

## He was beaten so badly, they didn't think he'd live, mom says of son's assault by prison guards

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A notice of claim filed on behalf of Anthony Fontanez alleges the inmate's civil rights were violated stemming from a January incident with corrections officers at Northern State Prison (File photo)

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By [Chris Franklin](#) | For NJ.com

Gynelle Harvey was driving a tractor trailer, headed toward the Pacific Coast, when she got a phone call from a number she didn't recognize.

It was an inmate inside Northern State Prison. The voice on the other line told her that her son, [Anthony Fontanez](#), had just been beaten by the prison guards, and by the way he

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**“Most of the information I had received was from the inside,” Harvey said, adding that officials at the prison would not tell her about her son’s condition. “I wound up getting a lot of these 3-way calls from people telling me he was in ICU and the way he was beaten up so bad, they are surprised if he would ever live after that beating. One of them said he was passed out, knocked out unconscious and they still dragged him down the steps.”**

**Fontanez’s allegations are laid out in a notice of claim he filed on Friday against the New Jersey Department of Corrections (NJDOC), the Northern State Prison warden, and three corrections officers.**

**The incident started when Fontanez — who is less than five years into a 31-year sentence for crimes such as attempted murder and aggravated assault stemming from two shootings in Camden — was told he wasn’t allowed to take a shower, but took one anyway instead of participating in recreation, according to the claim.**

**“Immediately after, he was cuffed and put in a cage where he watched while corrections officers began pouring over his entire cell and his clothing disinfectant, Clorox, cleaning supplies and other toxic substances,” the claim states.**

Fontanez said he was told to go back into his cell, but refused because of the fumes from the chemicals. Additional guards were called in, and one sprayed mace on Fontanez, who then ran to the shower to attempt to wash it off.

He claims the officers then attacked him with their batons, hitting him in his head and arms, then eventually dragged him down the stairs and put him in a wheelchair, while blood was dripping from his nose and head.

Eventually, he was transferred to University Hospital and had to undergo surgery on his ankle that required plates and screws to be installed, he claims. He also sustained broken ribs and a broken nose.

NJ Department of Corrections spokesman Matt Schuman confirmed that an incident involving Fontanez on Jan. 6 is being investigated. He said the department doesn't comment on pending litigation.

While Harvey was making her way back to New Jersey, Fontanez was released from the hospital and transferred around various prisons, including the East Jersey State Prison in Rahway before winding up at New Jersey State Prison in Trenton. During that time, Harvey said was not able to speak with her son to see how he was doing. It was not until five days after the incident happened that Harvey was able to talk with him on the phone, and not able to see him in person until Jan 16.



**“He told me he did not do anything,” Fontanez’s mother said. “I know my son, and he might get into situations in prison here and there. If certain things happen, I do find out later.”**

**When they finally spoke, Harvey said her son told her his cell was trashed, pictures were ripped off the wall and thrown in the garbage and he had a cast on his leg. Harvey said she did not see his face but was told his it was badly bruised.**

**His family questions why they weren’t notified sooner by the prison.**

**“Here is the thing that kills me: When you have 10, 9 or 8 guys doing that, that is a problem,” said Antonio Fontanez, Anthony’s father. “That does not sit well in my stomach. I understand if something happens, put him in lockup. When you start using excessive force like that and actually break this kid’s leg and break his ribs, there’s something wrong with the system.”**

**Harvey said inmates and her son has said the assaults had become something they have come to accept while serving time in the prison.**

**“All these guys in here think that this is a routine that goes on in prison and no one will do anything about it, so they take the beat down, suck it up, and go about their business,” she said.**

**Fontanez is being represented in the case by civil rights attorney Shelley Stangler.**

**“I certainly can say that this is yet another horrific and brutal example of gross misconduct and excessive use of force over a minor infraction,” Stangler said. “Why does this keep happening?”**

**Stangler said it is very common in the corrections system not to let loved ones know what is going on with an inmate or even be allowed visitation under a series of what she considers to be “archaic rules” that do not let family members into the hospital room. The civil rights attorney also said the types of policies are not transparent, including not being allowed to take photographs of injuries.**

**She said some of these issues are contributing to the reoccurrence of these types of events.**

**“It all relates back to the internal affairs function and the lack of discipline and the tolerance for misconduct,” Stangler stated. “This is what we see in these cases and why it continues to occur.”**

**NAACP of Newark criminal Justice chairperson Rick Robinson was contacted by Harvey immediately after the alleged assault. Robinson believes that this incident furthers the cause for more oversight of the prisons.**

**“If we’re going to continue to have complaints regarding inmates who are abused in any way, there must be some type of vehicle in place regarding oversight,” he said. “We have already had women who were being raped the Edna Mahan Prison, and the NAACP-Newark testified on that because one of the women is from Newark.**

Harvey is hoping the situation changes the way families are notified when serious injuries or near-death experiences happen.

"All I wanted was information about my child," Harvey said. "Could you put yourself in my predicament? Don't look at him differently because he is a prisoner. At the end of the day, he is somebody's child, regardless of what he did. I am a parent, and I need to know if something is going on with my son."

NJ Advance Media reached out to the Attorney General's Office to inquire if there is an ongoing investigation into the Northern State Prison, but a spokesperson said it is the Office's policy to neither confirm nor deny investigations.

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