

## Prison News and News Articles About / For Correction Officers: { Page 47 }

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### ARTICLE LIST:

#### [LENNON KILLER TAKES SHOT AT PAROLE TODAY](#)

[Chapman unlikely to win parole](#)

[Lennon's murderer loses bid for parole](#)

#### [CORRECTION OFFICER SURVIVAL CREED](#)

[Assaults put correction officers on edge](#)

[Correction officers to vote on tentative contract](#)

[Green Haven meeting targets safety improvement](#)

[Prison incident ends as hostage-taker subdued, victim freed](#)

[Grifter Takes Hostage](#)

[Prison guards vote on contract](#)

[TV reporter held hostage at maximum security prison](#)

[Corrections officer charged with possession of stolen ammo](#)

[John Lennon's killer said he didn't deserve parole](#)

[Attica Leader Fired - Turmoil at the Top In State Cos Union](#)

[State Jail Union Gets new Pact, Same Pay Hike](#)

[Some Media Attention](#)

[New Union in Turmoil](#)

---

[Back to the Titles](#)

### LENNON KILLER TAKES SHOT AT PAROLE TODAY

From: nypost.com 10/02/00

Tuesday, October 3, 2000

By BILL HOFFMANN

The deranged fan who stunned the world when he shot dead John Lennon 20 years ago will ask a state parole board today to set him free.

Mark David Chapman - locked away in upstate Attica prison - will make his first bid for parole since he was sentenced to life behind bars for the Dec. 8, 1980, murder of the ex-Beatle.

The pudgy, 45-year-old killer is expected to tell the board he is a born-again Christian who is no longer a threat to society.

But Lennon's widow, Yoko Ono, has written prison bosses, begging them to keep Chapman in the

slammer - fearing he'd stalk both her and Lennon's sons, Sean and Julian.

A decision on Chapman's plea is expected as early as tomorrow.

In an interview with a London newspaper published last week, Chapman said he believed Lennon would have forgiven him and wanted him to be freed.

"I could never dream of hurting another person that way now. It's not going to happen. It's just not going to happen," Chapman said.

But there's little chance he'll win parole, one state prison source told The Post.

"Can you imagine the public outcry if the man who murdered one of the Beatles walked out of the system scot-free?" the source said. Bill Hoffmann

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[Back to the Titles](#)

## Chapman unlikely to win parole

From: rochesternews.com 10/03/00

### Lennon's killer before board but can only imagine freedom

By Michael Zeigler  
Democrat and Chronicle

(October 3, 2000) -- Does Mark David Chapman, the killer of Beatle John Lennon, stand a chance of being paroled from prison?

Not a chance, says one of New York's top criminal justice watchdogs.

"If Jesus Christ returned to earth for the sole purpose of decreeing that it would be appropriate to release Mark Chapman, the parole board wouldn't be willing to take the political heat they would get by doing it," said Robert Gangi, head of the Correctional Association of New York.

Chapman, who shot Lennon in New York City 20 years ago this December, will appear before a parole board Tuesday or Wednesday at Attica Correctional Facility, making his first bid for freedom. He's expected to claim that he has become a born-again Christian who should be paroled so he can spread a message of love and forgiveness.

But the odds are strongly against Chapman's release now or ever, said Gangi, whose group examines issues in the criminal justice system.

"It's not just unlikely; there's absolutely no chance given the way mainstream political figures have attacked parole," Gangi said.

"I'm not suggesting that he should be released," he said. "But my strong guess is that he'll never be released. His appearance before the parole board is strictly a formality, given the high-profile nature of his crime."

Indeed, political figures are weighing in on the issue.

State Sen. Michael F. Nozzolio, chairman of the Senate Crime Victims, Crime and Correction Committee, has asked parole authorities to deny Chapman's bid.

"John Lennon represented a vision of hope, peace and love," Nozzolio, R-Fayette, Seneca County, wrote to Parole Board Chairman Brion Travis.

"Tragically, his positive message and his life were fatally ended by Mark David Chapman," Nozzolio wrote. "It is the responsibility of the New York State Parole Board to ensure that public safety is protected from the release of dangerous criminals like Mark David Chapman."

If the parole board grants Chapman's release, he would leave Attica Dec. 4 after arranging for a job and a place to live, said parole spokesman Tom Grant. He would be under the supervision of a parole officer the rest of his life.

If Chapman is denied parole, he'll be eligible again every two years until he is released or dies behind bars.

But even without facing political pressure opposing his release, Chapman has a dismal chance of being paroled on his initial attempt.

In the past three years, 303 New York inmates have made their first attempts at parole after serving the minimum end of their sentences for first- or second-degree murder or attempted first-degree murder.

Of those, only 17 -- about 5 percent -- were released, according to figures from the Division of Parole.

"I think maybe the parole board looks at serious cases with a little more jaundiced eye," Grant said.

Chapman, who's now 45, shot Lennon three times outside Lennon's apartment building on Dec. 8, 1980. He pleaded guilty to second-degree murder the following year and was sentenced to prison for 20 years to life.

Under state law, Chapman is guaranteed a parole review after 20 years of incarceration. His case will be reviewed by a panel of two or three parole board members, who are appointed by the governor.

Chapman's interview will take place in private. He'll explain why he believes he should be released and parole board members will ask him questions.

After Chapman leaves, the officers will vote. Chapman will be notified of the decision in writing within 48 hours.

At least two parole board members have to approve any action, whether it's to allow Chapman's release or to deny him parole. If only two members interview him and they issue a split decision, Chapman would be interviewed again in a month.

Before deciding, board members will weigh three major factors: the nature of the crime, the chance that Chapman would become a repeat offender if he's released, and the impact that his release would have on public confidence in the criminal justice system.

The board also will examine how well Chapman has adjusted to prison.

Since he entered Attica, he has had three disciplinary infractions for such offenses as refusing a direct

order from a correctional officer and holding up a head count of other inmates.

"They were all minor infractions," said prison spokesman Mike Houston.

Finally, the parole board will consider a letter from Lennon's widow, Yoko Ono.

Although Ono's spokesman, Elliot Mintz, has declined to reveal what's in the letter, the New York Post reported last week that Ono asked that Chapman not be released.

Ironically, after the deadly Attica prison riot of 1971, Lennon and Ono recorded the song Attica State, which raised money for wounded inmates and demanded their release.

"Free the prisoners, jail the judges / Free all prisoners everywhere," they wrote. "Attica State, Attica State, we're all mates with Attica State."

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[Back to the Titles](#)

## Lennon's murderer loses bid for parole

By Michael Zeigler  
Democrat and Chronicle

(October 4, 2000) -- Mark David Chapman, the killer of Beatle John Lennon, will spend at least two more years in prison.

Citing Chapman's "calculated and unprovoked" attack and his "continued interest" in notoriety, a parole board yesterday rejected Chapman's first bid for release.

Allowing freedom for Chapman, who is serving 20 years to life, would "deprecate the seriousness of the crime and serve to undermine respect for the law," the board said.

Chapman, 45, will be eligible for parole again in October 2002 and every two years after that.

Chapman met privately with the parole board for 50 minutes yesterday at Attica Correctional Facility, where he has been since he pleaded guilty to second-degree murder for killing Lennon on Dec. 8, 1980.

Although inmates usually aren't notified of decisions until a day or two later, the board announced its ruling on Chapman within five hours. The decision came as no surprise.

Only 5 percent of convicted murderers in New York are released on their first attempt at parole.

Beatles fan Kristy Mundt, who gathered 30,000 signatures opposing Chapman's release and forwarded them to the parole board, received the news outside Attica, where she waited since Monday.

"Hopefully, it made some impression on the parole board," said Mundt, of El Cajon, Calif. "I would have loved to have seen Chapman's face when he saw that stack of papers on the table in front of him."

Mundt had one regret, though. She was the only Beatles' fan outside the prison. "I would have thought there'd be more."

Among those opposing Chapman's release was Lennon's widow, Yoko Ono. In a letter to parole

authorities, which was released after the decision was announced, Ono said Chapman's release would unravel her life.

"I am afraid it will bring back the nightmare, the chaos and confusion once again," Ono wrote. "Myself and John's two sons would not feel safe for the rest of our lives."

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[Back to the Titles](#)

## **CORRECTION OFFICER SURVIVAL CREED**

The will to survive, to survive the attack, must be uppermost in my mind. For the one who lives through a fight is better off than one who does not. Therefore, preparation, and not paranoia is the key to my survival. To survive I must be aware, be alert, be confident, be deceptive, be decisive, and be ready. I must expect the unexpected, and do the unexpected.

When faced with violent physical assault, my life depends upon reaction without hesitation. There is no time to ponder, because to ponder is to possibly perish. My response, if attacked, must not be fear, but aggressiveness. I must block out all thoughts of my own peril and think only of stopping my assailant. My prize in personal defense is my life. The perfect fight is one that is over before the loser realizes what is happening. The perfect defense is a counter attack that succeeds before the enemy can attack again. Therefore, if I am assaulted, I will retaliate instantly. I will be sudden and quick. I will be fast, not fair. Speed is my salvation. If my attacker knocks me down, I will fight back against the odds and get up off the ground. I will seize the initiative and take away every advantage. My concern is to stay alive. I won't hold back. If I find myself under lethal attack, I won't be kind. I will be harsh and tough. If I must use my baton, I will with precision and strike to stop. If I must use my hands, I will use them with all the strength I possess and more. When I strike I will strike hard; I will kick, punch, and do what must be done to survive. I will strike no more after my attacker is incapable of further action, but I will see that he is stopped.

Above all, I won't give up and I will make it. I will not die in the yard, or on a company, or in any other part of this jungle behind the wall or razor wire. I will survive; not just by good luck and fortune, but by my skills. If I adhere to these basic principles of survival and adhere to the attitude that is suggested in them, as a Correction Officer, I will greatly enhance and perfect my skills in utilizing good and safe practices, tactics and techniques.

*"Police Officer's Survival Creed" it has been altered to fit Corrections.*

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[Back to the Titles](#)

## **Assaults put correction officers on edge**

From: th-record.com 10/07/00

MID-HUDSON: Incidents at Green Haven and other prisons put guards in precarious positions.

By Paul Brooks

The Times Herald-Record

pbrooks@th-record.com

A flurry of frightening incidents at state prisons, where warning shots have been fired and officers assaulted in recent days, have correction officers on edge. Brian Shanagher, whose union represents thousands of mid-Hudson correction officers, met yesterday with state officials about the problems, according to Dennis Fitzpatrick, spokesman for the New York State Correctional Officers and Police Benevolent Association.

The union has 24,000 members statewide. The mid-Hudson has 11 prisons, state and federal, and more than 8,000 correction officers.

The recent incidents include warning shots fired by officers at state prisons in Southport, Clinton and Auburn, Fitzpatrick said. There have been numerous stabbings at the Clinton facility and officers assaulted at Otisville and Sing Sing, Fitzpatrick said, "all in the last four or five days."

Yesterday, an apparently fake press release flashed through media outlets in the mid-Hudson. It claimed that correction officers at Green Haven, a maximum security prison in Dutchess County, would refuse to let the prison return to normal operation.

"There is a serious threat to life, safety and security of the officers and the staff at Green Haven at this time," the press release said. It was on plain paper with no letterhead or clear source.

The prisoners had been locked in their cells since an inmate stabbed Green Haven's deputy superintendent of security and another officer Sept. 27.

A sweep of the prison, cell by cell, had turned up only 10 weapons instead of the usual 40, the mystery press release said. Inmates have threatened the lives of officers, and a hit list of names was found in one cell. Officers at Green Haven demanded that a special state emergency response team come to Green Haven to help regain control, the press release said.

The mutiny never happened, according to both union and state officials.

The correction officers on the morning shift lifted the restrictions, called a lockdown, without incident. The same was true with the afternoon shift, according to Jim Flateau, spokesman for the Correctional Services Department. There were no assaults by inmates when they were allowed out of their cells.

Fitzpatrick confirmed that union members at Green Haven did not block the return to normal. But, he said, the 600 correction officers at the 2,200-bed facility have serious concerns. They want some policies on inmate freedoms changed to improve safety. "Any time you have a serious incident," Fitzpatrick said, "it heightens everyone's awareness of what could happen on any given day. This is a dangerous business."

While the number of assaults dropped last year, it seems to be on the rise this year, Fitzpatrick said. Flateau disputed that. Last year, there were 762 assaults, he said.

As of August this year, only 476 had been recorded, the lowest level in more than 20 years.

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[Back to the Titles](#)

## Correction officers to vote on tentative contract

From: th-record.com 10/06/00

ALBANY: A new deal between prison workers and the state would raise salaries by 13 percent over four years.

By John Milgrim  
Ottaway News Service  
jmottaway@aol.com

State negotiators and the union representing correction officers have hammered out a tentative agreement they hope will end 18 months without a contract. They're hoping it fixes the points that led to the union's 24,000 members rejecting the last agreement July 11.

New ballots will be sent to members of the New York State Correctional Officers and Police Benevolent Association members Oct. 10, and will be counted Oct. 27.

"After the first agreement was rejected, NYSCOPBA brought to the state issues that they felt impacted ratification," said Linda Angello, director of the Governor's Office of Employee Relations. "In response to these issues, we worked together to achieve a new settlement that is fair to both our employees and the state."

The major sticking point, open-ended disciplinary unpaid suspensions, still isn't where many members had hoped it would be. The deal now allows for an expedited hearing in discipline cases, within 60 days, said union spokesman Denny Fitzpatrick. Members opposed to the prior tentative contract want the same type of protections enjoyed by police and firefighters, who cannot be suspended without pay for more than 30 days .

"I think by far it is one of the best contracts I have seen," Fitzpatrick said of the new deal. Correction officers have been without a contract since April 1999. In January, NYSCOPBA declared an impasse in negotiations. The deal on the ballot now is retroactive to October 1999 and gives officers a 13 percent raise over four years.

About 8,000 people work in the 11 state prisons in Orange, Sullivan, Ulster and Dutchess counties. Salaries after a year on the job are about \$31,000; an officer with 20 years on the job is paid about \$43,100.

Under the new contract, an officer at top of scale would be paid \$50,310 in 2003.

The prior deal, which included a similar pay scale, was rejected by a vote of 10,960 to 9,746.

NYSCOPBA also represents state forest rangers, environmental conservation police and state university police.

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[Back to the Titles](#)

## Green Haven meeting targets safety improvement

PRISONS: The correction officers' union president and state Correctional Services officials work to make Green Haven safer for all involved.

By Paul Brooks  
The Times Herald-Record  
pbrooks@th-record.com

A meeting at the state's Green Haven maximum security prison may improve safety for correction officers, and then again, it may not. "I am very pleased with the meeting and discussion. A lot of positive things are going to come out of this," said Brian

Shanagher, president of the state Correctional Officers and Police Benevolent Association. "But are the facilities safer? I can't answer that. It depends on the inmates, and I have no control over them."

The association has thousands of members among the 8,000 or so correction officers in the mid-Hudson. The area is home to 11 state and federal prisons.

Emotions at Green Haven have been running high since inmate Tyrone Walker stabbed the deputy superintendent of security and a correction officer there on Sept.27. Rumors that correction officers at Green Haven were going to refuse yesterday to lift a lockdown of the inmates turned out to be false.

Jim Flateau, spokesman for the state Department of Correctional Services, said the shifts went off without a hitch and that the prisoners were released 'from their cells on schedule. The prisoners had been locked in their cells since the stabbing incident.

But the officers at Green Haven, as well as elsewhere in the state prison system, have serious concerns about their safety; Shanagher said.'

Shanagher met yesterday with superintendent and administrator at Green Haven, along with a deputy commissioner of facilities with the state Department of Correctional Services.

The meeting yesterday yielded possible changes in internal security at Greenhaven. Shanagher decline to go into detail about those changes because the inmates read the paper, he said. It remains unclear whether Walker was working on his own or in conjunction with others, Shanagher said.

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[Back to the Titles](#)

## Prison incident ends as hostage-taker subdued, victim freed

Glenn S. Goord, Commissioner

FOR IMMEDIATE RELEASE: TUESDAY, OCTOBER 10, 2000

Governor Pataki's extradition unit has already informed the district attorneys in Clinton and Westchester counties, the latter where Kimes' mother is incarcerated, of California's request. Once those counties schedule extradition hearings, Governor Pataki will forward California's warrants to them for action. If the courts concur with California's request, their custody will transfer to California authorities and they



will travel here to arrest them.

The prison had been locked down at 6 p.m. as a precautionary measure. Other inmates at Clinton and other facilities in the region remained calm and orderly throughout the incident. A decision on returning Clinton to full normal operations will be made Wednesday morning by Commissioner Glenn S. Goord.

The Court TV personnel arrived at Clinton at approximately 10 a.m. and began their interview at 10:40 a.m. They were seated across a table from the inmate. At approximately 2:15 p.m., Kimes rose and went across the visiting room to use a bathroom while the reporter headed across the visiting room in the other direction to purchase bottled water from a vending machine. When they met coming back to the table, Kimes pushed a pen against her neck, wrapped his other arm around her shoulder and pulled them both to the floor, pulling her across the room toward a corner with him.

Kimes initially held a pen to her throat. He immediately ordered security personnel plus camera operator Drew Harty and sound operator Jeremy Drowne to "back off." They were the only ones in the visiting room at the time.

The Officer observing the interview pushed an alarm and called for help, with several Officers responding immediately. Security staff, immediately joined by trained negotiators from the Department's Crisis Intervention Unit, began speaking with Kimes and monitoring his movements. The inmate later removed the weapon from the reporter's throat. At the end of the incident, both Kimes and the reporter were seated in chairs facing negotiators.

Kimes, 25, was received into the prison system on July 11, 2000, for murder second, burglary first, robbery first and criminal possession of a weapon second. He is eligible for parole in 2123. His co-defendant and mother, Sante, 66, is at the Bedford Hills Correctional Facility in Westchester County serving a sentence of 120 2/3 years to life for the same charges. She is eligible for parole in 2119.

Reporter Zone had visited Kimes on September 25 for a pre-interview in the visiting room without audio or video equipment. She conducted a similar pre-interview on September 17 with Mrs. Kimes at Bedford Hills. Both those visits were uneventful.

Both were convicted of conspiring to steal the house and property of an 82-year-old woman by means of forgery, fraud and deception. In the process, they murdered her.

Clinton, opened in 1845, houses 2,959 inmates. Its population today is 2,865. It is located in Dannemora, 185 miles north of Albany.

An interview scheduled for Thursday, between Kimes and a production company working with the Arts & Entertainment network for its American Justice series, has been canceled.

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[Back to the Titles](#)

## **Grifter Takes Hostage**

Holds pen to Court TV reporter's throat in a 4-hr. jail drama

By JOE MAHONEY, BARBARA ROSS and LEO STANDORA  
Daily News Staff Writers

Killer con man Kenneth Kimes jabbed a pen to the throat of a Court TV reporter yesterday and held her hostage at a state maximum security prison for more than four hours until guards overpowered him. Authorities said Kimes sought to use journalist Maria Zone, a 30-year-old mother of two young children, as a bargaining chip in a bid to spare his mother extradition to California on a murder charge.

A tired and shaken Zone emerged from the ordeal in a visitor room at the upstate Clinton Correctional Facility without a scratch, they said.

But prison negotiators trying to end the crisis without bloodshed said the 25-year-old Kimes repeatedly threatened to stab Zone in the throat, eye, side and back during the tense standoff.

Kimes and his 65-year-old mother, Sante, each was sentenced on June 27 to more than 120 years in prison for murdering Manhattan dowager Irene Silverman in a scheme to steal her \$7 million upper East Side townhouse.

They were convicted after a 13-week trial even though the 82-year-old Silverman's body was never found.

But the mother-and-son grifter team also faces a murder charge in California that carries a death penalty. A request to extradite the Kimeses is on Gov. Pataki's desk, but he has taken no action on it, according to law enforcement sources.

Betsy Vorce, senior vice president at Court TV, described Zone as "a very thoughtful reporter" who has freelanced as a producer-reporter at the network for more than two years.

She said Zone was at the prison to interview Kimes for an hour-long documentary on his case for the "Crime Stories" segment of Court TV.

Jim Flateau, a state Department of Correctional Services spokesman, said Kimes "had one main demand" while he held Zone hostage, "and that was that his mother not be extradited."

He added, "Mr. Kimes has had his last interview."

Prison officials said yesterday's interview began at 10 a.m. and appeared to be going well, until 2:15 p.m., when Kimes, who was seated across a table from Zone, rose and crossed the room to use the lavatory.

Zone used the break to stretch her legs and get some bottled water from a vending machine on the other side of the room.

Officials said when Zone crossed in front of Kimes as they both walked back to their seats, Kimes threw an arm around her from behind and brought a pen to her neck.

He then pulled Zone to the floor and across the room to a corner, yelling at the only other people in the room - cameraman Drew Harty and soundman Jeremy Drowne - to "back off!"

A guard, who had been watching the interview from outside the room, sounded the alarm and tried to calm Kimes until crisis negotiators arrived.

Kimes eventually stopped pointing the pen at Zone. At the end, Kimes still had his arm around Zone as they sat next to each other on chairs.

Negotiators managed to distract Kimes enough to wrestle him to the floor and separate him from Zone shortly before 7 p.m.

Correction officials spirited her out of the prison about 90 minutes later and drove her to her home in the Syracuse area.

After her release, cameraman Harty said of Zone: "She's all right now."

Police seized Harty's videotape as evidence. Prison authorities apparently took no special security precautions because Zone had previously interviewed Kimes without incident.

Flateau said Kimes last night was moved to a disciplinary housing unit where he will remain in his cell 23 hours a day. Until yesterday, he noted, Kimes' disciplinary record was clean.

Kimes' chief attorney, Mel Sachs, said he was "shocked and amazed" by his client's actions.

"I just cannot understand this behavior. This type of conduct is contrary to his nature as a person. He's somebody who is cordial ... well-mannered and this is truly contradictory to the way he really is," he said.

Mother and son were working on appeals, but their lawyer said Kenneth Kimes was particularly distraught over the verdict.

With Bill Egbert

Original Publication Date: 10/11/00

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[Back to the Titles](#)

## **Prison guards vote on contract**

Union leader dislikes plan containing slight revisions from one rejected in May.

By Jon Hand

Corrections officers have two weeks to vote on a slightly revised contract agreed to last week by their leaders and state officials.

But local union representatives say the contract should be turned down for the same reasons a similar contract was rejected earlier this year - namely dissatisfaction with the proposed pay and benefits.

The state and the New York State Correctional Officers & Police Benevolent Association Inc. reached an agreement Thursday night that offers a salary increase totaling 13 percent over four years and a \$500 lump-sum bonus - the same increase offered in the contract rejected 10,960 to 9,746 in May.

Union officials initially sought a 21 percent pay increase in three annual increases of 7 percent.

The new contract also requires members to partially pay for the union's drug prescription plan, totaling about \$312 a year per family, which was a major reason the initial contract was rejected, said Corrections Officer John Bielowicz, chief union steward at Auburn Correctional Facility.

"I'm going to vote no, I've got to be honest," said Bielowicz, who has been a corrections officer 14 years.

"I've got two kids at home. I can't afford to pay an increase in prescription drug bills."

The new contract does address other officers' concerns, however, including the way disciplinary hearings are conducted for officers and the way clothing maintenance allowances are dispersed.

Currently, officers brought up on charges are suspended without pay until a hearing is held, which could take up to six months, Bielowicz said. The new contract guarantees hearings for officers within 60 days and allows officers to use extra hours they have accrued prior to being suspended as income while they are off work.

Members have worked without a contract since April 1, 1999, but the 3 percent salary increase for 1999 would be retroactive to Oct. 1.

Bielowicz said both contracts fail to include an increase that would bring pay in line with corrections officers in other states.

In California, for example, the starting salary for a corrections officer is about \$34,000. Locally, it is about \$25,000.

Union members are in jeopardy of losing out on Gov. George Pataki's promise to remove a 3 percent retirement fee for employees who have worked for the state more than 10 years.

Only employees working under a ratified contract are eligible for the benefit, and union leaders say Pataki is using that as leverage to get the contract signed.

Ballots were mailed to the union's 24,000 members Monday and are due Oct. 26. They will be opened Oct. 27.

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[Back to the Titles](#)

## **TV reporter held hostage at maximum security prison**

Oct. 10, 2000 | 9:42 p.m.

DANNEMORA, N.Y. (AP) -- A free-lance TV producer was held hostage at a maximum security state prison for more than four hours Tuesday by an inmate convicted of killing a New York City millionaire.

Inmate Kenneth Kimes, 25, held a pen to the throat of Maria Zone, and ordered her camera crew, filming for Court TV, to ``back off," Department of Correctional Services spokesman James Flateau said.

Officials said he demanded that his co-defendant, his mother, not be extradited to California on murder charges for which both could face the death penalty.

An officer observing the interview pushed an alarm and called for help, and prison negotiators spoke with Kimes, Flateau said. He said Zone was freed by officers who distracted Kimes and then wrestled the inmate to the floor. Zone was not injured.

Network spokeswoman Betsy Vorce said Zone had interviewed Kimes several weeks ago without problem and returned Tuesday to interview him on camera for ``Crime Stories," a documentary-style program.

Kimes is serving a 125-year sentence at Clinton Correctional Facility. He and his mother, Sante Kimes, were convicted of killing Irene Silverman, 82, in a scheme to steal her \$7 million Manhattan home. Silverman's body was never found. Their lawyers are planning appeals.

The Kimeses also have been indicted in the 1998 murder of a business associate in California.

The prison, near the Canadian border, houses 2,865 inmates.

"I am totally shocked by this," said Matthew Weissmann, one of Kimes' lawyers during trial. "In the two and a half years that I've known Kenny, he's never shown that he would do anything like this, despite the charges he was convicted on. He's never shown any violence. He must've totally snapped or something."

Kimes will be moved to disciplinary housing where he will be confined 23 hours a day, Flateau said.

The inmate had previously been interviewed by CNN's Larry King and "Details" magazine. On Tuesday, "Details" released letters in which Kimes begged for interviews to demonstrate his innocence.

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[Back to the Titles](#)

## Corrections officer charged with possession of stolen ammo

The Associated Press  
10/13/00 4:02 AM

POUGHKEEPSIE, N.Y. (AP) -- A state corrections officer has been charged in connection with ammunition and tactical equipment allegedly stolen from the state Department of Correctional Services.

Ralph V. Manetta, 50, was charged with criminal possession of stolen property, a felony. More than \$1,900 worth of ammunition and equipment were removed from the Fort Brewster Trading Post in Pawling, about 55 miles north of New York City.

Dutchess County Sheriff's Lt. Bruce Coneeny said Manetta worked at the gun and sporting goods store while off duty from his state job. No one else has been charged in the case, although Coneeny said the investigation is ongoing.

Coneeny said it was unclear from what state facility Manetta got the ammunition or whether any of it was sold out of the Pawling store.

Manetta was suspended without pay following his arrest, according to corrections spokesman Mike Houston. The department is seeking his dismissal.

Houston said Manetta worked for the state Department of Correctional Services since 1982 and was most recently assigned to the Bedford Hills Correctional Facility in Westchester County.

The investigation was conducted with the aid of the state Inspector General's Office Internal Affairs Unit and the federal Bureau of Alcohol, Tobacco and Firearms.

---

[Back to the Titles](#)

## John Lennon's killer said he didn't deserve parole

From: courttv.com 10/13/00

ALBANY, N.Y. (AP) - The man who killed John Lennon told the board that denied him parole last week that he deserves to be in prison for his "despicable" crime, according to a transcript released Wednesday.

Mark David Chapman also said he nearly skipped the hearing after finally realizing how much pain he caused Yoko Ono, Lennon's widow.

"I don't even deserve to be here," - meaning alive - while Lennon is dead, Chapman told the three-member panel on Oct. 3.

"What I did was despicable," he said. "I don't feel it's up to me to ask to be let out."

Chapman, who is serving 20 years to life for murder at Attica state prison, will be eligible for parole again in 2002.

Chapman said he read comments by Ono over the summer that said she began shaking uncontrollably after Chapman shot Lennon to death in 1980.

"I think for the first time I really realized, you know, the pain that I caused," Chapman said. "I mean, here's a person that can't control their body, and that really hit home. ... I felt her pain then, and I can honestly say I didn't even want to feel it up until then. It's a horrible thing to, you know, realize what you've done."

Chapman's parole hearing was closed to the press and public. The transcript of the hearing was released Wednesday under a Freedom of Information request from The Associated Press and other news outlets.

Chapman said Lennon was not the only celebrity he thought of killing. He cited a "substitute list" of two or three other names that were blacked out by state officials in the transcript.

He said the killing was motivated by "vanity," "jealousy," "anger," "resentment" and "stupidity."

Chapman also said he heard a "small voice" urging him to shoot the ex-Beatle.

"I felt like nothing, and I felt if I shot him, I would become something, which is not true at all," he said. "I do wish I was a big nobody again."

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[Back to the Titles](#)

## Attica Leader Fired - Turmoil at the Top In State Cos Union

The Chief-Leader, Friday, October 13, 2000 - Page Three  
by William Van Auken

Two officials fired last month by the leadership of the state jail officers' union charged that they were victimized for their vocal opposition to a tentative contract settlement rejected by the majority of the union's membership.

The charges were made as the New York State Correctional Officers and Police Benevolent Association prepared to bring a second tentative pact to the membership.

Richard Harcrow, who was hired more than a year ago as assistant to NYSCOPBA President Brian Shanagher, was fired by a vote of the union's executive assembly Sept 1. John Nicolosi, a business agent who who represented state officers in the southern region, was dismissed two weeks later. Mr. Harcrow returned to his job at Attica and Mr. Nicolosi to the Queensborough Correctional Facility.

### **'Not Tied to Contract'**

A union spokesman dismissed the allegations, saying that the firings had "nothing to do with the contract". Mr. Harcrow was the president of the AFSCME Council 82 local at Attica before state Correctional Officers voted to throw out the old union and replace it with the NYSCOPBA. His announcement of support for the insurgent slate marked a turning point in its campaign for a decertification vote last year.

"We broke away from AFSCME because the union was together with the state in telling us that we couldn't do any better than the other state workers," said Mr. Harcrow. "We risk our lives and work lousy jobs on holidays and shifts; we deserve better."

Now, he charges, the NYSCOPBA leadership is once again pushing the state's 22,000 Correctional Officers to approve a contract patterned on agreements already signed by the Civil Service Employee's Association and other civilian unions. "This is like Council 82 the second," he said. "The leadership doesn't want to go the distance to get a decent contract."

The NYSCOPBA tentative settlement provided the same 13-percent total salary increase as well as benefit improvements negotiated by the other unions, but included as well a "security law enforcement differential" consisting of bonuses amounting to \$1,750. Like the pattern agreement, it also included the introduction of a 25-per-cent co-pay on prescription drugs, an item that sparked particular ire among jail officers. Union dissidents also charged that the pact failed to ameliorate long-standing grievances over administrative disciplinary proceedings.

After the membership narrowly rejected the tentative settlement in July, NYSCOPBA and the Governor's Office of Employee Relations initiated a fact-finding arbitration process with the Public Employee's Relations Board.

At the same time, however, union and state officials continued talks, resulting in a new agreement Oct. 4.

"I'm very optimistic; the state has been willing to listen to some of our concerns," said NYSCOPBA spokesman Denny Fitzpatrick. While the union will continue with the fact-finding process, Mr. Fitzpatrick said he believes a new deal can be negotiated.

### **Fear of Tables Turning?**

Mr. Harcrow and Mr. Nicolosi both charged that the NYSCOPBA leadership is anxious to push through a ratification as soon as possible because of its concern over a new decertification challenge from a group of union dissidents. The failure of a union to negotiate a new collective-bargaining agreement within one year of the expiration of the old contract opens up a window for decertification.

Another factor increasing pressure to reach a settlement is the state's failure to provide NYSCOPBA

members a 3-percent increase in take-home pay resulting from pension reform legislation covering all state employees. Superior officers working the the same state prisons, who remain members of Council 82 began getting the money three months ago. Both of the fired officials insist that they oppose the effort to oust NYSCOPBA. Instead they have called for an election of the union's leadership. Following the decertification of Council 82, they say, there was no direct election of the leadership and none is scheduled under the new union's constitution until 2002.

"They're grasping at straws," Mr. Fitzpatrick countered. "When the membership voted to have a new union, they also voted for an established executive board. It will remain in office until an election is held in 2002. Mr. Harcrow and Mr. Nicolosi were hired by the executive board and the board had the ability to terminate them."

The union spokesman denied that either official was fired because of dissension over the contract. "Nicolosi was fired from NYSCOPBA because he was not doing what he was hired to do as a business agent, which was to take care of problems in the facilities."

He charged that Mr. Nicolosi failed to show up at a disciplinary hearing for a jail officer and instead went to Albany for the meeting of the executive assembly where Mr. Harcrow was fired. "He got wrapped up in politics in the union when he had no business being there," Mr. Fitzpatrick said.

Edwin Mercado, the union's vice president for the southern region, also contested Mr. Nicolosi's claim that his firing was politically motivated. "I initiated the move to fire him because he wasn't doing his job," Mr. Mercado said. "And I voted against the contract." Mr. Nicolosi countered that every other union business agent had also attended the meeting and that the job specifications for the agents had never been spelled out. The attorney representing the officer, he added, had told him there was no reason for him to attend the hearing.

## **Opposed Ratification**

This was not the first time that Mr. Nicolosi was sent back into Queensborough. In the midst of the contract ratification vote last June, he and three other business agents were fired. All of them were working in the three regions where members of the executive board had voted against recommending the tentative settlement to the membership. The three board members charged that the firings were in retaliation for the opposition.

At a tumultuous meeting of the union's executive assembly last June, union stewards and rank-and-file members forced a vote to re-hire the fired agents.

Mr. Harcrow's firing last month was based on a charge stemming from that meeting. The executive board had brought a video camera to the session and was filming the proceedings. As the meeting grew increasingly raucous, Mr. Harcrow threw his coat over the camera, preventing it from filming. The leadership charged that this action controverted a decision of the executive assembly and the assembly, made up of 85 union stewards, narrowly passed a vote to remove the assistant to the president.

"It looked like filming convicts in a year," Mr. Harcrow said when asked why he threw his coat over the video camera. "I felt it was an insult to my members."

Mr. Harcrow, who has spent 17 years as an Attica correction officer, charged that the camera incident was a pretext for his firing. "This was all political repercussions," he said. "It was because we wouldn't



toe the line and they said we had to as employees of the union.

The NYSCOPBA spokesman tacitly confirmed this assessment. "What Mr. Harcrow was doing was promoting himself rather than promoting the union." said Mr. Fitzpatrick. "As assistant to the president, his job was to spread NYSCOPBA's message. Instead, he was spreading his own message."

In the period after the tentative agreement's defeat, Mr. Harcrow emerged as the union's most vocal spokesman, quoted frequently in the press and leading a demonstration that greeted Governor Pataki at the new York State Fair in Syracuse.

### **Eye on Top Job**

Since his firing, Mr. Harcow has returned to Attica and has been elected as a union steward. While as a staff member he was barred from running for union office, as a steward he is eligible. He says he intends to run against mr. Shanagher for president.

"Its not like we were secretaries or accountants," said Mr. Harcrow. "We're also dues-paying union members. We have a right to union democracy and a right to say when the leadership is doing a good job and when its doing a lousy job."

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[Back to the Titles](#)

## **State Jail Union Gets new Pact, Same Pay Hike**

The Chief-Leader, Friday, October 13, 2000 - Page Three  
by William Van Auken

The union representing state Correctional Officers reached a new tentative settlement with the Governor's Office of Employee Relations Oct. 4, more than three months after its membership voted down an earlier pact patterned on contracts reached by the state's civilian unions.

The new agreement accepted by the leadership of the New York State Correctional Officers and Police Benevolent Association, like the defeated settlement, provides a 13-percent total salry hike over four years, together with other benefit improvements. It also contains a "security enforcement differential" consisting of three bonuses totaling \$1,750, as well as bonuses for officers who do not take sick time.

### **Pension Wrinkle**

Because the contract was signed after Oct. 1, the date when pension reforms kicked in for other state employees, special legislation will have to be passed to assure that NYSCOPBA members receive the 3-percent increase in take-home pay resulting from the elimination of basic employee contributions for Tier 3 and 4 members as well as tier equity improvements.

NYSCOPBA spokesman Denny Fitzpatrick said that the new pact included several significant improvements over the rejected contract. On disciplinary proceedings, the agreement provides for an expedited arbitration process to be completed within 60 days. It also assures that members will retain their health insurance while on suspension. Previously, state Correctional officers complained of being out for up to a year without insurance.

The pact also retains a uniform allowance eliminated in the defeated agreement and provides health insurance for seasonal employees, including State Lifeguards. It also introduces stand-by pay, amounting to 20 percent of salary for Parks and University Police who are required to be on stand-by. Previously, they received nothing.

The union and the state also agreed to set up several task forces to deal with issues such as prescription drugs and discipline.

Mr. Fitzpatrick said he believed the membership would approve the new pact, despite widespread belief among state jail officers that they deserve a bigger pay hike than their civilian counterparts. The union's executive assembly, consisting of 85 chief sector stewards, voted 2-to-1 to recommend the pact to the membership, he said.

"We didn't succeed in breaking the pattern, but we dented it." Mr. Fitzpatrick said.

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[Back to the Titles](#)

## Some Media Attention

Dear Editor,

Recently a number of assaults have been happening in the states Correctional Facilities. Governor Pataki and nyscopba do not appear to care that these men and women put their lives on the line each and everyday for our protection. They guard us from societies worst.

Are they commended for doing this? No they are not! To the state, they are like the dirty linen you'd hide in your closet. If nyscopba really cared for the workers they would have had a union representative at Green Haven C.F. right after they had their Deputy Superintendent and another Officer stabbed, they would make sure that the public knew how hard this job is. This past week two Officers were assaulted at the Arthur Kill C.F. on Staten Island..

NYSCOPBA is trying to negotiate a contract with the state, you would think that they would atleast try to make it a fair one, which it s not. The salaries these hard working men and women receive put them at the state poverty level, depending on the size of the family. The contract states that the Officers must pay an extra \$300.00 towards their medical insurance and for prescription drugs, the state was holding a 3% retirement incentive over the heads of the workers depending on the ratification of the contract.

These people deserve to get the best that the state has to give them. Not what they want to offer, but the best. These people have to deal with many contractible diseases, getting assaulted, having urine and feces thrown at them and much more. This is something they have to deal with on a daily basis, 24 hours a day, seven days a week. The state is mandated by law that all these Officers must have stab and slash resistant vest and gloves. Why is New York the only state that does not have the proper safety equipment for these people to do their job?

When Governor Pataki's term of office is over, what kind of Governor does he want to be remembered as? The one who cares more for the political side of the job, or the one who cared for the states work force.

Sincerely,

Kera Bonomo  
Wife of a Corrections Officer

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[Back to the Titles](#)

## New Union in Turmoil

Freelance Staff writer Jay Kornfield  
Commonwealth Press New York State

**NYSCOPBA** The new union voted in to replace Council 82 has failed miserably in its First two years of existence. The promises during their campaign have not materialized, Not only have they failed to break pattern bargaining, their number #1 rally cry, they have succumbed to givebacks in the medical and other important compensation.

The Guards have not gained any ground in night differential which remains a far cry from private industry. Their area geographical has not even dented the horizon as far the cost of living in certain areas as anyone will tell you. Other unions within the state appear to have received the same contract with different wording.

The same contract that was voted down last month is now being brought back for another vote without any changes, the prescription drug plan which was one of the major gripes, has stayed the same with the state willing to take sick leave to pay for part of the increase.

Another major disappointment with this new union has been the Public relations department. This department is supposedly run by a retired renegade Guard from another union that failed to unseat Council 82. His inexperience has given this union a severe handicap. In the past several months there have been numerous serious assaults on staff and his department has either failed or is just not experienced enough to publicize that Information, or the fact that the Guards have the most difficult job in the State and the Governor and his negotiators refuse to bargain in good faith considering the huge surplus the last couple of years.

Another gripe within the ranks is the failure of the union to stand up to the plate with the state and get the respect with which is so dreadfully missing. Also the fact that they are held hostage during negotiations because of the Taylor law and the refusal to make the much needed changes that are needed in the contract.

New unions that come into existence take time to become formidable but this one seems headed for the junkyard if nothing is done fast to make it more professional.