



[LinkExchange Member](#)

[Free Home Pages at GeoCities](#)



NEWS ARTICLES

**Prison News and News Articles
About / For Correction Officers:
{ Page 54 }**



[Back to Correctional Officers Informational Page](#)
[Back News Articles Index](#)



Use this search engine to find any subject you are looking for on my site, there is so much here that this is the way to find what you are looking for.

ARTICLE LIST:

[N.Y. Prison guard pleads guilty to vehicular manslaughter](#)
[Guard acquitted of sodomy is convicted in related case](#)
[Pataki's plan cuts prison money, positions](#)

[6 officers injured in Southport scuffle](#)
[State Cos Granted Arbitration Rights](#)
[Prison guard tackled as he interrupts governor](#)
[State CO Who Flew Nazi Flag Fired for Offenses](#)
[Jailhouse Author Helped by Mailer Is Found Dead](#)
[Inmate whose letters led to best-selling book found dead](#)
[Wish to help spurs trouble and a lawsuit](#)
[Commissioner: DOCS redirecting staff to improve prison security, inmate programs](#)
[Our prisons needs special units for violent inmates](#)
[Prison guard faces sex charges](#)
[State COs' Union Blasts Downsizing](#)
[State prisons falter in psychiatric care](#)
[10 prisons to shut down small disciplinary cells](#)
[Sing Sing guard gets year in jail for killing 5 kittens](#)
[Arthur Kill inmate fails in escape try](#)

NEWS

[Back to the Titles](#)

N.Y. Prison guard pleads guilty to vehicular manslaughter

1/12/2002

SCHENECTADY (AP) - A 47-year-old state corrections officer has pleaded guilty to second-degree vehicular manslaughter more than a year after an accident that killed a trucker.

Harry V. Salerno Jr., of Glenville, pleaded guilty to the felony on Wednesday, according to Schenectady County Assistant District Attorney Robert Bauer.

State police said Salerno was driving east on the Thruway in Rotterdam, outside Schenectady, shortly before 2 a.m. on Dec. 22, 2000. Police said Salerno's Dodge Durango drifted from its lane and hit tractor-trailer driver Robert Pinckney, 56, of Grahamsville. He had pulled onto the shoulder to check his load.

Salerno, a lieutenant at the Mohawk Correctional Facility in Marcy, was not hurt. Police said he was off-duty, had been drinking and was returning from a wake in the Utica area.

Salerno will be sentenced Feb. 27 to two to six years in prison, Bauer told the Middletown Times Herald-Record for Friday's editions. A corrections department spokesman said Salerno has been suspended and his employment will be terminated effective with his sentencing date.

[Back to the Titles](#)

Guard acquitted of sodomy is convicted in related case

1/14/2002

KINGSTON (AP) - A prison guard who was acquitted of sodomizing an inmate has been sentenced to three years' probation for promoting prison contraband and official misconduct. Edward Kuhnel, 44, of Stone Ridge, was sentenced Friday for taking gifts to the same inmate who accused him of sexual abuse. In December, he was found innocent of sodomy, sexual abuse and attempted sodomy.

Kuhnel had been suspended without pay from his job at Eastern Correctional Facility in Napanoch since his arrest.

Jose Perez, a transvestite inmate, accused Kuhnel of forcing him to have oral sex in May 2000.

In December 1996, Kuhnel was suspended after he hung a Nazi flag outside his home. He eventually was reinstated and received back pay.

[Back to the Titles](#)

Pataki's plan cuts prison money, positions

By John Milgram

Albany - Gov. George Pataki's proposed budget calls for eliminating 584 prison jobs by April 2003, expects a drop of 2,000 in the number of inmates, but increases spending for the system nonetheless. Pataki, in his 2002-2003 proposed budget, calls for increasing the prison system budget by \$12 million, from the current \$2.252 billion to \$2.264 billion. The bulk of the increase is for building maintenance projects.

He also calls for the closing of the 536 beds at the medium security unit at Sing Sing Correctional, affecting 127 jobs, and closing various disciplinary housing units statewide, affecting 53 jobs, including at Mid-Orange and Otisville prisons. Those 180 jobs will be shifted to elsewhere in the system. In turn, however, the budget calls for the elimination of 584 positions through attrition. That's on top of cuts during the current fiscal year totaling more than 650 jobs.

The proposed cut "is totally unacceptable," said Denny Fitzpatrick, spokesman for the New York State Correction Officers and Police Benevolent Association. "We must maintain at least status quo at this point." Fitzpatrick said the union expected the cuts since they were announced in late 2000, but have since found that administrators didn't take scheduling fully into account, leaving many officers unable to use the leave time they have earned, he said.

The cuts are all part of the prisons' "right-sizing" program as the inmate population drops. At its peak in 1999, the state housed nearly 71,500 inmates but expects 64,400 by the end March 2003. Assemblyman Jeffrion Aubry, D-Queens, said he is concerned about Sing Sing, just north of New York City, being targeted in the budget. Aubry, chairman of the Assembly Corrections Committee, said that would force more prisoners farther from New York City, where most of their families live.

As for the special housing units slated for closure: "Some of them in the older institutions need to be taken down," Aubry said.

[Back to the Titles](#)

6 officers injured in Southport scuffle

Inmate attacked officers as he was being transferred to another cell.

By ANTONIO M. PRADO
Star-Gazette

Six correction officers at the Southport Correctional Facility were injured Wednesday afternoon during a struggle with an unruly inmate, according to the state Department of Corrections. William Thompson, 46, attacked the officers as he was being moved to another cell shortly after 1 p.m. His cell and 20 others in the section were going to be painted, said Department of Corrections spokesman Mike Houston.

Thompson bit, spit and clawed the officers, Houston said. Each officer suffered minor injuries ranging from bites and cuts on hands to a back injury and sprained knee. Four of the officers were treated and released at Arnot Ogden Medical Center in Elmira. Thompson was treated at St. Joseph's Hospital for leg and facial injuries, Houston said.

State police are investigating, Houston said. "The situation was taken care of by our security officials. Whenever there's an altercation, it's usually over very quickly," Houston said. "Our staff are trained to deal with incidents on a daily basis." Michael Ames, chief sector steward for the New York State Correctional Officers and Police Benevolent Association at Southport Correctional Facility, said an officer completed the paperwork to have Thompson interviewed by a psychiatrist, which is standard procedure when an inmate exhibits irrational behavior.

An officer spotted this inmate acting strangely a week ago and put a referral in but nothing was done," Ames said. "Now ... officers are hurt.

"We handle the most volatile inmates," Ames said. "They can't go anywhere else in the state. We're a 23-hour lockdown facility." Thompson is serving four to eight years for the attempted sale of narcotics in Suffolk County, Houston said. He was jailed in April 1994. Thompson was transferred to Southport from Attica in March 2000 for a variety of infractions, including assaulting staff, harassment, creating a disturbance and damaging property, Houston said. Thompson is scheduled to be released in November, Houston said.

[Back to the Titles](#)

State Cos Granted Arbitration Rights

Some in Union Left Out
By William Van Auken
The Chief-Leader, Friday, January 11, 2002

The union representing the state's approximately 21,000 jail officers won the right to binding arbitration of its contracts by the state Public Employment Relations board under a measure signed into law by Governor Pataki Dec. 28. The New York State Correctional Officers and Police Benevolent Association backed the legislation in a bid to free its contract settlements from the lockstep of the bargaining pattern set by larger civilian state employee unions.

'Levels the Field'

"Prior to binding arbitration, when we negotiated a contract for our members, we were largely at the mercy of the state," said NYSCOPBA President Brian Shanagher in a message to his membership. He added that the new law would "level the playing field" by placing the contract disputes before a neutral arbitrator.

"Historically, the state would not agree to compensation terms for us which differed from those agreed to by other unions of state employees," Mr. Shanagher said.

The law applies to all of the jail officers NYSCOPBA represents in the state correctional facilities, as well as to its members in police officer titles in the state Department of Environmental Conservation, the State University of New York and other agencies. Left out, however, were approximately 1,500 NYSCOPBA members who hold peace officer status, including Warrant and Transfer Officers, Parole Officers, Safety Officers, Security Officers and Forest Rangers employed by four state agencies. Also excluded are Security Hospital Treatment Assistants, Lifeguards and Security Service Assistants represented by the union.

The revision aggravated tensions within the union between the large correction officer base and the hodge-podge of titles it represents in other agencies.

Andrew Deieso, NYSCOPBA's vice president for law enforcement, addressed a New Year's Eve letter to Mr. Shanagher saying he was "shocked and deeply saddened" by the decision to drop the members whom he represents from the legislation.

He urged the union to resubmit an amended binding arbitration bill for the upcoming legislative session that would include all of NYSCOPBA's titles. Mr. Shanagher indicated that he would seek new legislation extending the law's terms to all of the union's members.

"This is a big win for the union," said NYSCOPBA's vice president for the southern region, Edwin Maldonado. "Collective begging is what it has been about for us up until now." He said that the new law would strengthen the union's hand in bargaining after its current contract expires next year.

NYSCOPBA defeated AFSCME Council 82 in a representation election in 1999, arguing that it could win a "law enforcement contract" for correction officers if they seceded from the larger civilian union.

The union advanced the demand for binding arbitration as a question of parity with police officers and firefighters who already enjoy the right to binding arbitration statewide.

Mr. Maldonado said that the exclusion of some non-correction titles from the final binding arbitration bill was forced upon the union by the Governor as a condition for his signing the measure into law. "There had to be some exclusions made to get it approved," he said.

[Back to the Titles](#)

Prison guard tackled as he interrupts governor

January 31, 2002, 5:34 PM EST

YONKERS, N.Y. -- A shouting state prison guard who apparently wanted to complain about his supervisor was tackled and arrested Thursday after he interrupted Gov. George Pataki during a ceremony at a middle school. Dwayne Cloud, 33, of Yonkers, a correction officer at the Bedford Hills Correctional Facility, was charged with assault, criminal trespass and resisting arrest after his scuffle with security guards and police at the Museum Middle School. He was jailed pending arraignment. The governor was praising a tentative agreement to end a desegregation suit against the Yonkers schools when Cloud, from a doorway about 65 feet away, shouted, "Excuse me, Governor Pataki! Governor Pataki!" The governor hesitated, then continued with his remarks as security guards dragged Cloud outside, writhing and shouting. Cloud ignored orders to stop resisting and was handcuffed as three or four men held him down. A man at the scene who said he knew Cloud but would not give his name said Cloud wanted to tell Pataki that a supervisor had addressed him with a racial epithet. James Flateau, spokesman for the state Department of Correctional Services, said Cloud had made such an allegation last month and was told to file a report or a grievance but never did. Flateau said Cloud has been out on sick leave since last month and was suspended without pay after Thursday's arrest.

[Back to the Titles](#)

State CO Who Flew Nazi Flag Fired for Offenses

Contraband Conviction

By Willaim Van Auken

The Chief-Leader, Friday Feb. 1, 2002

After his conviction on two work-related misdemeanors, the state Department of Correctional Services fired a jail officer who gained wide-spread notoriety five years ago for flying a Nazi flag over his upstate home.

The officer, Edward Kuhnel, was convicted Jan. 11 in Ulster County Court and sentenced to three years' probation for promoting prison contraband and official misconduct. He was acquitted in late November of felony charges of sodomy, attempted sodomy and sexual abuse.

Basis for Charges

Mr. Kuhnel had been charged under a state law enacted in 1996, which defines any sexual act between an inmate and a state Department of Correctional Services employee as non-consensual. He had been charged with having oral sex with a transvestite inmate at the Eastern Correctional Facility in Napanoch.

Among the contraband he allegedly brought into the prison, according to the indictment, were condoms.

State officials made repeated attempts to dismiss Mr. Kuhnel during his 20 years as a jail officer. In 1988, the department sought to fire him over his alleged membership in the National Association for the Advancement of White People and for distributing the organization's literature to both fellow officers and inmates.

After a few months' suspension, however, a Public Employment Relations Board arbitrator ruled in his favor, and he was returned to duty with back pay.

He was suspended again in December 1996 after hoisting a swastika-emblazoned banner over his Stone Ridge, N.Y. home on the 55th anniversary of Germany's declaration of war against the United States. Once again, a PERB arbitrator ruled that the department could not fire Mr. Kuhnel.

State Fought Ruling

State Correction Commissioner Glenn S. Goord appealed the ruling to the state Appellate division and the Court of Appeals. Both courts upheld PERB's decision. Mr. Kuhnel was returned to his \$44,034-a-year job in January 2000. The state had argued that the officer's presence at Eastern, where the inmate population is predominantly black and Latino, increased the potential for racial unrest.

While conviction on a felony charge leads automatically to an officer being fired by the Department of Correctional Services, misdemeanor convictions that are directly related to a correction officer's official duties are also grounds for dismissal.

"Kuhnel has demonstrated several times that he lacks the sensitivity and the professionalism to be a state employee," said DOCS spokesman James Flateau.

[Back to the Titles](#)

Jailhouse Author Helped by Mailer Is Found Dead

February 11, 2002

By ROBERT F. WORTH

Jack Henry Abbott, the convicted killer and best-selling author who was paroled in 1981 with the support of the novelist Norman Mailer, only to kill a waiter six weeks later, was found dead in his prison cell early yesterday, the authorities said. He had apparently committed suicide, they said.

Mr. Abbott, 58, was found hanging from a bedsheet and shoelace that had been tied together in his cell at the Wende Correctional Facility, a maximum-security prison in Alden, N.Y., near Buffalo, said James Flateau, a spokesman for the State Department of Corrections. Mr. Abbott left a note, though its contents were not disclosed.

Mr. Abbott, who was serving a 15-years- to-life sentence for manslaughter and was denied parole last August, had no history of psychiatric problems, Mr. Flateau said.

Michael Kuzma, a lawyer who was helping Mr. Abbott with a lawsuit against the state for a serious beating he suffered at Attica Correctional Facility two years ago, said he had doubts that Mr. Abbott had committed suicide, because he had voiced fears for his safety in recent weeks. An autopsy had not been completed yesterday.

Mr. Abbott's 1982 murder trial drew national headlines and spurred debate about whether the parole system was too lenient. It also brought heavy criticism of Mr. Mailer, who was widely viewed as having romanticized Mr. Abbott because of his literary gifts and having failed to recognize his capacity for violence. Before Mr. Abbott's release, Mr. Mailer told the Utah Board of Corrections that "Mr. Abbott has the makings of a powerful and important writer," and promised him a job as a researcher for \$150 a week.

At that time Mr. Abbott, who had spent most of his life in prison, was finishing sentences for passing bad checks and killing another inmate.

"His life was tragic from beginning to end," Mr. Mailer said yesterday in a prepared statement. "I never knew a man who had a worse life. What made it doubly awful is that he brought a deadly tragedy down on one young man full of promise and left a bomb crater of lost possibilities for many, including most especially himself."

Mr. Mailer first became acquainted with Mr. Abbott in the late 1970's, when Mr. Abbott began sending Mr. Mailer letters from prison. With the help of Mr. Mailer, who contributed a glowing introduction, Mr. Abbott published his letters as a book, "In the Belly of the Beast," in 1981.

The book, which dealt with prison conditions, drugs and politics, was serialized in The New York Review of Books before its publication. Writing in The New York Times Book Review, Terrence Des Pres called it "awesome, brilliant, perversely ingenuous; its impact is indelible, and as an articulation of penal nightmare it is completely compelling."

After his release in June 1981 to a halfway house on the Lower East Side of Manhattan, he was treated as literary celebrity, appearing on "Good Morning America" and attending a dinner with a number of New York literary figures.

Two weeks after that dinner, Richard Adan, 22, an aspiring actor and playwright, was stabbed to death outside the Binibon, an East Village restaurant where he worked as a waiter. Mr. Abbott, who had last been seen arguing with him, disappeared. After a monthlong manhunt, he was found in Louisiana. In January 1982, he was convicted of first-degree manslaughter in Mr. Adan's death.

Shortly afterward, Mr. Mailer said he felt "a very large responsibility" for the death of Mr. Adan. He also said he "never thought Abbott was close to killing, and that's why I have to sit in judgment on myself. I just was not sensitive to the fact."

One of the more poignant aspects of the story was that Mr. Abbott seemed to understand, long before his release in 1981, that he was not the person his literary mentor took him to be.

"My life is not a `saga,' and I resent your using the term like that," he wrote to Mr. Mailer in the late 1970's. "I do not feel `heroic.' "

In 1990, a Manhattan jury awarded \$7.57 million in damages to Mr. Adan's widow, Ricci Adan. The award included Mr. Abbott's future earnings as well as the \$100,000 he had already earned from "In the Belly of the Beast" and \$15,000 he had earned from the rights to a film about the murder and a book he wrote afterward, "My Return." Mr. Abbott was already barred from using any of the proceeds under New York State's so-called Son of Sam law, which was intended to prevent criminals from profiting from their crimes.

In the civil trial, Mr. Abbott represented himself and at one point told Mrs. Adan that her husband's life was "not worth a dime."

Hearing of Mr. Abbott's death yesterday, Mrs. Adan said, "I am happy he will not kill again."

Mr. Abbott is survived by a sister, Frances Amador, 61, of Seattle. "I don't believe he committed suicide," Ms. Amador said yesterday. "But it's not something you can prove."

Suicides are rare in the state's prisons. In 2001, there were seven suicides among the state's 69,000 inmates, Mr. Flateau said.

[Back to the Titles](#)

Inmate whose letters led to best-selling book found dead

Associated Press
By PHIL FAIRBANKS
News Staff Reporter
2/11/2002

Jack Henry Abbott, whose dark accounts of prison violence became the best-selling book "In the Belly of the Beast," died Sunday in Wende Correctional Facility, Alden. Prison officials said Abbott, 58, hanged himself with a bedsheet and a shoelace and left behind a suicide note. He was found early Sunday morning in his single cell.

Abbott's sister and lawyer question the suicide claims and said Abbott showed no signs of anger, remorse or depression in recent weeks.

"There's no way he committed suicide," said Frances Amador, Abbott's sister and only surviving relative. "He was upbeat about everything. And if he was going to commit suicide, he wouldn't hang himself."

Abbott gained fame in 1981 when a compilation of his letters to writer Norman Mailer became a best-selling book, "In the Belly of the Beast." The book turned Abbott, a self-proclaimed murderer, into a major literary figure overnight and led to his early release from Marion Federal Prison in Illinois.

Just a few weeks later, Abbott stabbed to death a 22-year-old waiter and aspiring actor during an argument in a Manhattan cafe. He later said he thought the man, Richard Adan, was carrying a knife.

The outrage over Abbott's early release, which Mailer helped orchestrate, and his subsequent attack on Adan helped fuel his return to prison, first in Attica Correctional Facility and later in Wende.

Michael Kuzma, Abbott's lawyer, said his client was transferred to Wende after he was brutally attacked and almost died in March 2000 while serving time in Attica. Kuzma said Abbott was in surgery for seven hours in Erie County Medical Center.

Kuzma, like Amador, doesn't buy the suicide claim.

"I got to know him pretty well, and I do not believe he killed himself," said Kuzma, a Buffalo lawyer. "He was a little guy, but he always hung in there. He was a fighter."

Prison officials could not be reached to comment, but James Flateau, a spokesman for the state Department of Corrections, told the Associated Press that Abbott hanged himself in his cell, using a bedsheet and shoelace. Flateau would not disclose the contents of the alleged suicide note.

Kuzma said Abbott's sister may seek an investigation into his death. He said Abbott had sued the state Department of Corrections, alleging abuse by guards in Attica.

"This was not a depressed guy," said Kuzma. "He was not throwing in the towel."

Even if Abbott's family fails to intervene, an autopsy will be performed. Under state law, an autopsy is required for any unattended prison death.

Kuzma said he and Abbott had been in regular contact over the past few weeks and that one of Abbott's letters indicated he was fearful for his life.

Kuzma produced a letter, dated Feb. 5, in which the author suggests a new inmate at Wende was threatening him.

"So I'm in a stressful situation again," the letter said. "Everyone here, and I mean everyone, has warned him to stay away from me, but I don't know if it will do any good."

For Abbott, prison was a way of life. Except for his parole in 1981 and a short-lived escape in 1971, he had been incarcerated in one institution or another since he was 13 years old.

While serving time in Illinois, Abbott learned that Mailer was writing a book, "Executioner's Song," about Gary Gilmore, the convicted murderer killed by firing squad in Utah in 1977, becoming the first person executed after the death penalty was reinstated in 1976.

From his prison cell, Abbott sent Mailer letter after letter suggesting murder was something he knew a lot about. He even described, in great detail, how it felt to stab someone to death and to watch him die.

Abbott, during this period, was serving time for bank robbery and later for stabbing another inmate to death.

Mailer, impressed by Abbott's writing, paid several visits to the prison, encouraged his writing and became a mentor of sorts. Abbott's letters were later collected and edited into "In the Belly of the Beast," a harrowing account of prison life.

The book, a national best seller, was heralded as a literary achievement and a high point in the growing repertoire of prison literature.

The acclaim followed Abbott's parole in 1981, an action Mailer later called one of the biggest mistakes of his life. Just six weeks after his release, Abbott killed again, stabbing Adan to death outside a New York City restaurant.

"Another episode in my life in which I can find nothing to cheer about or nothing to take pride in," Mailer said in 1992. "It was . . . a study in false vanity and false fear."

Abbott was sentenced to 15 years to life for manslaughter and sent to Attica. He also lost a \$7.6 million civil case filed by Adan's family, who sued for proceeds from Abbott's book.

Serving as his own attorney in the 1990 civil trial, Abbott found himself portrayed as a shameless murderer, a man without remorse or values.

"You wouldn't be ashamed," Henry Howard, Adan's father-in-law, told Abbott during the trial. "You have no remorse because you have no idea what you have done to this family. You don't accept that you're guilty of murder."

State officials said Abbott was found dead early Sunday morning, about an hour after a prison guard last checked his cell block. He had been denied parole in August and would not have been eligible again until June 2003.

[Back to the Titles](#)

Wish to help spurs trouble and a lawsuit

By JENNIFER KINGSLEY
Star-Gazette

WATKINS GLEN -- What began as one man's desire to aid those in need after the terrorist attacks on the World Trade Center on Sept. 11 has ended up as a \$3 million lawsuit against his employer, the state. Michael Monteiro, a 30-year-old correction officer from Watkins Glen, is suing the state of New York, the state Department of Correctional Services and Commissioner Glenn S. Goord for harassment after he returned to work following a hastily scheduled two-week vacation, which he said he spent working at ground zero.

MICHAEL MONTEIRO

However, he said, his supervisors didn't believe him. Marc Violette, a spokesman for the attorney general's office in Albany, said the state has until March 11 to respond to the lawsuit. He would not comment further because he did not know enough about the case. Monteiro, who works at Five Points Correctional Facility in Romulus, received permission from his supervisor to use two weeks of vacation time to go to New York City.

However, he got the approval by lying to his supervisor. Monteiro told his boss that he had family members in the debris. Monteiro left to work at ground zero on Sept. 15. He brought back a half-dozen notarized letters from New York City officials -- including a police officer, two sanitation workers, and a hotel spokeswoman who engaged in conversation with Monteiro before he headed to the shower each day -- to prove he was there. In the Monteiros' garage there are bags full of his gear -- gas masks, gloves, debris-covered clothing and boots.

However, when Monteiro returned to work at Five Points, he was sanctioned for lying to his supervisor. He was suspended without pay for three weeks, lost his vacation pay for the two weeks he was gone and was turned over for absent without leave classification, which means he didn't show up for work during that time.

Monteiro was also placed on probation for one year, which means he can lose his job for lying. But the punishment didn't stop there. Monteiro said his co-workers began threatening him and the lives of his wife, Twyla Ellis-Monteiro, 26, and two preschool-age children.

He also said his locker was placed upside-down in the shower area with garbage piled in front of it and a sign that read "ground zero." Monteiro also says he wasn't allowed to carry his baton while dealing with dangerous inmates. "That baton was standard issue, part of my safety equipment," he said. When Monteiro was suspended, he said, he had to turn in his weapons, including his baton, at the arsenal. But, after the suspension was over, Monteiro said, he wasn't given back his baton.

Prison officials declined to comment on Monteiro's allegations. Because of the lawsuit filed by Monteiro, the Department of Correctional Services referred all comments to the state attorney general's office in Albany. Dana Aidala, deputy superintendent for security at Five Points, also would not discuss Monteiro's situation. Monteiro said he understands why his co-workers are upset, but doesn't regret going to New York City. He only regrets the way he went about getting there. Monteiro said he thought he had only one chance to persuade his supervisors to give him the time off, by lying. "I was thinking with my heart, not my head," he said. "I am so sorry about that.

"Monteiro said he could put up with a little harassment, adding, "but I paid my dues. "Monteiro's wife, a homemaker, said she struggles every day, fearful for her husband and children. She doesn't go to the grocery store or even outdoors without her husband. Monteiro says the stress has hurt his health. He said he was granted a three-month medical leave from Five Points in early January. The state Department of Correctional Services would not verify or deny the medical leave.

Monteiro wants to remain a correction officer, but believes he cannot transfer to another prison. "I've always been proud of my job," Monteiro said. "Before this happened, I considered everyone I worked with friends." He said he has worked at the maximum-security prison since October 2000, two months after Five Points opened. Before that, Monteiro worked at Willard Drug Treatment Center in Willard, Greenhaven Correctional Facility in Stormville, and the Elmira Correctional Facility.

Monteiro's attorney, Luciano Lama of Ithaca, said Monteiro's co-workers intentionally and recklessly, and with their supervisor's knowledge, caused severe emotional distress to the family and are therefore liable for damages. Lama said the amount of \$3 million was figured by considering Monteiro's loss of income, medical costs for the family, punitive damages, and consideration of an uncertain future

Depending on what happens, Lama said, the case could take as long as two years. "(Monteiro) is young. He had a good career ahead of him," Lama said. "Now, who knows what lies ahead."

[Back to the Titles](#)

Commissioner: DOCS redirecting staff to improve prison security, inmate programs

Governor Pataki wants to redirect state resources to improve prison security and essential inmate programs, Commissioner Glenn S. Goord said today, explaining that was the logical extension of the Governor's plans that have "right-sized" the system - building the cells to house violent and repeat offenders while enacting programs for nonviolent offenders that allow their release prior to completing their court-set minimum sentences.

The Commissioner detailed the Governor's plan for next year's prison spending in the text of his opening remarks prepared for a joint hearing this morning by the Legislature's fiscal committees. Agency heads detailed for the fiscal panels the spending that Governor Pataki has proposed for them in his Executive Budget for the fiscal year beginning on April 1. Here is the text of Commissioner Goord's opening remarks:

Good morning, Chairmen Stafford and Farrell.

As always, I appreciate the opportunity to come before your joint committees to discuss our plans for the coming year. Thank you for inviting me to address you this morning.

We have always appreciated the guidance that your committees have given this Department. The Governor's leadership, combined with legislative support, now positions us to make a significant change in our priorities. That is what I would like to discuss with you today.

Members of both committees will recall that, from the 1970s through the '90s, virtually all correctional priorities were defined by one initiative: capacity expansion.

As the system grew by thousands of inmates each year, we came before you annually looking for money - to build prisons and hire staff for an inmate population that doubled and redoubled each decade.

For years, we were hard-pressed to initiate new programs and address other priorities because of our focus on expansion. We concentrated on finding a bed for each inmate entering the system. We housed 16,000 inmates in 1975, which more than doubled to 34,000 in 1984, and peaked above 71,000 in 1997.

But in this new millennium, I am choosing a new word by which to define our priorities.

That word is redirection.

We can redirect our priorities because, working with Governor Pataki:

- n You stemmed the upward spiral in our population since 1995. His alternatives that you enacted have allowed 42,000 nonviolent offenders to earn release from prison prior to completing their minimum sentences.
- n You made the system safer by approving Governor Pataki's plan to build 3,500 disciplinary housing beds. That allowed us to move disruptive inmates out of general confinement. We are now seeing 20-year lows in both inmate-on-staff and inmate-on-inmate assaults.
- n That allowed us to backfill those general confinement cells with felons awaiting transfer from the counties - enabling us to take in the record 4,400 state readies held in county jails in 1999.

We had roughly 71,000 inmates under custody in April 2000. The population has since dropped by 4,200 inmates. That means we will not achieve the 6,600 bed reduction we projected by April of this year.

I mentioned earlier that we had 4,400 state readies in county jails in 1999. We reduced that to about 1,600 by April 2000. We further reduced that number to 600 by last week. We could have allowed the number of state readies to rise. We could have reached the 6,600-bed reduction this March. But that would have been inappropriate. Instead, we opted to stretch out our bed reduction by one year, to April 2003.

We expect the population to drop by another 2,400 inmates by the end of the next fiscal year. That will reach our reduction of 6,600 beds. It will bring our population to about 64,400 inmates - for the

first time since 1993.

As a result of that downsizing, the current year's budget required that we attrit 614 positions. We have exceeded that staff attrition at the 36 facilities targeted to lose inmates. The budget before you calls for a further reduction of 584 jobs in the coming fiscal year. We will attain that goal.

We will do so while ensuring that we maintain the staff that we need:

- n Our security force will remain at a ratio of one officer to roughly three inmates, compared to a national average of approximately one officer to six inmates.
- n The ratio of program staff to inmates will remain virtually the same - even after this budget transfers 100 mental health positions from program services to our medical services.

We have carefully begun a reduction in our work force at those 36 medium-security prisons scheduled to vacate 6,600 beds. Most of the bed takedown means vacating top double bunks. We are leaving the beds in place in case our needs change or an emergency occurs. We are closing space that would be costly to rehab for long-term use. We are removing beds that were squeezed into dorms to increase capacity.

System wide, an inmate population decrease of 6,600 could justify - on paper - a more significant reduction in our work force than what we have planned. But we chose to review every facility's operations. We looked at all staffing. This redirection now addresses what we consider to be the additional security and civilian workload that facilities were given in the past, without commensurate staffing.

Let me explain how we couple this takedown with the concept of redirection. We plan to close down housing in Tappan, the 530-bed, medium-security portion of Sing Sing. The housing units are old and would require expensive rehab for long-term use. That isn't cost-effective when we are downsizing. We are going to redirect Tappan's program space and staff to program more of Sing Sing's maximum-security inmates.

At several of the medium-security prisons where we are taking down double bunks, we are going to redirect some of the security items that were added when they received additional inmates. I believe they will run much better and more safely if we retain some of those added officers. As a result, we will redirect some positions that would otherwise have been attrited under this takedown.

We will redirect staff to provide drug treatment similar to that now being offered in 860 slots by outside contractors. We can provide those same programs in-house with 2,700 slots while saving taxpayers more than \$2 million annually.

The declining population has also reduced the number of inmates eligible for placement in our residential drug treatment programs. We will redirect some of that staff to our non-residential drug treatment programs.

Another need that we will address next year through redirection is mental health services. We will work with the Office of Mental Health to expand these services to inmates at both Bedford Hills and Sing Sing. The security staff coverage for those programs will be provided by redirecting some of the resources that would otherwise be abolished through our plan to close 10 outmoded Special Housing Units.

These are the types of redirection that benefit our system and the taxpayer. As the system downsizes, we can focus upon improving security and increasing the delivery of essential inmate programs. That is a luxury that we - and you - were denied throughout the '70s, '80s and '90s.

I realize that none of these initiatives that I've talked about this morning are earth-shattering, in and

of themselves.

But they do remind me of the late 1990s. We saw our in-house population decrease by 600 inmates in calendar 1997. Few took notice of that, outside of our agency. But to us, it represented a glimpse of what was to come.

That 600 inmate decrease was a drop in the proverbial bucket among more than 71,000 inmates. But the fact that the population had not increased foretold the 6,600 inmate decrease we are now experiencing.

It is equally telling today that I can come before you now and talk about redirection - rather than repeating the mantra of capacity expansion that was our priority for three decades.

Through Governor Pataki's leadership and in partnership with the Legislature, we now have the opportunity to set new priorities and redirect our resources, if only on a small scale this first year.

The challenge before us is to build upon this opportunity. Together, we can improve upon our system while maintaining security and improving the delivery of essential inmate programs.

I look forward to your input and cooperation in this effort.

Thank you for the opportunity to make this statement

[Back to the Titles](#)

Our prisons needs special units for violent inmates

I am writing concerning the New York State Department of Correctional Services' recent proposal to close 10 special housing units within its facilities under the guise of saving money. Special housing units are a fundamental population management tool in the correctional system used to control and secure the most violent, unmanageable and victim-prone inmates in the system. These so-called units house inmates who cause disruptions, assault prison staff and other inmates, harm themselves, prey on vulnerable inmates, are threats to the safety and security of the facility or who just cannot abide by the rules and regulations of the facility. The closing of these units will present a grave risk to the safety and security of all staff and inmates as well. This will result in the inability to immediately control disruptive and violent inmates and -- in a worst-case scenario -- riotous inmates. This proposal, if enacted, will dramatically jeopardize the safety and security of anyone who works in these targeted facilities and the inmates who reside there. Prison management becomes nearly impossible without a special housing unit. The ability to quickly segregate violent inmates from the rest of the prison population will no doubt cause needless injury to staff and inmates and destruction of property. Please contact your representatives in Albany and tell them that for the safety and security of all in our prisons, do not close any special housing units.

MICHAEL LaDUE
Northern Vice President,
Correction Lieutenants
Local 2951, Council 82
Watertown, N.Y.

[Back to the Titles](#)

Prison guard faces sex charges

www.buffnews.com

3/2/2002

ALBION - A corrections officer at Albion Correctional Facility has been accused of sexual contact with a female inmate, State Police said Friday.

Michael R. Galbreath, 44, of Ithaca, was charged with two counts of sodomy and one each of sexual abuse and official misconduct. The arrest was the result of an ongoing investigation by troopers, who found that Galbreath engaged in deviate sexual intercourse with an inmate at the medium-security prison for women.

Galbreath is to appear April 5 in Orleans County Court.

[Back to the Titles](#)

State COs' Union Blasts Downsizing

March 8, 2002

Warn of Safety Impact

By William Van Auken

Plans by the Department of Correctional Services to cut back on beds and staff in the state prison system could compromise the safety of both jail officers and the public, the leader of the New York State Correctional Officers and Police Benevolent Association warned last week.

Speaking before a panel of the State Legislature holding budget hearings, NYSCOPBA President Brian Shanagher charged that "the downsizing of the New York State prison system is based on unrealistic projections," and that previous estimates of a decline in the inmate population had failed to materialize.

Jail Boss Disagrees

The union leader's testimony followed that of Department of Correctional Services Commissioner Glenn S. Goord, who said that for the first time in decades the department's priority was not expanding capacity.

Mr. Goord noted that the state's prison population doubled from 17,000 inmates in 1975 to 34,000 in 1984, and then doubled once again over the last decade to peak at more than 71,000 in 1997.

The Commissioner credited a new law allowing the early release of 42,000 non-violent offenders with stemming the upward spiral in the inmate population.

The department is eliminating 614 positions under the current budget and will cut 584 more jobs under the budget proposed for the coming fiscal year. All of the staff cutbacks are to be accomplished through attrition.

Mr. Goord insisted that the cuts would not compromise safety. "Our security force will remain at a ratio of one officer to roughly three inmates, compared to a national average of approximately one officer to six inmates," he said. The projected reduction of the inmate population by 6,600 by April of this year could have justified deeper staff reductions, he added.

As part of an effort to "redirect" staff, DOCS employees will provide a drug treatment program now being run by an outside contractor, at a savings of \$2 million annually. A similar redeployment of personnel will allow for expanded mental health services for inmates at the Bedford Hills and Ossining (Sing Sing) Correctional Facilities.

The biggest cutbacks envisioned by the department will come through the closing of inmate housing at Tappan, a 530-bed medium-security facility located in Sing Sing, and the removal of double bunks at several other medium-security prisons, Mr. Goord said that the 19th-century buildings at Sing Sing would have required extensive rehabilitation, which would not have been cost-effective.

The NYSCOPBA official representing the 120 Sing Sing Correction Officers who will either be forced to retire or transfer questioned the wisdom of the move.

"I don't understand why they are hitting Sing Sing the hardest, when 90 percent of these officers live in the five borough," said Edwin Mercado, a NYSCOPBA vice president. "That's going to hurt the city's economy at a time when it is already suffering."

[Back to the Titles](#)

State prisons falter in psychiatric care

Officials fail to heed recommendations

By Mary Beth Pfeiffer
Poughkeepsie Journal

On Nov. 16, 1999, seven months into a 2-to-4-year sentence at Fishkill Correctional Facility, Hardat Persaud became the first of three inmates at separate prisons to die in scuffles with guards in a five-month period. Investigators later came to two conclusions: - The officers, who were cleared of wrongdoing, were untrained in how to restrain inmates.

- The inmates, who were mentally ill, were in psychotic states preceded by key failures in mental health care or policy.

In the wake of Persaud's and the other deaths, state prison officials were quick to retrain officers, as recommended by a grand jury, a district attorney and a state commission. But other recommendations related to care of the mentally ill -- steps that might have avoided these tragic incidents -- were not adopted as officials often rejected the findings of overseers, the Poughkeepsie Journal found in a review of the cases.

Conditions are little changed today, according to families, advocates and lawyers for mentally ill inmates. In a recent case with parallels to the inmate deaths, an inmate who had been referred for psychiatric help but never got it hurt six officers in an altercation at Southport Correctional Facility in Chemung County, union officials reported.

"We see case after case where people are allowed to de-compensate without getting adequate care," said Cliff Zucker, executive director of Disability Advocates, an Albany organization that routinely visits prisons to help mentally ill inmates. "They have to start providing constitutionally adequate psychiatric care."

To de-compensate means to deteriorate mentally.

State: Deaths not linked to illness

State officials contend they are providing such care for the 1 in 10 inmates who is mentally ill and say the inmate deaths were not related to their illness.

"We do not believe that the unfortunate and regrettable deaths several years ago due to positional asphyxia are reflective of an inability of our officers to handle mentally ill inmates," said James Flateau, spokesman for the state Department of Correctional Services, which runs prisons.

Positional asphyxia is suffocation from being held in a way that inhibits breathing.

But Chandrowdi Persaud, a Guyana-born Bronx resident and Hardat Persaud's mother, faults the system for poor care of her son who, she said, belonged in a mental hospital, not in prison.

"They say, 'Next time, be more careful,' " Chandrowdi Persaud said, on the investigation that cleared officers but recommended better training. "They wasn't careful."

Hardat Persaud, 45, who had no prior arrests, had been convicted of assault for hitting his wife with a meat cleaver. He suffered from schizophrenia.

Today, guards are annually shown a five-minute videotape in proper methods of restraint. But other recommended measures have gone unheeded:

- In the death of Persaud, a Dutchess County grand jury recommended guards be told when inmates refuse medication -- as Persaud did -- that could lead to a dramatic deterioration in behavior. Although the measure draws qualified support among mental health groups, state officials contend it violates privacy laws.

The Persaud grand jury said inmates should be moved to special units the third time they refuse psychiatric medication, a measure the state declined to adopt. Instead, it wants to begin force - medicating certain inmates, which alarms legal and some mental health advocates.

- In the death of William Dean, 33, at Franklin Correctional Facility on Dec. 25, 1999, the state Commission of Correction, which investigates prison deaths, called for a review of "inadequate staffing levels" for mentally ill inmates in nine area prisons.

Although seven staffers were subsequently hired, advocates say severely mentally ill inmates are still left untended, including a recent case in which a psychotic inmate was left in his cell for four weeks, setting fires and refusing to eat.

Statewide, staffing increases in the 1990s did not keep pace with the rising number of mentally ill inmates, figures show.

- In the death of Devon Roberts, 33, in 2000 at Green Haven Correctional Facility in the Town of Beekman, the commission recommended disciplining mental health staff who failed to respond to eight "increasingly urgent" pleas for psychiatric help for the inmate. But mental health officials disagreed on the quality of Roberts' care and did not follow its recommendations.

For union officials and advocates for the mentally ill, the problems demonstrated by these cases are long-standing and ongoing, particularly when it comes to getting help for psychotic inmates.

"It's like a firecracker and you can't see the fuse is lit and all of a sudden it blows up," said Michael Ames, union steward at Southport prison, where six officers were hurt in January after an inmate's referral for psychiatric help got no response.

"It's not unusual," union spokes-man Dennis Fitzpatrick said, of guards' requests regarding psychiatric

care for inmates to be ignored.

State: Health care is good

While inmate lawyers and other frequent prison visitors supported such assertions -- and oversight reports in inmate suicides often cite lapses in care -- state officials say mental health care is good and getting better.

"If somebody needs services -- a referral, screening -- those services are available; there is no backlog," said Roger Klingman, a spokesman for the Office of Mental Health, which runs mental health programs in state prisons. He declined comment on the Southport case, citing confidentiality.

"Positional asphyxia," according to a training manual for correction officers, "occurs when a body position interferes with respiration, resulting in unconsciousness or death caused by lack of oxygen." In most cases, death results after weight is placed on the face-down person.

In 1995, after the positional asphyxia death of inmate Michael Bernardo, 41, at Auburn prison, correctional officials issued a two-page memo that was to be read at annual in-service training. But the Franklin County district attorney, who investigated Dean's death, found the memo "did not properly instruct staff on what positional asphyxia is and how it can be avoided."

In the Persaud case four years later, the grand jury report found one Fishkill officer "applied pressure to the inmate's back using his knee. ... No attempt was made to put the inmate in an upright position," which would have allowed breathing.

In the Dean case, similarly, the Correction Commission report states, "... all eight officers and the sergeant were observed to be on top of some part of Dean while he was in a prone position."

As a result of the videotape training, officers now know better.

"We don't lay anybody on their face anymore," said John Winant, a guard and former union official at Southport who has seen the training work. "It really has sunk in."

In addition to the training issue, two Commission of Correction reports faulted mental health care or policies leading up to the psychotic events.

In one week before his death, Roberts was seen at sick call 22 times, reporting "multiple severe somatic complaints, including facial numbness, palpations (sic), chest pain, heat intolerance and others," the commission's report reads. It concluded that mental health staff needed to review the treatment of panic disorder and should be disciplined for their failure to respond to eight referrals from medical personnel.

One medical note before Roberts' fatal altercation states ominously: "Lack of psych evaluation up to this point in time could eventually jeopardize the well-being of this patient."

The Office of Mental Health declined comment on the individual cases, citing confidentiality.

But in its response to the Commission of Correction, which is paraphrased in the commission's report, the agency disputed the commission's assertions, calling a nurse's evaluation of Roberts "minimally adequate." The agency also maintained there were only four referrals, one of which was answered the same day. In response, the commission "elected to stand by and reiterate its findings."

The commission's criticisms were similar in the death of Dean, a schizophrenic serving a maximum seven-year sentence for bribery and assault at Franklin prison. In the five months before his death,

Dean was seen only once by mental health staff, in violation of policies regarding patients on psychotropic medication, the report said.

When Dean became delusional a few days before his death, he was placed in a special unit for mentally ill inmates, but was released after two days without a thorough assessment, the commission stated. The psychiatrist who discharged Dean was disciplined, as recommended by the commission.

The Dean family is suing the state. "This is a case where someone has lost their life through no fault of their own," said the family's attorney, Lenox Hinds of Manhattan, noting Dean's history of illness "required a certain level and standard of care, and they failed to provide it."

Insufficient staff cited

In Dean's case, as in others, inadequate staffing was cited, which, advocates contend, contributes to recidivism. Joseph Glazer, president of the Mental Health Association in New York State, said: "Ninety-five percent of them will be out in 10 years. There's a very strong probability of them returning" if mental health problems are ignored.

In Persaud's death, the Dutchess County grand jury heard testimony from guards who believed they should have known of Persaud's refusal of medication, and the grand jury's report recommended informing guards.

In response, Office of Mental Health's Klingman said medication information would not be shared: "Mental health law is pretty specific about confidentiality." Prison spokesman Flateau agreed but said guards can be -- and are -- alerted to watch such inmates more closely.

"It would seem to me that relevant information (regarding medication refusal) should be available to correction department officers," said David See, president of the National Alliance for the Mentally Ill in New York, which has taken no official position on the issue.

But giving officers such information would be meaningless without training them in handling mentally ill inmates, Glazer said. "That's only a partial solution," he said.

Under preliminary plans, prison guards will receive special training this year in the symptoms of mental illness and securing help for inmates, Klingman said.

Under current policy, nurses are to document refusal of psychotropic medication and to report it to a physician or other staff. After three days, a physician is to see the inmate or give orders on what to do until the patient can be seen.

But the Dutchess grand jury recommended moving inmates to special units on the third refusal, when their condition would be expected to deteriorate.

Flateau said that "would not be a good idea. It should be a clinical judgment."

But inmate advocates said little effort is made when inmates refuse medications.

"Rather than work with prisoners," said Sarah Kerr, an attorney for the Prisoners Rights Project of New York City, "prisoners are inappropriately dropped from the OMH caseload ... with no interview by a psychiatrist."

That was the case in at least five suicides studied by the Journal from 1997 to September 2000. In a 1998 case, the commission wrote: "The abrupt discontinuance of his medication and his de facto discharge from service ... represents inadequate mental health care."

The problems highlighted by the positional asphyxia cases -- unanswered referrals, refused medication, too few staff -- are as prevalent now as when they occurred, mental health advocates and others said.

Betsy Sterling, an attorney for Prisoners Legal Services of New York, which is suing the state over conditions in several prisons, said prison log books often show entries in which corrections officers request psychiatric help for the same inmates over and over.

"They become very frustrated by the lack of response from mental health," she said. "There's just not sufficient care."

Union officials agree.

Prison officials, however, demur on the issue of referrals: "We believe OMH is very responsible," Flateau said.

In one case, a mentally ill inmate at Clinton Correctional Facility was left in his cell for four weeks last spring "in an extremely paranoid state, setting fires ... refusing to eat and smearing feces," according to a letter in October to state legislators from Disability Advocates, the Albany advocacy group.

Zucker, the organization's director, said the inmate, identified only by initials, received only brief visits from mental health staff, with no attempt made to move him to a psychiatric unit. "I wish it were an aberration," Zucker said of the case.

Special housing units used

Richard Miraglia, the Office of Mental Health's director of forensic services, asserted in a letter to Disability Advocates the inmate was an individual with a "complex clinical picture," who rejected medication and was not ill enough for involuntary hospital commitment. Because of behavioral problems, the inmate was in a special housing unit, or SHU. There, prisoners are locked up for 23 hours a day with few privileges or human contact, which, Miraglia said, limited mental health staff's access.

The irony is while care of the mentally ill is most difficult to deliver in special housing units -- therapists must talk to inmates through small door openings -- those are the units with the highest proportion of ill inmates.

At Southport, an all-SHU prison, about 1 in 5 inmates is mentally ill, twice the proportion generally. The New York Correctional Association called conditions at Southport "inhumane" following a visit last spring and likened it to a mini-mental ward but without the requisite care.

"People who are mentally ill end up in SHU prisons like Upstate (in Franklin County) or Southport, and that's an alternative to treatment," said Alison Coleman of Prison Families of New York, composed of prisoners' relatives.

"More and more mentally ill people are de-compensating while in solitary confinement and less and less concern is being expressed about those who suffer," said Jonathan E. Gradess, executive director of New York State Defenders Association, which represents public defenders. He disputed assertions things are improving.

In a review of prison suicides from 1998 to 2000, the Poughkeepsie Journal found a disproportionate number occurred in special housing units; in many suicides, mental health care was criticized by the Commission of Correction, the Journal previously reported. But as in the positional asphyxia cases, the commission's recommendations were often disputed or ignored.

"I don't think there's proper monitoring of inmate deaths; where they occur, why they occur and abuses that may occur," said Robert Gangi, executive director of the Correctional Association, citing the commission's failure to follow up on its findings.

"There's no effective quality assurance," said Nina Loewenstein, an attorney for Disability Advocates who visits prisons. "There's no effective oversight."

[Back to the Titles](#)

10 prisons to shut down small disciplinary cells

Sunday, March 10, 2002

By Mary Beth Pfeiffer
Poughkeepsie Journal

The disciplinary cells in 10 medium security prisons will be closed soon in what state prison officials say is a measure to save \$2.5 million annually to operate the so-called special housing units, or SHUs. "This provides us with the ability to close some of the old, small dilapidated SHUs that would require extensive renovation if used long-term," said James Flateau, spokesman for the state Department of Correctional Services.

The cells are controversial because they house a disproportionate share of mentally ill inmates whose conditions are believed to deteriorate under such harsh confinement. Inmates who break prison rules are confined 23 hours a day with little human contact or programming. The average 2001 sentence was five months, a figure that does not reflect multiple sentences common to the mentally ill.

Flateau said the move in no way reflected a rethinking of the role of the disciplinary units as a tool to keep order. Officials believe the units have contributed to a drop of 30 percent in staff assaults since 1995.

The 205 special housing unit beds that will be closed represent a small part of the approximately 3,500 such beds in the New York system. Since 1997, the state built eight 200-bed additions and one 1,200-bed special housing prison.

While precise figures for each unit are not available, about 30 to 40 percent of inmates in the Attica unit in Wyoming County are mentally ill, according to papers filed in a lawsuit challenging conditions there. At Southport, an all-special housing unit prison in Chemung County, about 1 in 5 inmates is mentally ill, twice the general population.

The prisons where special housing units will close are: Altona, Clinton County; Adirondack, Essex County; Collins, Erie County; Groveland, Livingston County; Mid-Orange and Otisville, Orange County; Mid-State, Oneida County; Mount McGregor, Saratoga County; Ogdensburg, St. Lawrence County, and Watertown, Jefferson County.

[Back to the Titles](#)

Sing Sing guard gets year in jail for killing 5 kittens

By JIM FITZGERALD
The Associated Press

WHITE PLAINS, N.Y. (AP) -- A former prison guard who crushed five kittens in a trash compactor at

Sing Sing was sentenced Friday to a year in jail by a judge who said the crime was "so offensive and so calculated and so gratuitously cruel it diminishes the humanity of everybody."

Ronald Hunlock, 48, had been convicted of aggravated cruelty to animals under a 3-year-old statute called "Buster's Law" for a cat that was doused with kerosene and set on fire.

Last March, Hunlock found an inmate with contraband at the Sing Sing Correctional Facility in Ossining. He then searched the inmate's cell, found five newborn kittens and their mother and ordered the inmate to put them in the compactor. When the inmate refused, Hunlock did it himself. The mother cat escaped but the kittens were crushed.

"I made a bad decision and I'm sorry," Hunlock told state Supreme Court Justice Kenneth Lange.

Defense attorney Daniel Gallivan asked the judge not to impose jail time, repeating his trial argument that Hunlock thought the cats were ill and had no other recourse.

But prosecutor Lynn Rosenthal demanded imprisonment and the judge said killing the cats was cruel "not only to the animals involved but to the inmate." He said he had received 10 letters calling for leniency and 468 urging the maximum sentence.

He acknowledged Hunlock's 20 years of service in prisons, "not an enviable job," but said the guard had crossed the line between keeping order and inflicting cruelty.

He sentenced Hunlock to one year for killing each of the kittens and one year for trying to kill the mother. He said the terms could be served concurrently.

Gallivan asked that Hunlock be kept in protective custody because he might be known to other inmates and Lange agreed to recommend it.

Several animal rights activists were in Westchester County Court for the sentencing. Diane Sautner of the animal rescue group Just Strays said the sentence was "too short. I'm happy he got sent to jail but I would have been happier with two years," the maximum.

"It was just a horrific thing and he never expressed remorse," she said.

Hunlock had been suspended without pay since he was charged and he officially lost his job upon sentencing. Gallivan said he was losing as much as half a million dollars in pensions.

Just before the Hunlock case came before him, Lange sentenced another man to five years probation for the same crime. Michael Johnson, 30, of Peekskill, stabbed his pit bull 30 times last year when it refused to leave with him after he argued with his girlfriend. Lange said the different sentences were due in part to Johnson's pleading guilty rather than insisting on a trial.

The dog, with 206 stitches, survived and was adopted, as was the cat that escaped the compactor at Sing Sing.

[Back to the Titles](#)

Arthur Kill inmate fails in escape try

Prisoner gets snagged on razor-wire fence; corrections union delegate says only inadequate staffing let him get that far

Friday, March 22, 2002

By MICHAEL SCHOLL
ADVANCE STAFF WRITER

A mad dash for freedom turned into a major hangup for an Arthur Kill Correctional Facility inmate yesterday when he became snagged in the Charleston prison's razor-wire fence.

Convicted robber Jose Roman, who was transferred to the Arthur Kill Road lockup only a few days ago, was nabbed by correction officers after he became snared atop the perimeter fence at the 1,000-bed state prison.

The escape bid landed the 40-year-old Roman in solitary confinement last night and will lead to a criminal prosecution that could add several more years to his prison stay. He was already serving nine years to life, and would have been eligible for parole next spring.

Roman was in the prison yard around 1:20 p.m. when "he decided to bolt for the fence," according to Department of Correctional Services spokeswoman Linda Foglia.

The medium-security prison is actually ringed by two fences, one on its outer perimeter and another a few feet closer to its interior. The fences are topped with razor ribbon and are about 20 feet high.

Roman managed to climb over the interior fence, but was snagged and held by the protective wire when he reached the top of the outer fence.

Correction officers spotted Roman and retrieved him with a cherry picker. He was later treated for minor injuries.

A subsequent head count revealed that all other prisoners were accounted for, Ms. Foglia said.

It was unclear why Roman tried to escape yesterday. He arrived at Arthur Kill on Sunday on a transfer from the medium-security Woodbourne Correctional Facility in upstate Sullivan County.

Roman was scheduled for a parole hearing in April 2003. His current prison stint began in 1994, when he was convicted of second-degree robbery in Queens.

Although Roman never made it off the prison's grounds yesterday, an official with the union representing Arthur Kill correction officers said the inmate wouldn't have gotten as far as he did if the prison was properly staffed.

"The jail is unsafe," said Glen O'Gilvie, a correction officer and delegate with the New York State Correctional Officers & Police Benevolent Association.

Roman's escape attempt took place near an unmanned watch tower, O'Gilvie said.

"That's why he was able to get that far over the fence," said O'Gilvie, one of about 300 correction officers assigned to the prison. "If it [the tower] was manned, he wouldn't have gotten that far."

Arthur Kill is understaffed because prison officials tend to skimp on overtime spending, O'Gilvie said, contending that officials would rather leave a guard post vacant than pay an officer overtime to fill in for a sick co-worker.

But Ms. Foglia said cutbacks in overtime had nothing to do with yesterday's escape attempt. She also said the prison's automated security systems worked properly and help prevent Roman from escaping.

The prison's perimeter alarm was automatically triggered when Roman climbed down from the interior fence, she said, and officers used surveillance cameras to quickly determine his location.

"The perimeter intrusion system worked," Ms. Foglia said.

O'Gilvie disputed that account and said the escape alarm wasn't sounded until a correction officer on a nearby watchtower saw Roman dangling from the top of the outer fence.

In any event, the prisoner was expected to be held in solitary confinement overnight. He will eventually be transferred to a maximum-security prison, Ms. Foglia said.

Roman faces criminal prosecution as a result of yesterday's escape. If convicted of attempted first-degree escape, he could be sentenced to an additional four years in prison.

He also faces internal departmental charges, Ms. Foglia said, and will likely find it much more difficult to win parole from his current sentence.

Until yesterday, Roman had a satisfactory disciplinary record while in prison. His most recent infraction occurred in 1997, when he refused a direct order from a correction officer, Ms. Foglia said.

Roman served two other stints in state prisons prior to his 1994 robbery conviction, she said.

Arthur Kill's inmates are "short-timers" -- prisoners within two years of their parole hearing -- so the risk of escape is considered minimal. Felons convicted of serious crimes, including murder, can be housed there toward the end of their sentences.

The last successful escape from the Arthur Kill took place on Valentine's Day, 1989, when two robbers hid in a garbage container that was later hauled away by a city Sanitation truck. They jumped off the truck when it reached the Fresh Kills landfill and hitched a ride on another vehicle, but one was recaptured the next day in the Bronx. The other was caught at a later date.

Two inmates escaped from the prison in December 1980 when they tunneled under a fence. They were recaptured in Brooklyn 18 days later.



Please sign My Guest Book - I like to know my Visitors

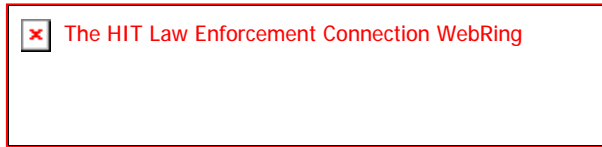
[Sign My Guest book](#)



[View My Guest book](#)

LINKS WITHIN MY SITE:

[ACOAP](#) * [All States DOCS](#) * [Facility Addresses](#) * [Forgotten Cop](#)
* [Gang Pages](#) * [History Pages](#) * [Index](#) * [In Memory](#)
* [My Links](#) * [NY Online Newspapers](#) * [News Articles](#) * [Site Map](#)
* [Spanish in the Correctional Settings Want a Web Page?](#)



This [HIT Law Enforcement Connection Ring](#) site is owned by [Edward Kasper](#)
[Next Page](#) | [Skip It](#) | [Next 5](#) | [Previous](#) | [Random](#)
Want to join the ring? Get the [information](#).



ICQ #2811842

