



# Corrections Showdown

## Top Brass Faces Off with Rank and File Over Disputed Claims About Officer Safety

By Sam Abady

The New York State Department of Corrections has consolidated prisons and implemented other cost-saving measures to pare down the expense of running the state's sixty-seven prisons which house 57,260 inmates. Corrections officers, by their union, the Correction Officers Benevolent Association, and other officer groups like the National Black Police Association, are unhappy about these changes which they assert have led directly to increased assaults on the rank and file. Top brass vehemently rejects these claims out of hand.

According to the officers, 33,000 of their members nationwide were assaulted last year, and of those, over 20% required medical attention. Yet, on a national scale, only 10.9% of these assaults resulted in prosecution of the prisoners involved. PrisonOfficer.org reports that a corrections officer will be assaulted at least twice in a twenty-year career.

In Westchester County, a sole corrections officer operates housing units with up to sixty inmates. Officers cannot carry weapons, nightsticks or radios, lest a prisoner grab these items and turn on the officer. Hence, the officer's primary means of defense are his own hands and a body alarm to alert backup.

Due to budget constraints, the Department of Corrections built dormitories in lieu of cells in various prisons, including the Valhalla prison in Westchester. Officers see this trend as exposing them to greater danger from violent inmates, and point out the public would not tolerate policies which made armed police officers more vulnerable to criminals.

In its recent press release, the National Black Police Officers Association branch headquartered in White Plains said: "Corrections officers in Westchester County have recently

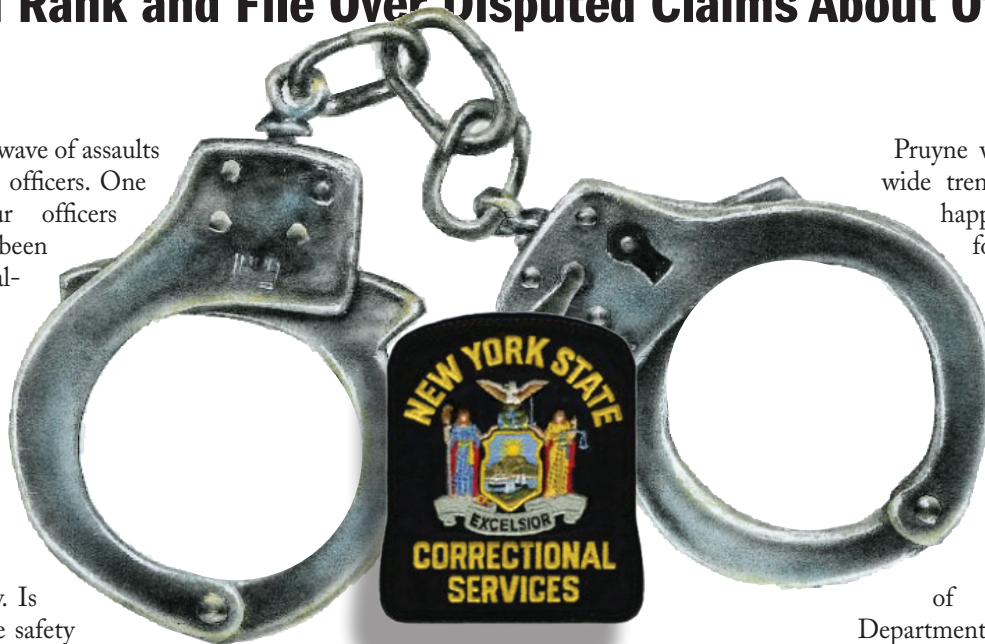
seen a wave of assaults on our officers. One of our officers has been hospitalized and is

facing critical surgery. Is not the safety of our facility a very serious issue?" The group predicts "With continued post cuts and more violent gang members being incarcerated, there has to be a more proactive stance before summer, or it will only get worse."

The NBPA group asks what police morale would be like if one in ten cops were assaulted on the streets, and claims only one in forty-three Westchester municipalities "operate within national standards." The group stated "Westchester County government has failed to act fairly in rewarding the hard working officers with a labor contract since 2006," and demands the county give officers funds set aside in interest-bearing accounts for the yet-to-be-concluded collective bargaining agreement.

Corrections officials in Albany and White Plains were asked to comment on the officers' concerns. Their response was stark.

Justin Pruyne, a lawyer and former member of the Westchester County Attorney's staff, is the Special Assistant to the Commissioner of Corrections. He said he "categorically disagrees" with claims by the rank and file. "There is no alleged uptick on inmate attacks on staff," he said. "We now have a lower



Pruyne was adamant that "nation-wide trends in corrections are not happening in Westchester." As for cuts, he said "all layers of government are operating under fiscal constraints." He sees officers' safety complaints as a wedge to force action on the labor issue: "It is irresponsible to link labor disputes and compensation issues with officer safety," he said.

Eric Kriss is the Director of Public Information for Department of Corrections in Albany.

He also categorically rejected the officers' safety concerns. "Assaults on officers are inevitable in a prison system which houses violent felons," he said, but insists "we have been addressing this problem in ways that has been very effective." As a result, "the number of assaults went down since 2008 which had 578, compared to 567 in 2009."

Kriss attributes this downward trend to construction of 3,000 segregation cells for violent prisoners starting in the 1990s, and implementation beginning 1997 of a "merit time" program to create inmate incentives to shave time off their sentences.

Likewise, Pruyne said he "strenuously disagrees" that only one in ten assaults on officers are prosecuted. Although management does not keep statistics, he said, "We have a full-time Westchester county police detective assigned to the Valhalla facility, and his salary is paid for by the corrections budget. His presence streamlines our ability to investigate incidents in real time without the need to wait for an outside law enforcement agency, and helps us expedite cases to the District Attorney's office."

Kriss also insists corrections officers are safer in New York than elsewhere, and cited a September 2008 survey by the American Correctional Association that New York has three prisoners per corrections office, compared to a national average of 6.35 prisoners per officer. "We are doing twice as well as the national average," he said.

Pruyne acknowledged a lone corrections officer operates housing units with up to sixty inmates, but said "there is nothing inadequate about that staffing level," noting it was in compliance with Department of Corrections policy in Albany. "We maintain 364 posts per day within the facility, 365 days a year," he said. "Dormitories represent a trend across the country." Pruyne also stated officer safety was enhanced by video monitoring of inmates at the Valhalla prison, and "the video system is being significantly upgraded via a facility-wide capital project."

Prison officials insist prison consolidation is not driven solely by fiscal concerns. "The prison population is declining," said Kriss, and "the number of inmates this year is 4% less than last year." As a result, "we have consolidated some prisons, but in no instance have

*Continued on page 11*



## Corrections Showdown

*Continued from page 3*

we gone above capacity” pointing out that, “as of May 14, 2010, the prison system had more than 4,600 empty beds throughout the state.”

Likewise, Pruyne pointed out the Valhalla prison has an average of 1,400-1,500 occupied beds, but has capacity for 1,800, and now houses overflow federal prisoners in a lucrative contract with the U.S. Marshals Service.

Groups like COBA and NBPA have no cause to complain about prison consolidation according to Kriss because “we are facing the worst fiscal crisis in the state’s history” and “we have an obligation to taxpayers in New York State, too.” Pruyne echoed these sentiments.

Damon K. Jones is President of the Northeast Region of the NBPA and a corrections officer at the Valhalla prison. He said safety claims by Kriss and Pruyne were laughable. “The Westchester County prison is a firecracker about to explode,” he said.

Jones insists the entire rank and file is alarmed by the increase in assaults on officers. “The ink was not yet dry on a May 11th memo from Commissioner Kevin Cherberko in response to the COBA statement complaining about his restrictive use of force policy when two officers were sent to the hospital that same day. Management then pulled the memo.”

Likewise, Jones said the presence of a police detective on site is “just a waste of taxpayer money” because “his presence does not stop assaults on officers. He simply investigates incidents after the fact. The violent prisoner is already locked in a cell by the time the

detective gets involved.” Jones pointed out that county police headquarters in Hawthorne is only five minutes away from the facility in Valhalla.

Rank and file sees a direct correctional between cuts in staff and the increased assaults on officers. “In the past, when an inmate attacked an officer, the officer was required to take direct action in response consistent with our published use of force policies. Today, management tells us to simply sound an alarm, but not react or intervene. This contradicts those policies,” Jones said.

Jones attributes this state of affairs to management priorities putting budget concerns over officer safety. “They don’t want officers going out on job injury or disability because that costs money. They’d rather sacrifice the safety of the facility,” he said. Other officer groups have complained that cost concerns now trump concerns for officer safety. “This has created an intolerable situation on the ground during inmate-officer confrontations,” said Jones. “When we do react, and use physical force to subdue a violent inmate, the officer gets punished by the Use of Force Panel.”

Jones believes the trend of increasing violence and disrespect towards officers will continue unless and until management puts the safety and security of the facility above budgetary concerns and the bottom line. “The union needs to be more vocal about this, too,” he insisted.

Given the need for belt-tightening throughout the prison system, it is not likely this dispute will be resolved any time soon.

## PointCounterpoint

### Spill Baby Spill! Fossil Fuels and the Abuse of Power

*Continued from page 5*

wrecked by oil company negligence. It is high time we paraded those executives in a “perp walk” before the blinding lights of TV news cameras.

We must put our elected and appointed officials on notice this disaster marks the beginning of the end for fossil fuels. It is time we rejected the morally bankrupt arguments of an industry destroying not only our environmental and economic future, but the democratic process.

Vote with your wallet and purse. Sell mutual funds that include fossil fuel

securities. Tell charitable foundations, your churches, and higher education institutions to divest portfolios of oil stocks. Invest in alternative energy companies instead. This amounts to an investment in yourself, your community, the environment, and your children’s future.

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### The Real Climategate Scandal

*Continued from page 5*

states, egregious violations prompting a \$30 million penalty from the U.S. Environmental Protection Agency. In March 2010, Koch ranked number 10 on the list of Toxic 100 Air Polluters done by the University of Massachusetts Political Economy Research Institute. Exxon was number two.

When Greenpeace aired its report, Koch cried foul, saying it merely supports an “open and honest airing of all sides” in the climate debate, and that environmentalists are “demonizing and silencing” those with whom they disagree. However, Americans for Prosperity -- founded, funded and run by David Koch -- sponsored a 2009 event at which climate skeptic Lord Monckton called young environmentalists “Hitler Youth” who “don’t care” about the millions “dying in third world countries.” So much for rational discourse.

Unfortunately, we listen to the inflammatory rhetoric of Blankenship and the Koch brothers, while ignoring the warnings of reputable climate change scientists, at our peril.

In response to the terrible mine disaster, shareholders called on Massey Energy to seek the immediate resignation of CEO Blankenship, saying that his “cavalier attitude toward risk and callous disregard for ... safety ... has exacted a horrible cost.” They called the

mine explosion a failure of “risk management” and said that “Blankenship must step down and make room for more responsible leadership.”

As glaciers melt, and oceans and temperatures rise across the planet, should we not also be clamoring for the resignation of any corporate executive complicit in endangering our children, and blocking the intelligent risk management of the stability of earth’s climate?

It is high time that criminal polluters like Blankenship, the Koch brothers, and Exxon’s board of directors were brought to justice. They and others in the fossil fuel industry continue to blow up mountains in Appalachia, poison America’s air and water, cause uncounted deaths in the Deep South’s Cancer Alley with their refineries and chemical plants, while using profits to derail the urgently needed regulation of carbon emissions.

The World Health Organization has shown that global warming already contributes to more than 150,000 deaths and 5 million illnesses annually worldwide, a toll expected to double by 2030. Is that a number that the coal and oil industry would also dismiss as being “statistically insignificant?”

*Glenn Scherer is an editor at Blue Ridge Press publications.*

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