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# Luis Augusto, Part I

Today, at the Utica Court House in Utica NY, Inmate Luis Augusto came face to face with reality. A reality that he not have thought possible. As he was lead into the small court room, he "fronted" as the tough guy he thought he was. But his eyes told another story. As he survived the sea of BLUE, the fear and cowardice that were the foundation of his being began to surface. For the first time since July 18th, 1997, when he stabbed Officer Carter, beat Officers Rounds, and Torres and then stood over Lt. Richard Prusko and repeatedly beat him with a metal softball bat, Luis Augusto stood alone. He had no other inmates, no family, no friends to support him much like the day Officers Carter, Rounds, Torres and Lt. Prusko were surrounded by inmates lead by Augusto and were beaten.

At times Augusto would sneak a look at the SEA OF BLUE, but never, ever making eye contact. Officer White, Mohawk Local President receiving permission to speak for Lt. Prusko and Officer Rounds confronted Augusto and told Augusto that he sold his soul to the lowest bidder and that he would never be rehabilitated except for his own death. Next it was Augusto's turn and the coward copped out. He pointing at Mohawk Superintendent, Mr. E. Reynolds, and blaming him for the riot. But this charade fell on deaf ears. For all in attendance knew, including the newspapers that covered the sentencing, that he was looking for an excuse. But today there was no one buying his excuses, lies, and fabrications.

Next it was Judge Micheal Dwyer to pronounce sentencing. He asked Augusto if he had committed a violent act in the Bronx in 1988. Augusto did not answer. The Judge asked again. Still no answer. On the third attempted, Augusto the coward answered the Judge. "Yes" As Judge Dwyer told Augusto that he could not live in orderly life outside the prison and proved that he could not live in the same fashion inside a prison. When Augusto said the Officers would do him harm, Judge Dwyer told Augusto that "This is not my concern." Augusto, in a flash of brilliant thinking told the judge "then I will have to kill somebody" Judge Dwyer then told Augusto: "you have proven to me that you are not fit even for a prison." As Judge Dwyer handed out the sentences, the emotion was building. As Judge Dwyer read the charge, then sentence I could feel an eruption starting to rise. That eruption came when Judge Dwyer, after the third charge said these sentences will run consecutively, all 100 or more Officers, Sgts, Lts, Capts and Dep.s exploded.

But Judge Dwyer restored order quickly by saying; "You may not be so happy after you hear what I have to say." He now sentenced Augusto to 13 years. This is what Augusto copped out to. Inmate Augusto had copped out alright. He copped out the day he was born. On that day Augusto was given a chance to grow up to be a ball player, a mailman, a father, may even could have been mayor. But he fortified that future. He was a violent vicious animal who could not live in an open society. He preyed on the weak. Now NYS can rest easy. For Augusto will be treated like the animal he is, kept in a SHU cage for the next 13 years.

Stay Safe,  
Joe Saccento-Mohawk

## Agusto, Part II

I must thank the following people for their support at the Augusto hearing today.

John Butler  
Tim O'Leary

Assemblyman Dave Townstead  
Dickie Stay and the Officers of Oneida  
"Mac" McGregor of Attica CF  
The Oneida County Sheriffs  
The Civilian C-82 members from different locals that attended

But most of all to Capt. Pete Naughton and Officer Al Fayle who together work so hard, living in a small room for months on end putting together the cases that will convict 11 of 12 convicts involved in the Mohawk riot. Damn good job guys!!

And to Sue France: Thanks for keeping Pete and Al on track! You did a great job babysitting. LOL

And to all the MOHAWK OFFICERS, you make me proud to be a member of this Facility and Corrections. Thank you.

Stay Safe,  
Joe Saccento-Mohawk

PS: if I left anyone out, PLEASE email me so I can correct it!!!!

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## **Misappropriation of union funds??????????**

I have a question for anyone who might know more about the 11yr dues rebate because of the extra pay-period.

I feel this is misappropriation of union funds, however, I could be wrong. According to the constitution, Council 82 collects our dues then sends a per capita check to AFSCME for their share and then sends each local their per capita check, the amount depending on the number of members in each local. Council 82 then keeps the rest, except now there was found an error, every 11yrs there is an extra pay-period.

So if this is correct and according to the constitution it is Council 82's responsibility to disburse dues accordingly and not the local's responsibility then how can Council 82, LEGALLY, rebate the money to all the locals thus leaving it up to them if they want to refund the members the money or not. My local received a check for approx. \$4900.00. I asked my local treasurer this and he didn't know. I feel this money should have been refunded by Council 82 directly to all the members. Since this is more than just a couple of dollars that's involved, like over \$400,000.00 it is quite a large sum of money.

This should be no different than when I pay too much in income taxes. The State sends me a refund DIRECTLY. The State doesn't send my refund to the County, City, or Town where I reside and leave it up to them to decide what to do with my money.

I feel this is just another way Council 82 and AFSCME is trying to cause decention among the rank and file by leaving it up to the locals to decide what to do with our money. Since about 98% of our representation comes from the local level it seems that by any member then questioning the local E-board or President it causes more friction and dissent at the local level and labeling more members "dissidents" as AFSCME 82 calls them. It seems it is just another way to divide us just like the State does, but how

legal is this slick move. If any AFSCME Official is reading this or Council 82 official is reading this, run it by the US Attorney's office in Albany and see what they think, then post it for everyone.

So, I am asking if someone could shed some light on this subject. This may have been posted before but I can't remember.

Dave St.Louis

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## Tier 3 Retirement Amendments

Just had the privilege to review the new tier 3 retirement amendments. Real slick how the State and Council 82 doesn't bother to inform the members. For those that haven't seen it get yourself a copy as soon as possible from McCall's office. The new amendments came out last year in September 1997. No one was grandfathered into these changes. I like how the State changes my retirement in midstream of my career and the Union says nor does anything about it.

The new amendments include the following:

- 1.) Mandatory retirement at age 63 for all tier 3 correction officers.
- 2.) No credit for any service after 25 yrs on the job. This means no 1/60ths nor any 2% or any percentages allowed anymore after 25yrs on the job.
- 3.) Anyone that stays beyond age 55 regardless whether they have 25 yrs on the job or not, will get penalized just because they are over 55 yrs of age.

I feel the "Self Funded" 20yr retirement that AFSCME tried to push gave no credit for any service beyond 20yrs. I think AFSCME gave the State an idea to just take away the 1/60ths from us. So they did. Since we have no protections by law as I have previously posted and Council 82 refuses to sue the State things just get worse.

Council 82 knew about these changes all along because Rich Abrahamson sits on McCall's retirement committee. Council 82 has a responsibility to tell the members and so doesn't the State especially when they change our retirement after we started the job. When the Tier 1's got changed back around 1970 they were all grandfathered. The members have a right to know about the changes especially because no one was grandfathered. These new changes should have been. This is just like the extra steps the State imposed on all the new guys during our last contract.

**DOWN WITH COUNCIL 82!!!!!!!!!!!!!! NYSCO&PBA IS THE WAY TO GO!!!!!!!!!!!!!!!!!!!!!!**

Dave St.Louis

I need to make a few corrections on the amendments from my posting I made.

Today I spent about an hour at the retirement system in Albany talking to a representative. I don't have time right now to post all the information I got, but I will do it tonight.

On the amended version booklet I was told this was put out by the office aging NOT NYS Retirement

system. I found out that some of these so called new amendments aren't so new but never really explained because they never had a tier three seminar before. This seminar was put on by the office of aging however I did not attend others just gave me the info and they explained it all wrong. I will post it tonight.

I was also told and it is shown that tier 3 corrections retirement system is the most complex system there is.

For the northern region expect to here about an up coming seminar in Lake Placid sometime in June.

Dave St.Louis

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## **An open letter to Rich Abrahamson**

DEAR MR. ABRAHAMSON ,

I REMEMBER WHEN YOU CAME TO MY JAIL WHEN YOU WAS RUNNING , AND ALL THE PROMISES YOU MADE ABOUT HOW YOU WERE GONNA SEEK THE BEST FOR US ALL, AND THAT YOU HAD AN OPEN DOOR POLICY. YOU SAID YOU WERE A MAN OF YOUR WORD. SO PLEASE TELL ME THIS....

I HAD MET WITH SOME PEOPLE WHO ARE ATTORNEYS AND PROFESSIONAL NEGOTIATORS, I WROTE YOU ON 12/17/98 TO TELL YOU ABOUT THEM AND YOU REPLIED YOU WERE LOOKING FOR PEOPLE AND THAT YOU WOULD LIKE ME TO HAVE THEM CONTACT YOU. THEY HAVE TRIED TO CONTACT YOU AS WELL AS MYSELF AND YOU SOMEHOW ARE NEVER IN, NOR DO YOU RETURN PHONE CALLS .

WELL.....AT THE INVITATION OF LOCAL 2398 EXECUTIVE BOARD , A MR. JOEL GLANSTEIN LABOR LAWYER IN N.Y.C. ALONG WITH AN IMPRESSIVE TEAM , MET WITH US ON THURSDAY JAN 29 1998 AND TOLD US WHAT HE BELIEVED IT WOULD TAKE TO GET A BETTER CONTRACT IN THE NEXT CONFRENCE NEGOTIATIONS. HE TOLD US.....

HIS REVIEW OF BARGAINING HISTORY FOR DC 82 INDICATES THAT OUR ECONOMIC PACKAGE IS TIED CLOSELY TO THAT OF THE TWO LARGEST UNIONS IN THE STATE THAT REPRESENT CIVILLIAN EMPLOYEES PEF AND THE CSEA WHICH REPRESENTS APPROXIMATELY 200,000 EMPLOYEES.

WHAT IN HIS VIEW CAN BE DONE TO OVERCOME THAT PARITY ARRANGEMENT AND HELP SECURE MORE FOR DC 82 AND ITS MEMBERS ?

A. FIRST AND MOST IMPORTANT WE MUST ENGAGE IN INTENSE LOBBYING OF THE STATE LEGISLATURE AND GOVENOR PATAKI TO GET THEM TO AGREE TO AMEND THE PROVISIONS OF THE CIVIL SERVICE LAW, 209.4 (E) TO ADD THE JOB CLASSIFICATIONS IN OUR CONTRACT WITH STATE AS BEING ENTITLED TO THE RIGHT TO SUBMIT UNRESOLVED ISSUES TO IMPARTIAL ARBIRTRATION. IF WE WERE TO ASK- WHAT IS THE MOST IMPORTANT THING THAT MUST BE ACCOMPLISHED TO GET DC COUNCIL 82 A BETTER CONTRACT - THIS IS HIS ANSWER - BE ELIGIBLE BY LEGISLATION TO SEEK

**IMPARTIAL ARBITRATION OVER ANY UNRESOLVED ISSUES AFTER ACCOMPLISHING THIS PRIORITY**

**B. AFTER ACCOMPLISHING THIS PRIORITY THE SECOND MOST IMPORTANT FACTOR IS TO UTILIZE EXPERT ACTUARIES , ATTORNEYS, BENIFIT CONSULTANTS, RESEARCHERS-IN COSTING YOUR CONTRACT AND IN NEGOTIATION IN PREPARING FOR THE POSSIBILITY OF IMPARTIAL IMPASSE ARBITRATION**

**WHY ARE THE TWO ITEMS MOST IMPORTANT? IN HIS OPINION - REGARDING THE NEED FOR AMENDMENT TO 209 - THIS WILL ENABLE OUR LABOR COUNCEL TO ARGUE THAT THE RECENT IMPARTIAL AWARD FOR THE STATE TROOPERS SHOULD BE APPLIED TO COUNCIL 82 AS A COMPARABLE STATE UNIFORMED LAW ENFORCEMENT GROUP.**

**THE MOTTO OF COBA ( CORRECTION OFFICER BENEVOLENT ASSOCIATION ) IS WE PATROL THE TOUGHEST PRECINT IN THE CITY OF N.Y. THIS SHOULD READILY BE THE MOTTO FOR US AT STATE LEVEL.**

**REGARDING THE USE OF EXPERTS IN ACTUARIAL SERVICE , BENIFIT CONSULTANTS , ATTORNEYS AND RESEARCHERS THERE IS NO SUBSTITUTE FOR PREPARATION. IF WE HAVE THE LEGAL RIGHT TO GO TO IMPASSE ARBITRATION AND ARE PREPARED THE LIKELIHOOD IS THAT WE WILL SETTLE WITHOUT ARBITRATION.**

**IF WE DO GET TO IMPASSE , THE COMPARABILITY WITH STATE TROOPERS - IS DESIRABLE BECAUSE IN RECENT IMPASSE INVOLVING THE TROOPERS - A HISTORIC 1ST WAS ACHIEVED. THE MAJORITY OF THE ARBITRATORS CHOSE TO DISREGARD PARTLY WITH CSEA AND PEF.**

**IN NEW YORK CITY COBA'S CBA IS PATTERNED AFTER THE PBA . THE SAME SHOULD APPLY IN HIS OPINION TO C 82 AND THE TROOPERS AT THE STATE LEVEL. SOME OF THEIR CLIENTS THAT THEY NEGOTIATE FOR ARE : TRANSPORT WORKERS UNION OF AMERICA , AFL-CIO; AMERICAN POSTAL WORKERS UNION AFL-CIO; UNITED PROBATION OFFICERS ASSOCIATION OF NEW YORK CITY; LOCAL 3 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS AFL-CIO AMERICAN MARITIME OFFICERS; LIEUTENANTS BENEVOLENT ASS. N.Y.C. POLICE DEPT. PORT AUTHORITY OF N.Y. AND N.J. LIEUTENANTS BENEVOLENT ASSOCIATION. CORRECTION OFFICERS BENEVOLENT ASSOCIATION WHER HE GOT THEM A 13% INCREASE AND 49,000 BASE SALARY.**

**THESE PEOPLE ARE PROVEN WINNERS AND PROFESSIONAL EXPERTS SO WHY HAVE YOU NOT EVEN RETURNED THEIR CALL?**

**WE ARE A UNION , A UNION IS LIKE A FAMILY FOR ALL MY BROTHERS AND SISTERS ALIKE, OUR BEST INTEREST IS FOR ALL OF US, YOU AS THE PRESIDENT ARE LIKE THE FATHER OF THE FAMILY , WOULD YOU NOT ATLEAST GIVE EVERY EFFORT TO GET THE BEST FOR YOUR CHILDREN ? I WOULD... OR ARE YOU GONNA HIRE IN-HOUSE PEOPLE WITH BARELY A G.E.D. DIPLOMA TO BARGAIN FOR THE WELFARE OF THE FAMILY?**

**ANY MEMBER WHO WISHES TO SPEAK TO THIS TEAM OF NEGOTIATORS MAY E-MAIL ME FOR PHONE NUMBERS ( WOOKSTER@CON2.COM) AND ASK QUESTION , THEY WILL RETURN YOUR CALL !!!**

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# INCIDENT AT SOUTHPORT....CIU DROPS THE BALL

This is the most discusting thing yet by this department. Anyone who is involved in corrections should KNOW the gang leaders of the BLOODS. They are supposed to be monitored by CIU. I have given the head CIU person at Southport information of the leaders and civil war between the different sub chapters of the bloods. Deadeye being one major leader and tankhead being another. Magoo is also another leader as well as pimp. These people were all in the same draft area at the same time WHY ?

Deadeye and Tankhead are in a power struggle both powerful leaders KNOWN BY THE STATE. So they are both on THE SAME BUS TO DOWNSTATE for court appearances. BOTH PULLOUT WEAPONS AND AN OFFICER GETS CUT!!!! WHY??? Because we are getting nothing but bullshitted by the State and CIU. CIU was notified of the bloods all coming in to the same area at the same time and OH WELL was thier answer.

By the way the new chair was used on these inmates it wasnt working so we had to use hand scanners which didnt pick up the weapons.

The cut officer prior to getting cut told the administration that deadeye was in the bathroom twice and he felt he got a weapon out of his ass. Reply OH WELL.....John Butler and Rich Abrahamson were notified by me personally and the local president spoke to Mike Graney.

The concern is the bloods are now calling for a war with staff as the remaining inmates pimp and magoo didnt like the fact that tankhead who cut the officer was being held. By the way the weapon taken from deadeye didn't stop him from getting on the transportation bus with the rest of the inmates..... A new method of keeping these incidents from occuring has to be addressed CIU does not feel its thier job to be involved with this as it probably isnt. Other state agencys have task forces , we get bullshit.....The officer is ok he got some stitches and will be out for a while.....JWinant

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## LETTER FROM GOORD

Dear Mr. Perry:

Governor Pataki has referred your letter of February 5, 1998 to me for a response.

Fourteen medium security facilities are scheduled to construct recreation yard towers. The intent of the tower construction is to provide increased visual observation of the yard from an elevated post, with the added benefit of weapons coverage. The tower is accessed from outside the perimeter. Therefore, perimeter coverage from the ground will be directed to the tower when the yard is open. To ensure that perimerter coverage is not diminished, a temporary post has been approved for this purpose.

Thank you for your concern in this matter.

Sincerely

Glenn S. Goord

Commisioner

I hope the other 13 facilities are getting their temp post the same as we are. If the members of local 1169 did not stand up for themselves, we would have lost another job. Let's not let them take any more jobs!!!!!!!!!! We proved that by sticking together, they will listen and give us what is right. We are waiting for the next local to begin to show some solidarity to show these people that Wyoming does not stand alone. IT WORKS TRY IT!!!!!!!! TO THE OTHER 13 FACILITES-----YOU'RE WELCOME!!!!!!!!!!!!!!

John Perry - V.P.

Wyoming Local 1169 (Strongest local in the state)

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## STRESS!

### CORRECTIONS CORNER

Issues specific to Corrections Officers

<http://www.heavybadge.com/correct.htm>

by Mark Smith

Corrections work is isolating. Isolating from the public, from family, at times even from co-workers. It's lonely.

It's boring, except for the moments of unexpected terror.

An officer who is well liked and respected by his peers comes back to his post from a meal break. It's 0100 hours on what seems to be a routine 2300 - 0700 shift. But for him it's a restless night and he knows the time will drag. He remembers the day an administrator told him he was going to go places in the department. As quickly as the promise of his big chance came it vanished. Politics, idle talk, not going along with certain protocol, and not knowing who the players are. In the green lined darkness of a midnight shift that leads to nowhere, he contemplates his situation, his future. It's then the tiredness overwhelms him and he begins to sweat and shake without understanding why.

Tonight time is his enemy as he ponders his future, wondering why he 's no longer excited about the job or the people he works side by side with. He's second guessing his motives for taking this as his chosen career. Counting the years to his retirement, he wonders if he's become as cold a person as he now feels. He's at the point where he feels he too old to play the game anymore. He feels the promises of labor and management are just empty hype. It's somebody else's pipe dream or power play that he can no longer bring himself to be part of. Sitting back in his chair he leans back so his head touches the cold steel wall and he stares over the bodies of inmates who seem to have a peace of mind he envies.

His feelings seem very clear to him, but with a flaw, he firmly believes that there is no one he has that he



can confide in, that no one would understand, not even his wife. She might even criticize him or worse ignore him. He has to be careful around her, on his guard, after all she could have married someone with a 9 to 5 job who could have given her a better life. Frustration sets in.

Maybe something will happen tonight so that the adrenaline will kick in. But instead the stress starts taking its toll.

Shiftwork is not normal. It disrupts the body.

Shiftwork disrupts the home. It effects the entire family.

What and who we work with can change us. We can bring that change home.

After seeing so much that is bad in people, can we still see the good? She can't get comfortable in any position on the bed. Turning, fluffing up the pillows, and rearranging the covers doesn't help. She has never really adjusted to his night shift. She also knows that she'll be tired tomorrow and wonders how she'll deal with the kids and hold up at work. Exhaustion and loneliness are the only feelings she has right now.

She worries about him. He's not the same. He doesn't seem to be talking to anyone, not even the kids. He'll sleep most of the day only to get up to eat dinner in silence, then watch TV all night in the bedroom alone and probably fall asleep again. He'll drag himself out of bed to get ready for work again as his family get ready for bed. She feels he is being robbed from her by this job. When she asks him about what's going on, he becomes even more distant.

On top of all this there's the kids to worry about. They don't know why Daddy is acting the way he does. Why is he always alone in his room with no time for them. Did they do something wrong? Doesn't he want to live with them anymore? Their friends tell them how they've heard how mean C/Os are to people. She wonders if they are beginning to believe them.

The room is closing in on her. What's happening to her marriage, the excitement's not there anymore. What about the future? Is there any? She feels scared, helpless, useless, and more than a little unloved. She too is counting the years to his retirement so their world can return to normal. Can she wait?

Too many questions without answers. She loves him so much it hurts more than she can ever explain to anyone. They just wouldn't understand. Frustration sets in. Stress is taking its toll.

Corrections work IS stressful

It effects all aspects of our lives.

But we so often deny emotional realities.

Admitting to a problem and seeking help for that problem is viewed a weakness.

We often suffer needlessly in silence. We take our family with us.

This is a scenario that's played out in our families with much too much frequency. We really don't have to read or hear it, because we live. Regardless of what department you work for, your rank or your assignment you know how unfair corrections work can be. We confront the feelings of frustration of our work and the system every time we go on duty.

We know the difficulties of trying to balance working long hours, rotating shifts, watching the pain and conflict inflicted on one another by the inmates. Sometimes it's the paper work that has to be done before going home after sixteen hours. It may be reading the negative feedback from the public or trying to understand their ignorance of our work. The pressures of being locked up with inmates for eight to sixteen hours a day, five days a week have contributed to the creation of that relentless monster called

stress. It's difficult to handle because at times it cannot be seen or even realized.

In academy training we're encouraged to control and deny any emotions. We're put above any display of feelings. Yet when we conduct ourselves this way we are accused of being cold or following the rules too closely. This puts us in a Catch-22 situation. Our professional stress is frequently compounded with personal stress. Traditionally law enforcement has attracted people who demand perfection. The work is demanding and the way we project ourselves is self-inducing of stress to us and those around us.

Statistics bear out the magnitude of our exposure to stress by the number of officer deaths, bronchial diseases, suicides and emotional problems. Along with our health and emotional well being at stake the levels of occupational and self-induced stress contribute to the breakdown of relationships between us and our families. Not only does it affect existing relationships it hinders the potential to develop other relationships.

Studies show that we do not suffer the greatest stress at the time of a critical incident. The greatest sources of stress are experienced in daily frustration from which officers and our families can find no escape. People in general have a distinct stereotypical profile of a correction officer and his family. Our kids must often endure other kids and teachers asking about their mother/father the guard. This has a tendency to make them think that their family is somehow different from their friend's. The impact of this is for us to socialize only with people who are on the job. This causes more stress because of the isolation and not being sociable in the community at large. We've been denied certain vacation picks and had to explain the logic of seniority. Plays, practices, ball games, parent teacher meetings become a one parent affair because we can't get the day off. How does our family adjust to this absenteeism? Do they ever adjust? How do we react to these unfair demands and requirements of correction work?

Because of situations like these it's common for our relationships to become confusing. It's problematic for us to move in and out of different roles such as officer, spouse, parent and friend. We have to learn how to balance the tough exterior with the soft inner core. One of the hardest things for us to do is to let go when we're off duty because we rely so much on self-control in our work. We're called on in any given situation to see only the black and white of the issue. We strive to be exact in our decisions. You can't bring these qualities in to a relationship.

Sometimes we expect our families to fully understand the stress of our work. We may become distant from our wives and husbands because we think that they don't want to understand. This leaves the spouse confused and carrying around a lot of guilt. On the flip side we may seek refuge in the relationship depending fully on the other person, causing them to be overwhelmed by this.

The more years we work in correctional facilities the harder it is for us to look on the positive side when we deal in mostly the negative. This can lead to a depression that ultimately is going to affect both us and our families. The non-depressed person may not understand this depression or why the things that are changing are doing so. The things that were once fun things become emotional labors. This may cause the spouse or family to need treatment themselves.

We know it can be difficult to be a correction officer, but it can also be a rewarding experience. We have to learn to understand the stress and be able to identify the signs that we are overloading our systems. You have to develop a mental health plan for yourself just as you would for your physical well being. But always remember that the family is going through a difficult period with you. Don't forget the people you love are also suffering from your stress.

If you are being affected by stress, you have to realize that there is something real and positive you can do. Some forms of stress can be changed or offset by changing our attitude and lifestyle. More serious forms or conditions such as lasting depression need to be addressed with professional intervention and help. We must take the responsibility of being aware that our individual stress and attitude to it is affecting the most significant people in our lives. More and more departments nation wide are responding to the mental health needs of their officers and their families. These departments are taking the necessary steps to help officer's to change the stigma of seeking all and any help available.

Letting go of the anger rather than feeling like you've lost control of your life, frees you to make the decisions you have to in order to move in a positive way to the quality of life you deserve.

The wives, husbands and children of correction officers should be aware of the early warning signals that someone in the family is starting to suffer from the overload of correction family stress. Responses to stress can range from verbal arguing to drug abuse. Other indicators may include a family member being pessimistic and not wanting to socialize, having difficulty controlling their temper, and becoming extremely critical of other family members. Additional signs are crankiness, forgetfulness, sleep disturbances, anxiety, weight loss, poor eating habits and a tendency toward accidents. You should take immediate action against serious signs of crisis. Watch for alcohol or drug abuse, excessive crying, extreme signs of guilt and fear, paranoia, a desire for revenge and complete withdrawal. If you or someone in the family is having problems coping with the stress, do something about it. This type of awareness and action helps our families to successfully counter stress.

This column is to be a forum for correction officers and their families. It's our chance to interact with families and officer's nation wide. I hope in future articles to relate your stories, questions, answers and opinions. I'll try to bring to light any new legislation pending, health and family issues. This is your opportunity to voice your opinions, complaints, stories, jokes, ask questions and find answers.

I would like to hear from you whether it is a comment, question, or suggestion. I will do my best to answer all e-mail correspondence, as time permits. [ycgb98a@prodigy.com](mailto:ycgb98a@prodigy.com)

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## **Shawangunk inmates attack three guards**

WALLKILL -- Three correction officers at Shawangunk Correctional Facility were taken to the hospital Wednesday night after an attack by three inmates. As a result, all 63 inmates in the maximum-security prison's C-2 housing unit were ordered locked down yesterday by state correction officials.

During a routine cell search, Correction Officer Stewart Miller was attacked by an inmate wielding a cane, said Larry Flanagan, president of Council 82's Local 3276. The inmate, Derrick Pittman, 28, of Manhattan, is serving a four-to-eight-year sentence for first-degree assault. When a second correction officer, Wayne Erickson, stepped in to break up the attack, a second inmate grabbed and put Erickson in a choke hold, Flanagan said. That inmate, Wallace Stephens, 38, of Queens, is serving 11 to 22 years on drug possession and sale charges.

Finally, a third correction officer, Ed McDonald, tried to assist but was attacked by a third inmate. That inmate, Sean Kyler, 27, of Manhattan, is serving 25 to life for second-degree murder. The prison's

tactical team eventually broke up the attacks. The correction officers were taken to St. Luke's Hospital in Newburgh, treated for various sprains, bumps and bruises and released.

Inmates Pittman, Stephens and McDonald are in special housing and face various disciplinary and criminal charges, said Mike Houston, a spokesman with the state Department of Correctional Services. During yesterday's lockdown, correction officers searched the cells. Two razor blades were found during the search, said Flanagan. The lockdown ended at 5 p.m. yesterday.

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## Challenge Committee March 20, 1998

This was on 82 stationery

### CHALLENGE UPDATE 98

There was a recent meeting held in Kerhonkson, New York for the insurgent group which are contemplating a challenge against your union. They now have come up with a new name which is NYSCO & PBA (New York State Correction Officers & Police Benevolent Association). This name represents a fantasy organization with no history or substance. This organization was a creation to challenge Council 82 for representation in New York State. They like to throw a lot of facts and bargaining history on what other states have done in negotiations. The one problem with this approach is they personally have not represented anyone.

They appear to be led by two Correction Officers, Bill West from Wallkill Correctional Facility who has been a part of two previous challenges, and Brian Shanager who has run for local office unsuccessfully in Green Haven Correctional. I ask you what you think the motivation is from people who have lost previous elections against Council 82 for bringing forth a challenge at this time. Apparently these individuals want to be in charge, however, do not have the obvious support from their own workplace to succeed.

They have no UNION EXPERIENCE to allow the trust of over 22,000 Correction and Law Enforcement officers to be in their control. They have an idea since that still they don't have any knowledge in what to do, they have enlisted the aid of a law firm in Albany to help them. The name of the law firm is Hinman, Straub, Pigors & Manning, PC and the attorney who is doing all the talking is a William F. Sheehan. Now I ask you what would entice a large law firm, who primarily does lobbying, want with us and our members. The answer, my friend, is MONEY-- your money. When you allow attorneys to run your union, what becomes of the voice of the members and the changes which you have asked for and recieved.

The membership still wants to elect their leaders by one man, one vote elections. I wonder how this law firm was selected and what the financial arrangement is to provide support in this challenge. Who do you think cut this sweetheart deal that only a select group had a say in. At this recent meeting they say that one third of their budget will go to legal services at \$16.00 per member per payday. This would give this firm \$3,000, 000 for their services. This is more than \$2,000,000 than we presentlly spend for this service. Any wonder why they like us so much now and how the possibility for corruption can exist? Ask them what the hourly rate for this law firm will be when they are selling us out to help their friends in the State Police.

They also apparently have a constitution which they shared at this recent meeting, but they would not provide a copy to keep to those in attendance. They actually numbered the copies and made sure they received every copy back. If they believe in what they are saying why won't they produce the documentation that outlines their structure. Although I have not seen one personally (Ha Ha), those that have, believe it, eliminates the local in having a say in what happens in their union.

I ask what the intelligence is of going backwards in having a large uncontrollable law firm running your union with a few puppets put in place to be wined and dined and the membership not being allowed to have a say in the direction. Our own history showed what greed and corruption does. Now they want to make a new union representing the same viewpoints of the past.

Although we believe this challenge may have not reached your work site yet, stay tuned, they will be appearing in your area just like the carnival that they are. If you haven't had a laugh in a few months, stop in and see the show.

Challenge Committee

March 20, 1998

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## Prison Guard Returns Today to Job at Midstate

Keith Muller, who won a \$420,300 jury verdict in his discrimination case, was fired last year in a dispute over secondhand cigarette smoke.

Published March 20, 1998, in The Post-Standard.

By JOHN O'BRIEN

A state prison guard who suffered breathing problems from the secondhand cigarette smoke of inmates and other guards will return today to a smoke-free workplace under court order.

Keith Muller will walk back in Midstate Correctional Facility in Oneida County at 10:45 a.m. today, five months after a federal jury in Syracuse awarded him \$420,300. Jurors decided Muller's bosses discriminated against him and violated the Americans with Disabilities Act by making him work in smoky areas.

The jury also found the state illegally retaliated against Muller by firing him in September for disobeying an order to work in areas that contained secondhand smoke.

The verdict was apparently the first in the nation in which a jury awarded damages over an employer's failure to make someone's workplace smoke-free.

"I'm excited but a little nervous about the unknown," said Muller, who hasn't worked at the prison since his suspension 11 months ago. "The treatment I received before I left wasn't the greatest. But from the beginning, I wanted to return to work."

U.S. District Judge Frederick Scullin ruled last week that the state had to put Muller back on the job and make accommodations for him so he wouldn't have to breathe secondhand smoke.

Scullin reduced Muller's verdict to \$300,000 because that is the maximum allowed under the Americans with Disabilities Act. Muller will get an additional \$65,000 to \$70,000 in back pay under Scullin's ruling, said Muller's lawyer, Norman Deep.

Muller said he got a phone call Wednesday from Midstate's deputy superintendent, Susan Connell, who told him to return to his old job in the mess hall. That area was supposed to be smoke-free, but the prison did not enforce the rule, evidence at Muller's trial showed.

Muller, 36, of Yorkville, started suffering from asthma and hyperactive airway disease after a bout of pneumonia in 1989, and since then he has had an allergic reaction to secondhand cigarette smoke, he said. At least 20 times over the past six years, breathing other people's cigarette fumes put Muller in the emergency room, he said. His eyes would swell, nose run, chest tighten and blood pressure skyrocket when the prison area where he worked filled with secondhand smoke, Muller said.

Muller asked to be assigned to nonsmoking areas of the prison. Instead, the Department of Correctional Services gave him a gas mask to wear on the job. But the mask didn't work because it wasn't equipped with the type of filter that keeps out tobacco smoke, Muller said.

Muller's superiors made him wear it anyway to make him "look ridiculous" in front of inmates, he said.

Muller said his superiors also retaliated by ridiculing him in front of inmates and posting signs accusing him of starting the "Nazi smoking police," he said. That put him in danger of inmates directing their anger at him, Muller said.

Deep said he presented evidence that Muller had developed psychological problems, had been suicidal at one point and had resorted to alcohol as a result of the on-the-job trouble.

Muller, a corrections officer since 1988, said he found it ironic that state Attorney General Dennis Vacco is suing tobacco companies over the effects of secondhand smoke on New Yorkers, while his office was fighting Muller's attempts to be protected from secondhand smoke.

"I don't understand why he thinks he can have it both ways," Muller said.

Marc Wurzel, a spokesman for Vacco, said there was nothing contradictory about the situation.

While Vacco is at the forefront of fighting the tobacco companies, "he also has a role of defending a state agency in litigation," Wurzel said. "Our office was fulfilling that obligation."

Muller said he doesn't understand why state officials won't make prisons completely smoke-free, as county jails are. At least three other states have banned smoking in prisons, he said.

The Department of Correctional Services has no plans to change its policy about smoking in state prisons, department spokesman Mike Houston said. Smoking is not allowed in mess halls, hallways, classrooms or offices, but is allowed in outdoor areas, inmate housing areas and cells, Houston said.

The state plans to appeal Muller's verdict, Houston said.

At the trial, state lawyers argued that a prison is an inmate's private residence and inmates have a legal right to smoke there.

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## **NYSCOPBA meeting 3/27/98**

Today I attended a meeting of the NYSCOPA organization. From the showing at the meeting they have the attention of the rank and file. There was at least 200 officers in attendance. I saw officers sergeant and lieutenants. The meeting in my opinion was informative and ran quite professionally. The speakers of the meeting discussed many facts and comparisons of other correction unions across the country. They spoke of how decertification has worked in those states and were very optimistic about the new organization. The people attending the meeting seemed encouraged and applauded several times as the meeting continued.

I was surprised to see Pat Rybak Vice CPC of Council 82 as well as Staff Representative Warren McMillan. I guess that would leave most officials who have not attended one of these meetings the right to attend one without fear of reprisal or retribution for attending. I was glad I went to hear these gentlemen speak and hear their proposals. I have to say I was very disappointed in Council though.

Before attending this meeting I received on Council stationary a letter by a unknown author, who confused signing a first person memo in a plural title of "Challenge Committee". I believe this is a crying shame that the author of this memo did not have the courage to sign it. I also was very disappointed to see the Council take first blood against the rival " using mudslinging tactics" If someone has this memo and a scanner please forward it on the hacknet for all to see. If we as Council 82 members are on the cutting edge of change as I have been reassured by President Abrahamson why would this type of campaign against decertification be needed. I challenge all of our entrusted one man one vote leaders in Council to fight this decertification cleanly with dignity. If you can't it is truly a fact that history repeats itself and Council is no better now than it was in 1994.

My opinion  
Kevin Walker

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## **Anti-Prison Privatization Bill is moved**

The State Assembly unanimously passed legislation that would bar the privatization of state and local prisons. The bill's primary sponsor, Assemblyman Daniel Feldman ( D. , Brooklyn) joined with public employee unions in calling on the state senate to pass it, too.

However, the measure faces an uncertain future in the Republican-controlled senate. It is strongly supported by Council 82, the Civil Service Employees Association, Correction Officers Benevolent Association and other unions representing correctional employees.

The bill provides that the duty to maintain the custody and supervision of offenders committed or sentenced to a local or state correctional facility shall be performed by duly sworn peace officers who are in the competitive civil service.

Mr. Feldman who chairs the Assembly Committee on Correction, and the unions argue that private prison operators try to make big profits at the expense of public safety.

Mr. Feldman said the privatization of jails in other states has produced disastrous results, including in New Jersey, Tennessee, Texas and Rhode Island.

For example, he said, a 1995 uprising at the U.S. Immigration and Naturalization Service detention facility in Elizabeth, NJ., which was operated by the Esmor Correctional Services Corporation, resulted in the INS canceling the company's contract.

An investigation revealed that ill-trained guards fled the facility when the emergency erupted, Mr. Feldman said, and detainees there had been abused. Among other problems, the facility was understaffed as a result of the company reducing costs by cutting corners, according to the Assemblyman.

"I am aware of and appreciate the fact that every day prison officials and corrections officers consider and balance the security needs of the public and staff, inmate rights, legislative pressures and judicial mandates," Mr. Feldman said in a March 11 statement. "Given this difficult task, they cannot be required to report to shareholders, too."

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## **NY Post 3/19/98 EDITORIAL**

### **SEND THIS BILL TO JAIL**

If you are a taxpayer in New York state, of this you can be certain: if there exists an idea that might save you a few bucks, but at the price of discomfiting public employee unions, you can bet the latter will seek to make it illegal.

That is what is happening in Albany right now, where the Assembly has unanimously approved a bill sponsored by Corrections Committee Chairman Dan Feldman (D-Brooklyn) that would ban the privatization of state and local jail facilities in the state. The bill is being pushed hard by Council 82 of the Civil Service Employees Association, the city's Correction Officers Benevolent Association (COBA) and other unions throughout the state representing jail employees.

Feldman's bill mandates that inmates committed to state or local correctional facilities shall be supervised solely by duly sworn peace officers who are in the civil service.

On the merits, the bill should be allowed simply to die a quiet death. While no locality in the state is talking seriously about jail privatization right now, it is nevertheless a public-policy option that ought not be foreclosed by fiat from Albany.

Privatization, after all, can be a way for cities and towns to control their streets at reasonable cost. New York, both city and state, feature gold-plated jail and prison systems that could stand some trimming. Los Angeles, for example, employs roughly two-and-one-half times fewer correction officers than New York City to supervise roughly the same jail population.

Even if privatization is never actually undertaken, the mere threat of it might be a useful tool in collective bargaining talks with jail and prison guard-unions. That is simply the best reason why it should not be removed from the public-policy toolbox.

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# Senator Feldmans reply to SEND THIS BILL TO JAIL

Regarding your editorial "Send This Bill to Jail" (March 19): My bill would bar the privatization of prisons and prevent the equivalent of a rent-a-cop. Private prison operators attempt to make big profits at the expense of public safety. thus, privatization has produce abuse, escape and unexpected costs to taxpayers.

Examples of disastrous results of privatization include the June 1995 uprising at the Immigration and Naturalization service detention facility in New Jersey; the October 1995 riot at the West Tennessee Detention facility where two of 12 building were destroyed; escape of four inmates from a facility in Rhode Island; and the escape of nine teenagers, including a accused murderer, from a juvenile detention center in Tennessee.

Law enforcement, criminal justice and corrections are core, fundamental functions of government. as chair of the Assembly Committee on Correction, I appreciate the fact that every day, prison official and officers consider and balance the security needs of the public and staff, inmates rights, legislative pressures and judicial mandates. Given this difficult task, they cannot be required to report to shareholders too.

Daniel L. Feldman  
N.Y. State Assembly, Albany

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## Prison guard cheer Pataki's promise

The Times Herald-Record Tuesday, March 31,  
By MARC VIOLETTE  
Ottaway News Service

ALBANY - Gov.. George Pataki promised a cheering convention of state prison guards here yesterday that he will fight for more prison cells, safer prisons and tougher penalties for violent felons.

"We're fighting for additional prison construction this year ... but frankly it's going to be a tough fight, Pataki told members of Council 82, the union that represents New York's 21,000 correction officers.

Last year lawmakers approved building 1,650 new maximum security cells designed to hold 3,100 inmates. In his budget proposal this year Pataki is seeking 750 additional new cells to help relieve over crowding in the prison system.

New York's 69 prisons now hold some 70,000 inmate in space originally designed for 53,000.

While Pataki's call for more cells has already been endorsed by his fellow Republicans in the Senate, Democrats who control the Assembly want more money for education and social programs, not cells, leaving the fate of additional prison construction in doubt. In addressing Council 82, Pataki was

essentially preaching to the choir as the politically powerful union has already endorsed him for re-election this fall ever though he hasn't formally announced his candidacy.

In comments after his speech, Pataki said he would oppose efforts to build private prisons in New York, as a Nashville-based company has proposed doing in Sullivan County

"I've said since before I took office that the corrections system is part of our justice system and that it should not be privatized," Pataki said.

Local correction officers at the convention cheered Pataki's call for more prison cells, saying they are critical to maintain safety for inmates and staff alike.

"In 1979 when I came in there were 29 prisons in this state. Now there are about 70," said Duane Hannold, president of the C-82 local at Sullivan Correctional Facility "We can't operate at 30 percent over capacity like we are now and expect to run the system well."

Mike Cohn, president of the C-82 local at Woodbourne Correctional Facility, said the union will keep Pataki's feet to the fire on the sensitive issue of privatization. Correction officers like Cohn fear that if prisons are privatized they could be staffed by lower paid nonunion security guards, a development that would jeopardize the jobs and career aspirations of C82 members.

"Law enforcement is a government function - one of the few things that government does well - and it should stay that way," Cohn said. "To try to make a profit out of prisons is wrong. The first priority of a private corrections company is to make a profit. Ours is safety."

In recent C-82 survey, 98 percent of union members said Pataki should be re-elected.

That sentiment was clearly on display yesterday as Pataki received a prolonged standing ovation from the hundreds of correction officers at the convention, including a few shouts of "All right, Georgie."

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## **INMATE GUILTY OF THROWING URINE.**

The Buffalo News/Sunday, March 29,1998

WARSAW - A Wyoming County Court jury has convicted an inmate at the Attica Correctional Facility of throwing urine on a prison guard. Walter King, 31, was found guilty Thursday of first-degree aggravated harassment.

He faces a prison term of 2 1/2 to five-years on top of the 12 1/2 -to-25 year sentence he is serving for manslaughter. The case was the first trial in Wyoming County since a new law intended to protect prison guards from urine and other substances took effect in 1996.

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# Officials: Inmate spit bodily fluids at guards

By Don Lehman  
Staff Writer

COMSTOCK -- A state prison inmate allegedly filled his mouth with his own bodily waste Wednesday night and spit it in the faces of corrections officers at Great Meadow Correctional Facility, officials said.

The inmate suspected in the attack, 18-year-old Guy Grayson, is already under indictment in Washington County Court for allegedly stabbing an officer with a pen last May.

He had not been charged in Wednesday's case late Thursday, but State Police were called in to investigate. The two officers, Sgt. Todd Ricks and Officer Dan Porlier, were treated at the maximum-security prison's infirmary for exposure to bodily fluids, Great Meadow Superintendent James Stinson said.

Neither had returned to work Thursday.

Another guard suffered a knee injury during a scuffle to control Grayson afterward, Stinson said. Stinson said the officers were escorting Grayson from his cell in the special housing unit about 7 p.m. because he had broken a light. Unbeknownst to the guards, he had filled his mouth with his own waste and hit them with it from close range, authorities said. The guards underwent decontamination procedures and will be tested for diseases that could have been transmitted during the incident, like hepatitis or AIDS. The incident of bodily fluids being thrown onto officers was the seventh at Great Meadow since a law making the conduct a felony took effect last year, officials said.

Great Meadow has had the greatest number of inmates arrested and prosecuted on the felony charge so far, said Daniel Styczynski, vice president of the union local that represents the prison's officers. Styczynski and Stinson said they'd heard of an inmate spitting urine and feces at another prisoner once before, but didn't recall a guard being victimized in such a manner.

"I've heard of it every other way, but I've never heard of that before," said Robert Lawson, a spokesman for Council 82, the officers' union. Lawson said the union was concerned the incident would fall through a loophole in the newly enacted statute. Legislators in the Assembly had removed a portion of the law that would make spitting on officers a felony, he said. State Sen. Michael F. Nozzolio, R-Seneca Falls, who sponsored the bill that created the law, said the incident underscored the need for the felony charge.

"People don't realize how dangerous these correctional facilities are," Nozzolio said. Grayson, who is serving a 3- to 10-year sentence for a 1996 attempted murder conviction in Dutchess County, was being held late Thursday in the prison's special housing unit.

He is already facing a charge of second-degree assault for allegedly stabbing a guard with a pen last spring. The guard suffered minor injuries.

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# Latin King Leader in Jail !!!

From the NY Village Voice:

Antonio Fernandez, a/k/a King Tone, the head of the city's Latin Kings, used to spend his days preaching to his 2400-plus members about peace, love, and staying clean. Now the 31-year-old gang leader is locked up in the Manhattan Detention Center, scribbling letters to his members and mulling over his mistakes.

Tone was imprisoned in early December for allegedly punching his girlfriend in the face. Soon after, a guard found a half-smoked marijuana cigarette in his jacket pocket. Tone, who is still on parole for a 1991 crack possession, got slapped with a parole violation. He's likely to be behind bars until his parole ends in August.

But Tone's legal woes may be far from over, especially now that some of his associates have been called before a federal grand jury investigating the Latin Kings. Tone's biggest worry is that he will be named in a federal racketeering suit like the one that resulted in lengthy prison sentences for the gang's former members.

Tone's incarceration comes at a critical moment. Since taking charge of the Latin Kings in 1996, he has attracted widespread publicity with claims that he steered the group away from its criminal past. Under his leadership, the Latin Kings have become increasingly visible, regularly popping up at protests against police brutality. And at the time of Tone's imprisonment, he was trying to incorporate the organization. But now the Latin Kings have lost momentum.

The bitter irony is that Tone's personal romantic entanglements--rather than the murderous activities that sent Luis Felipe, the group's founder, to solitary confinement for the rest of his life--have sparked his latest problems. Tone insists he is being unfairly targeted because of his position in the Latin Kings, but some disagree. "The petty stuff--which you'd think you could avoid--he's getting caught at," says Steve Cohen, former chief of the U.S. Attorney's Violent Gang Unit. "Tone is his own worst enemy."

On a recent morning, Tone sat in a tiny interview room at the Manhattan Detention Center, wearing a slate-colored jumpsuit Velcroed halfway up his chest. Though he has not lost his cocky strut, he sounds a bit like a businessman who spent too many late nights in the office. "It hurts," Tone says about his incarceration. "Here I was fixing 1000 kids' lives but yet I'm paying so little attention to my own that it's in shambles."

His current troubles started one night last November when a fight erupted between Tone and his live-in girlfriend, Esmirna Bonano. Bonano, 30, says Tone gave her a black eye; Tone denies hitting her. Both agree that the relationship was crumbling. "We were always shouting, cursing, throwing things at each other," Bonano says. "It was getting worse and worse." Ten days later, the couple got into an argument at the laundromat near their Queens home. "I thought he was going to hit me again," Bonano says. This time, she called the cops.

Tone claims that Bonano was enraged by his infidelity. Tone's ex-girlfriend, Sapphire, had just given birth, and it seemed possible that Tone was the father. Tone already has a two-year-old daughter with Sapphire, who is 19. About the two women, Tone confesses: "I loved them both." But, he says, "when you're living two lives, it gets very difficult."

Tone claims he has learned his lesson. "You've not only got to be righteous in the movement," he says, "but you also got to take care of your home. There's no room for fooling around."

Now Bonano and Tone, who first met a decade ago on the dance floor of Studio 54, say they want to reunite. Bonano, who calls Tone "the love of my life," has stopped cooperating with prosecutors. She moved to Connecticut and now works in a McDonald's to support herself and her 11-year-old daughter. Tone is still not certain if he is the father of Sapphire's new baby, but he calls her two children every night from jail.

Tone fills his hours reading murder mysteries and trying to ignore The Jerry Springer Show, an inmate favorite that blares from nearby televisions. Though his neighbors include leaders of the rival Bloods gang, Tone says there have been no conflicts.

Tone's supporters insist his incarceration is punishment for his political activities. "He's in jail for a joint because he's King Tone," says Ron Kuby, who represents the gang leader. "They're sick of seeing his face in The New York Times. They're sick of hearing about his reforms. And they're tired of watching the Latin Kings become a progressive-revolutionary organization."

To prove his case, Kuby points to the eight months that Tone spent on Rikers Island for a 1995 gun charge that was eventually dismissed. He also mentions the night when his client and 23 other Latin Kings were charged with disorderly conduct and unlawful assembly. Kuby says the Kings were merely performing their noisy ritual greeting, which involves trading gang signs and hugs with every person present. Prosecutors have dropped charges against almost all the Kings except Tone. On behalf of all 24 gang members, Kuby is planning to file a wrongful-arrest lawsuit against the city.

With Tone behind bars, leadership duties are shared by high-ranking gang members who call themselves the "Supreme Team." Tone sends letters from jail to be read aloud at the Kings' large monthly meetings, but he can no longer deliver the fiery speeches that used to provide their climax. Hector Torres, a spokesperson for the Kings, says, "It's like losing a Bernie Williams on the Yankees."

After fighting to improve its public reputation, the gang now finds itself confronting more intimate issues. "The Kings have this machismo image," Tone says. "They've got their wives, but they're out there in the streets." Tone admits that his own actions only encouraged such behavior. "I set a bad example," he says.

Many of the group's female members are reluctant to criticize, however. "I think no man should play their woman," says Queen Yari, a 21-year-old leader of the Latin Queens. "But sometimes maybe the woman is doing something to push the man to that extent." Even Bonano, who had lived with Tone for almost two years, says, "This is the stuff that goes on in any relationship--even the president got busted. It's just a man thing."

Father Luis Barrios, a priest at St. Mary's Episcopal Church in Harlem, disagrees. He worries about sexism and domestic violence in the Kings. "I know this is an issue within the Nation, but it's still an invisible topic," says Barrios, who is a spiritual advisor to the gang and also teaches at the John Jay College of Criminal Justice. "They need a critical mass of women who will come together and tell them to cut this bullshit."

Tone puts a positive spin on the mistakes that landed him back behind bars. "If the biggest thing they can find against the Kings is domestic disputes," he says, "then we're doing pretty good compared to the eight

bodies they found three years ago."

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## Labor Management Agenda April 6th-8th

Here's the Agenda for the Statewide L/M Meeting which will be held on April 6th, 7th and 8th, at the Bonny Castle Resort in Alexandria Bay NY, per my Presidents mailing that I received on March 17th.

I believe that All Superintendents will be attending this Meeting.

### Agenda Item #1

Present uniform being issued is substandard and the quality of the fabric does not lend to a professional appearance.

### Agenda Item #2

Would appreciate the Department to consider the purchasing of white turtlenecks to be worn underneath the present Class B uniform. It is our belief that this would enhance the Class B uniform's professional appearance. The purchase by the Department would assure uniformity.

### Agenda Item #3

The elimination of all free weights in all the facilities. There is no understandable justification to the continuing practice of allowing recreation areas to have free weights. We are adamantly opposed to this practice.

### Agenda Item #4

The present procedure, which allows Corrections Officers to attend Jury Duty, is not consistently applied throughout the Department. The Officers who do not work on the day tour are not given adequate relief time to perform their civic responsibility. Would like the Department to consider any appearance for Jury Duty, regardless of tour, would be considered as time worked.

### Agenda Item #5

Would like the Department to upgrade the present revolver to a 9mm. This has been shown to be a necessary improvement with Law Enforcement Agencies throughout the Country. We believe this is a necessary upgrade to provide the ultimate protection for our members.

### Agenda Item #6

Disciplinary time cuts, as discussed in previous meetings, we believe sends an inconsistent message in controlling the behavior of inmates. It is our belief that this practice is overly abused.

### Agenda Item #7

We would like the Department's approval of Universal cell extraction equipment for all correctional facilities, to coincide with this equipment, the necessary training and written policy regarding cell extractions.

### Agenda Item #8

A) The employees who were required to report for duty and who also reside in the counties affected by the recent ice storm, and due to circumstances beyond their control, were unable to report, should not be required to charge such absence during such day against leave credits.

B) In the event that a situation arises, such as the ice storm, the Department develop a plan to assure proper relief for officers on extended hours. Although there were numerous efforts made for the officers in certain circumstances, we would like to provide input and develop a plan prior to emergencies occurring.

#### Agenda Item #9

Council 82 appreciates the effort the Department has taken in reference to the addition of the wall towers for the Medium security facilities. The position of no additional staff for these towers is totally unacceptable by Council 82. Continuing to provide enhancements no additional staff will only serve to degrade our present security within these facilities.

#### Agenda Item #10

Concerning Hub Labor/Management meetings, at present, Council 82 has not been attending these Hub meetings. At this time, Council 82 is requesting to be part of these meetings.

#### Agenda Item #11

Council 82 understands that the Department is establishing a task force on workers compensation fraud. At this time we are requesting information on this task force.

#### Agenda Item #12

At the present time, (1) officer is assigned to cover (1) inmate in the outside hospital. Council 82 believes that there is a need for a second officer for relief and emergency purposes.

#### Agenda Item #13

Council 82, at the present time, would like to reaffirm our present agreement on the Resource pool established in 1993.

#### Agenda Item #14

Council 82 would appreciate hearing Commissioner Goord's position on the following three issues.

- 1) 20 year retirement.
- 2) Cola
- 3) Reallocation (upgrade)

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## Challenge Update 98

To all netters,

I find that the challenge topic interesting to say the least. Here we are again in a spot to make a decision for ourselves. Many lines will be crossed in the future, friendships will be tested and ultimately a decision shall be made concerning another 4 years of our careers. I happened to look up the definitions of challenge and was intrigued at what I found.

1. to demand as a right "require" ( we all have the right to demand our union whatever its name is, to represent us)
2. of a sentry "halt" ( the right of any member to shout if he or she feels their rights as a member are being ignored or not addressed)

3. to take exception to "dispute" ( something that has been an ongoing process in the history of our union)
4. to question the legality or legal qualifications of ( something that Council has deserved in the past and should continually have in the present and future or any union which represents us)
5. a Dare, Defy b. to call out to duel or combat c. to invite into competition ( all three of these definitions are pertinent to our struggle as correction officers we know these circumstances more than the average citizen.)

Now to my point at hand by the descriptions stated above you can see that challenge is not uncommon for the correction officer whether it be by the state, the inmates, the administration or our very own union. Challenge is the backbone of the correction officer. A certainty that all officers will face throughout their careers. I can take each one of these definitions and apply them to my life as a correction officer. I welcome the thought of challenge. Without challenge we would merely survive the status quo. In our job that is ever changing and conditions perpetually deteriorating if we do not challenge the environment we work in, the administration we work for, and the ones who represent us, we would regretfully fall by the wayside.

Challenge to me illustrates self worth, self preservation and the determination to succeed. Don't be fooled and believe that this challenge will hurt you or your profession it won't !!! Embrace it as a catalyst for your future. If the challenge succeeds or fails, one thing can be said challenge stimulates change and change is one thing this union desperately needs.. Sometimes the flat tire you get can be repaired, but sometimes you have to replace the rim and the tire.. you decide!!

Kevin Walker

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## **Grievance filed on October 1997 Sgt. Exam**

Just wanted to let everyone know that I wrote a grievance on the 1997 Sgt's exam review. My local President filed this quite a while ago and I received a letter about a week ago that it is in step 2. It is a class action grievance for everyone that took the Sgt's exam. It basically says the review did not follow past practice where in all previous exams officers were able to see a copy of the test and the correct answers. And in the 1989 some Sgt's went to two reviews and saw the exam and it's answers in it's entirety. I believe this produced an unfair advantage. Will keep you updated on this one.

Tom Short, Cayuga CF

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## **Corruption comes to the federation. . . .**

EDITORIAL Washington Times Nov. 25, 1997

George Meany, who served as the AFL-CIO's president for the first 25 years of its existence (1955-79), died in 1980, the year Ronald Reagan was elected. When he wasn't engaged in a relentless effort to eliminate corruption from the labor movement --he expelled the Teamsters Union from the federation in



1957, for example -- Mr. Meany was promoting his inveterate anti-communism, including strongly supporting the United States' Vietnam policy. At the age of 85, Mr. Meany relinquished his power to the like-minded Lane Kirkland, who had become his executive assistant in 1961 and the AFL-CIO's secretary-treasurer in 1969. .

. . Mr. Meany never lived to celebrate the unqualified success of the AFL- CIO's and Mr. Kirkland's indispensable role in promoting the Solidarity labor movement in Poland, helping to sew the seeds of communism's downfall throughout Eastern Europe.. . . How proud Mr. Meany would have been. . . .

Considering his staunch anti-communism and abhorrence of corruption, one has to wonder what Mr. Meany would think of the crowd that now runs the AFL-CIO, including its current president, John Sweeney, a proud member of the Democratic Socialists of America. Two years ago, Mr. Sweeney, then-president of the Service Employees International Union (SEIU), led a dissident campaign that first forced Mr. Kirkland to resign and then toppled his hand-picked successor, Thomas Donahue, in the AFL-CIO's first contested election. Running on a ticket that included as its secretary- treasurer Richard Trumka, the president of the radical United Mine Workers, Mr. Sweeney would never have achieved his victory without the steadfast support of three fellow dissidents: Ron Carey, president of the Teamsters Union, which was readmitted to the AFL-CIO in 1987; Arthur Coia, president of the Laborers International Union of North America (LIUNA); and Gerald McEntee, president of the American Federation of State, County and Municipal Employees (AFSCME).

. . . . Immediately, the new regime implemented a radical, class-warfare- based, left-wing agenda. Mr. Sweeney's first order of business was to introduce quotas to the AFL-CIO Executive Council. Shortly thereafter came an infusion of leftists into the federation's international department. Throughout the AFL-CIO hierarchy, Mr. Sweeney installed the 1960s-era campus radicals who repelled Mr. Meany. There seem to be more veterans of the radical Students for a Democratic Society (SDS) in Mr. Sweeney's circle than there are military-service veterans. Even Noam Chomsky, the MIT linguist and godfather of the anti-war movement, has become a trusted adviser.

. . . . In an unholy alliance that merged union corruption and social radicalism, Mr. Sweeney has managed to envelop the AFL-CIO in such unprecedented scandal in his second year in office that the consequences threaten to tarnish, perhaps irreparably, the AFL-CIO's squeaky-clean image that Messrs. Meany and Kirkland spent 40 years cultivating and guarding zealously. A federal union election officer recently found that Mr. Carey participated in various schemes that embezzled hundreds of thousands of dollars from the Teamsters' general treasury and funneled the proceeds into his reelection campaign. . . . The same official, a former federal judge, implicated Mr. Trumka, the AFL-CIO's secretary-treasurer, in two of those schemes. One scheme involving Mr. Trumka allegedly laundered \$150,000 from the Teamsters treasury through the AFL-CIO and a liberal activist organization, Citizen Action, resulting in an illegal diversion of \$100,000 to Mr. Carey's campaign. Another allegedly involved Mr. Trumka's illegally raising \$50,000 for Mr. Carey's campaign. The election officer also provided details of similar illegal fund-raising schemes for Mr. Carey allegedly involving Mr. Sweeney's successor president at SEIU, AFSCME President McEntee and AFSCME's organizing director, Paul Booth (who, as national secretary of SDS, organized campus anti-war demonstrations in 1965).

. . . . Mr. Trumka, asserting his Fifth Amendment right against self- incrimination, refused to answer the questions of the election officer, who disqualified the scandal-plagued Mr. Carey from participating in the Teamsters' rerun election. Mr. Meany must be spinning in his grave. In 1957, the year Mr. Meany

expelled the Teamsters from the AFL-CIO in his anti- corruption campaign, the AFL-CIO's Executive Council adopted a policy, ruling that if a union official "decides to invoke the Fifth Amendment for his personal protection and to avoid scrutiny . . . into alleged corruption on his part, he has no right to continue to hold office in his union." That's the federation's guidance for its member unions. The notion that Mr. Meany would tolerate any official of the federation -- let alone its secretary-treasurer, the No. 2 official -- taking the Fifth in a union corruption investigation is utterly laughable. . . . The AFL-CIO claims an internal investigation has cleared

Mr. Trumka of all the allegations. Maybe it has, though the federal election officer believes otherwise. The question remains, however, why Mr. Trumka can't simply tell the truth about what he knows and what he did.

. . . . Some labor unions have long had trouble with corruption, mob influence and officials unable to distinguish between union money and their own money. The federation itself, however, has never been tainted by charges of corruption. On the contrary, it has been a bulwark for reformers fighting corruption in member unions. That the AFL-CIO should now find itself tainted -- well, perhaps it's best that George Meany didn't live to see the day.

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