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New York City Must Face Ex-Rikers Inmate's Excessive Detention Suit

The U.S. Court of Appeals for the Second Circuit ruled that a former inmate adequately alleged that New York City maintained policies or practices that could result in excessive detention.

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A New York City Corrections bus turns off of the Rikers Island entry road in New York, U.S., on Friday, May 20, 2011. Photo: Rick Maiman/Bloomberg

The U.S. Court of Appeals for the Second Circuit revived litigation accusing New York City of keeping at least dozens of Rikers inmates detained beyond their prison sentences, finding that a former inmate adequately alleged that the city maintained policies or practices that could result in overdetention.

A three-judge panel on Tuesday said that James Seabrook sufficiently alleged that the NYC Department of Correction could have taken steps to ensure his timely release, but hadn't.

“Although the city may have lacked the discretion to unilaterally release Seabrook… the complaint adequately alleges both that the city and [Anthony] Monastero failed to exercise their discretion to prevent Seabrook’s excessive detention and that the lack of additional procedures to prevent Seabrook’s excessive detention deprived him of a liberty interest and denied him due process,” Circuit Judge Beth Robinson wrote on behalf of a unanimous panel.

Circuit Judge Eunice Lee and District Judge Eric Komitee, sitting on the panel by designation, formed the rest of the panel.

The decision was welcomed by Seabrook’s attorney, Alice Reiter, a litigator at the civil rights boutique, Wang Hecker.

“No one should spend an extra day in jail—let alone weeks—because the city has failed to establish procedures to ensure their timely release,” she said.

A spokesman with the NYC Law Department said the city stands behind its defense.

“We stand firmly behind the arguments we made, which we believe will be reinforced as we proceed with discovery,” the spokesman said.

Seabrook had been arrested and detained in Rikers in May 2016 while he awaited trial on charges related to a fatal shooting in Harlem. Jurors convicted him for the unlawful possession of ammunition, but deadlocked over more serious murder and weapons charges. Seabrook was eventually acquitted of the remaining charges in December 2023, following a third trial.

By the time Seabrook was sentenced, he had already spent seven-and-a-half years in pretrial detention in Rikers, ultimately serving more than his actual sentence—three-and-a-half to seven years in prison—required. However, he wasn’t released for another 17 days after his sentencing hearing, sparking the lawsuit.

Filing suit on behalf of a proposed class of detainees, Seabrook sued the city and several officials overseeing Rikers, including Monastero, the head of the custody management unit. Seabrook argued the city violated detainees’ due process rights and protections against cruel and unusual punishment.

The city argued it had to continue detaining Seabrook, saying it was bound by his sentencing order—which directed DOC to “deliver” him to state custody—and the applicable law to transfer him to the New York State Department of Corrections and Community Supervision to be processed for release. U.S. District Judge P. Kevin Castel agreed and dismissed the case.

But the Second Circuit found that while DOC had a legal obligation to “deliver” Seabrook to state custody, DOC did not have to physically transfer him to fulfill that requirement.

“Under New York State’s bipartite corrections system, an individual may remain in the ‘physical custody’ of city correctional officers while ‘legal custody’ resides with the state,” the circuit said.

The circuit further pointed out that the state corrections agency itself interpreted the statute as not requiring Seabrook’s physical transfer, and that Seabrook had been released once state officials authorized his release from afar.

“The choice to await DOCCS’s agreement for a physical transfer, and then, only when repeatedly pushed by Seabrook’s counsel, to seek authorization from DOCCS for Seabrook’s release illustrates that DOC in fact did have a choice in how it implemented the sentencing order,” according to the decision.

The case now returns to the district court for discovery.

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