on July 17, 1999; all his ribs were broken and his body showed imprints of boot marks.

Thomas Pizzuto, who was serving a 90-day sentence for traffic violations, died of a ruptured spleen and other injuries after two guards allegedly beat him in his cell in the Nassau County Jail, New York, in January 1999. The guards reportedly became angry when Pizzuto, a recovering heroin addict, repeatedly called for a methadone prescription.

The FBI is now investigating the situation at Wallens Ridge "supermax" prison in Virginia, where prisoners, transported from New Mexico, were reportedly subjected to physical and psychological abuse, including random night beatings, being tortured with electro-shock stun guns, and deprived of sleep and medical care.

In April 2000, the trial opened in the case of eight guards indicted on Federal charges of having incited violence by staging "gladiator-style" fights among prisoners in Corcoran Prison's High Security Unit in California, incidents during which guards shot dozens of unarmed prisoners, seven fatally.

## Video-Game Violence Turns Children Into Killers

A 14-year-old boy who had never shot a gun before, shot eight classmates with eight bullets. Police were stunned. How could he do it?

The boy was *trained*, by his addiction to video-game violence. From "Pokémon" to "Doom," America's children are being turned into monsters, who kill "for the fun of it."

Schiller Institute founder Helga Zepp-LaRouche, in this 1 hour and 40 minute video, **The Mark of the Beast**, exposes the evil which is hitting everybody's hometown—and to which most parents remain oblivious. She traces the decline of American culture since World War II, and links the insane strategic and economic policies of the financier oligarchy and its war-planners, to the mass brainwashing of youth by video and TV violence.

**Speech to Schiller Institute conference, Feb. 20, 2000.**

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