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Group wants prison guards to be represented by Teamsters.

By SEANNA ADCOX
Associated Press Writer

May 31, 2002, 3:19 PM EDT

ALBANY, N.Y. -- State prison guards could soon be represented by the Teamsters union under an effort begun Friday.

About 15 members of the New York State Correctional Officers and Police Benevolent Association (NYSCOPBA) signed cards at the Albany Labor Temple after announcing their intention to decertify the 3-year-old union. The insurgents claim their union ignores grievances and lacks clout.

They want to reorganize as the Benevolent Law Enforcement Union (BLEU), a local of the Washington-based International Brotherhood of Teamsters.

"This will enable us to bring back pride and respect to our members that have been lacking over the last three years," said Bob White, a guard at Mohawk Correction Facility in Oneida County who is acting as president of the proposed bargaining unit. "As a stand-alone association, you don't have the support you need."

To schedule a vote to decertify the union, organizers must secure the signatures from 30 percent of 26,000 members by Aug. 31.

After visiting prisons statewide over the last year, gauging officers' interest in leaving NYSCOPBA, he is confident that members will vote to be placed under the Teamsters' "umbrella."

One of the world's largest labor unions, the Teamsters have 1.4 million members in 568 Teamster

locals throughout the U.S., Canada and Puerto Rico.

"The magic word is Teamsters," White said. "They give respect to their members. They fight issues with respect, and they're respected across the country."

But NYSCOPBA officials vow to fight back.

"This is nothing more than a shakedown attempt to divert union dues paid by New York state employees to projects that have nothing to do with us," said NYSCOPBA President Brian Shanagher. "We will not go back to the contracts of old and give up the progress we have made."

NYSCOPBA won the right to bargain with the state after a 1999 vote that usurped the 30-year-old Council 82 unit. Insurgents complained that Council 82 had not gotten them large-enough pay increases and that the \$2 million-plus in annual Council 82 dues were being forwarded to its parent union, the American Federation of State, County and Municipal Employees.

But NYSCOPBA, its members without a contract since April 1, 1999, failed to reach an agreement with the Pataki administration on a new, four-year contract until October 2000.

While without a contract, dissatisfied members tried to petition for a new vote but failed. Shanagher claims the latest revolt is organized by former Council 82 officials who lost in 1999.

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Teamsters mounts threat to prison guard's union

By JOHN MILGRIM Ottaway News Service

ALBANY - A new union backed by the Teamsters began the process Friday of trying to oust the organization now representing about 22,000 state-prison correction officers.

The new Benevolent Law Enforcement Union is moving to replace the New York State Correctional Officers and Police Benevolent Association, which itself replaced the Council 82 union in 1999.

NYSCOPBA President Brian Shanagher said the challenge is coming from disgruntled former Council 82 officials, who also brought a failed challenge in 2000.

"What are they doing, putting perfume on a pig and trying to sell it back to us?" Shanagher said. "The bottom line is nobody wants them. They can't get the signatures."

In all, NYSCOPBA represents about 26,000 members, including correction officers, State University police, Environmental Conservation police and other state security and enforcement divisions.

Robert White, acting president of BLEU and a guard at Mohawk Correctional Facility in Oneida County, said the main reasons he wants change are that grievances are ignored and "the lack of respect to members in the facilities."

He was joined Friday by about a dozen other NYSCOPBA members at the Albany Teamsters' headquarters to start a drive to get 30 percent of the NYSCOPBA membership to bring the matter to a vote.

Andrew Guynup, a correction officer at Clinton Correctional in Dannemora, was among them. He was the local representative there under Council 82.

"They (NYSCOPBA) promised them everything they wanted to hear" but didn't deliver, Guynup said.

White also tried to organize a new union in 2000 but failed. He said that was because he wasn't affiliated with the International Brotherhood of Teamsters at the time.

"The magic word is Teamsters," White said. "They give respect to their members. They fight issues with respect, and they're respected across the country."

Shanagher said the Teamsters affiliation alone should be enough to keep members from wanting to switch.

"Today, yet another group affiliated with the AFL-CIO has announced their desire to overthrow the independence of NYSCOPBA in an attempt to divert our member dues to fund a bloated Washington headquarters," he said Friday.

The Teamsters have 1.4 million members in the United States, Canada and Puerto Rico.

NYSCOPBA is being challenged separately by new leadership in Council 82 for all the non-correction-officer members.

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Inside a Modern Death Row, the Prisoners Can Only Wait

By WILLIAM GLABERSON

DANNEMORA, N.Y. - There are six of them in cells that are always locked along a gray corridor. Separated by cement block walls, they wait for their appeals. Or for a lethal injection.

The condemned men on New York's death row spend 23 hours every day in the 72-square-foot cells that face that corridor. They do not spend time together. They are fed their meals in their cells. Video cameras watch their every move, including when they use the toilet.

Before the current group of death row inmates, the state last held a prisoner facing execution in 1984. As a result, correction officials have had to reinvent the institution of death row that many people know only through gritty images from old movies.

For New York's condemned men, it is a monochrome life in a place apart from the strained routines of even the most stringent prisons. These six cannot hold jobs. The televisions in their cells are black and white. When they talk about a Scrabble game or the Mets, they must shout through the bars.

An hour of daily exercise takes place in an empty prison yard with no gym equipment. "I feel like a lab rat walking around in a circle," Stephen LaValle, a convicted murderer and rapist, said through a plexiglass divider in what prison officials said was the first interview on death row here.

Officially known as the Unit for Condemned Prisoners, the long corridor at the big prison here near the Canadian border has been a nearly forgotten place since it was opened after the enactment of the state's new death penalty law in 1995. Last month the case of Darrel K. Harris, who became the new unit's first resident, reached the state's highest court, the Court of Appeals.

But a rare picture of life on New York's death row has emerged recently because of the interview with Mr. LaValle, an exchange of letters between a reporter and Mr. Harris, interviews with several of the few visitors who have been allowed here, and newly released letters and reports.

"I remember one of them saying, 'We feel like we are already dead,'" said Jennifer R. Wynn, one of the few people known to have been given full access to the unit, as a prison monitor for the Correctional Association of New York, a nonprofit watchdog group.

This glimpse of one of the country's newest death rows helps show how New York correction officials are dealing with questions that have no consistent answer nationally: how should those sentenced to the ultimate punishment be treated while they wait to die?

In the recent exchange of letters, Mr. Harris, who was convicted in 1998 of killing three people at a Brooklyn social club two years before, described a regimented schedule with little to fill the hours: Breakfast at 7:30, dinner at 4:30. In between there is exercise, television and lunch at noon.

Sometimes, he said, "I'll read a novel then take a nap." He often studies the Bible, he said. He watches "The West Wing" and "Dawson's Creek."

Mr. Harris, 44, was asked how much contact he has with other people. "None whatsoever," he answered.

Mr. LaValle, 35, saw a reporter for two hours in the tiny visiting room where he sees his mother and sister every two months when they drive up from Long Island to see him. Prison officials strictly limit regular authorized visitors to lawyers, immediate family and those with whom the inmate has had "a long-term personal relationship." Provisions are made for media visits, and Mr. LaValle consented to an interview.

The others on death row - James Cahill, Angel Luis Mateo, Robert Shulman and Nicholson McCoy - did not respond to requests for an interview.

The inmates, whose average age is 40, see visitors from behind a plastic window in a metal wall. The metal wall divides a small room that resembles a closet connected to the back of each cell. The inmates enter the area through an electronically controlled door. The inmate's portion of the room also contains the shower stall he is permitted to use three times a week. The stall has no curtain.

A small metal grid in the plexiglass allows inmates and visitors to hear each other. Mr. LaValle said his mother and sister cry when they visit. But the plexiglass, and the rules of death row, forbid them from touching.

"I can't hug my mom and tell her, 'Mom, I love you,'" he said. "It's very frustrating." He was convicted of raping and stabbing more than 70 times a 32-year-old woman named Cynthia Quinn, of Medford, a mother of two.

State officials say the rules for the death row at Clinton Correctional Facility minimize security problems and the risk of suicide. "These are people who have been convicted of especially heinous murders and who have nothing to lose by attacking each other, themselves or, worse, our staff," said James Flateau, the spokesman for the New York State Department of Correctional Services.

Several groups have recently raised questions about the living conditions on the state's death row. In September, a committee of the Association of the Bar of the City of New York published the first comprehensive report, and its main author, David S. Hammer, called New York's death row "one of the harshest in the country."

In an analysis to be released later this month, which was provided for this article, the Correctional Association, the watchdog group, concluded that death row was a more restrictive environment than the disciplinary units the state established to house the most violent criminals who commit new offenses in prison.

Those groups and civil lawyers at the law firm of Sullivan & Cromwell, who represent three of the inmates, point out that no one has tried to escape from death row or committed violent assaults in the unit.

Mr. Flateau, the correction department spokesman, said the lack of violent incidents showed that the restrictions worked. "The reason they are so well behaved," he said, "is that they do not have the opportunity not to be."

Mr. Flateau said none of the department's top officials would answer questions about death row and declined to provide a reporter a full tour of the unit "for reasons related to security."

But letters between the lawyers for the inmates and a top correction official, which were provided by the lawyers, showed how the state is evaluating - and in some cases re-evaluating - the death row rules.

The inmates' lawyers said last summer that they were considering a suit claiming violations of the inmates' constitutional rights. Anthony J. Annucci, a deputy correction commissioner, responded that the rules were in line with national practices. He took issue with the lawyers' assertions that the men were in solitary confinement, saying they can interact with correction officers, chaplains and others.

Still, the state has retreated on several points, the correspondence shows. The officials, for example, recently stopped flooding the cells with bright fluorescent light 24 hours a day. The inmates said the light had made it impossible for them to sleep.

Prison officials maintained that they needed that light to maintain the video surveillance. They recently switched to infrared light, which by all accounts has permitted more normal sleeping conditions.

That appears to be where the line is drawn. In a January letter, Mr. Annucci defended rules that keep visiting lawyers and their death row clients separate and require them to be watched by video cameras. One reason, he suggested, was that lawyers might help their clients with escape plans. "The person closest to the inmate may very well be his attorney," he wrote.

Through the plexiglass wall, Mr. LaValle said the inmates adapt. They have numbered every square and every piece on Scrabble boards to shout out moves through the bars to another inmate with a similarly marked set.

The men rarely see each other's faces. But when they exercise, two men are taken out at a time. Each is placed in a yard, surrounded by prison walls and barbed wire and divided by a wooden wall.

One man is placed on each side of the wall. Usually, Mr. LaValle said, he spends his hour walking in circles or doing some of the thousands of push-ups he does every day.

But there are spaces the width of a pencil between each wooden slat. Sometimes, Mr. LaValle said, two condemned men face each other for an unusual talk about sports, or their appeals. "You can make eye contact," he said.

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Pataki, prison employees honored at ceremony

By DAMITA CHAMBERS
Associated Press Writer

June 4, 2002, 5:15 PM EDT

ALBANY, N.Y. -- Gov. George Pataki, speaking at a ceremony Tuesday honoring state prison employees who died in the line of duty, assured relatives of the 1971 Attica state prison riot that "your voices will be heard."

"Just as we will never forget the family members of Sept. 11, we can never forget the family members of Sept. 13 or those who have lost their loved ones in the line of duty," Pataki told people gathered at the state prison guards' training academy in Albany.

On Sept. 13, 1971, police and corrections officers fired more than 2,000 rounds of ammunition in six minutes to quell the inmate riot at the maximum-security prison near Buffalo. In all, 11 correction officers and 32 inmates died _ all but four shot by authorities.

Pataki appointed an Attica Task Force last year to allow members of a group called The Forgotten Victims of Attica to voice their concerns. The task force met with survivors and their families earlier this month.

"Let me tell you ... your voices will be heard, and this state will respond. It is long overdue," Pataki said.

Forgotten Victims seeks an apology from the state, greater access to records, counseling for members still affected by the riot and permission to continue holding an annual memorial service at the Attica monument to the 11 dead state employees.

Ann Driscoll, widow of Attica Correction Officer John D'Arcangelo, said, "I'm just thrilled. He remembered us. Because it took so long for the department or the state to recognize people like my husband John, it's very important to me that everyone knows that they're really heroes."

The names of 33 state prison employees who have died on duty were read as officers saluted and relatives wept. Family members laid white carnations at a memorial for fallen officers.

The first guard to fall in the line of duty died in 1861 at Clinton state prison. The most recent fatality involved Corrections Officer Frank Mydlarz, who suffered a fatal heart attack in 1999 after subduing an inmate at Great Meadow state prison.

"It's critical that we never forget the 33 brave correction officers who died helping to make our streets safe," Pataki said.

Four other state prison employees were honored at the ceremony for bravery on the job last year, including Mark Battaglia, a plant utility engineer at the Wende Correctional Facility near Buffalo. He helped defend a police sergeant against a violent motorist who he stopped.

Pataki was also awarded a Medal of Honor, the highest award from the state Department of Correctional Services. He became the first governor to win the award.

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Letters to the editor

Printed in the Times Herald Record - June 9, 2002

Protect jail guards

What if a police officer in your neighborhood approached an individual to tell him that he shouldn't loiter in a certain area and upon returning to his police vehicle was viciously attacked by the individual with a box-cutter type razor?

Would the public be outraged? Would they be calling for the state to provide protective equipment for all police officers so that this tragedy could not reoccur? Does it make a difference to you to learn that this incident that was described did occur but to a New York State correction officer inside Downstate Correctional Facility in Fishkill?

The officer was brutally assaulted from behind with a razor and received a wound that required approximately 30 stitches to close.

If you feel the same outrage that I do, please let it be known to your state legislators. We must protect those who protect the public.

Michael Mazzella
Newburgh
(Note: The record chooses the Headline to the Letter)

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Teamsters Tackle State Cos' Union

By Richard Steier

Three years after state correction officers joined with other law-enforcement personnel in disaffiliating from a Washington-based union to become an independent outfit, a dissident group is seeking to decertify the organization and affiliate with the International Brotherhood of Teamsters.

The Teamster-backed group is headed by Bob White, a veteran correction officer who had been a union official with the since-forsaken Council 82 of the American Federation of State, Council and Municipal Employees.

Shakedown Attempt

While Mr. White contended last week that the independent New York State Correctional Officers and Police Benevolent Association had none of Council 82's clout and had failed to provide adequate representation in grievance and arbitration cases, NYSCOPBA President Brian Shanagher branded the decertification move "a shakedown attempt to divert union dues paid by New York State employees to projects that have nothing to do with us."

Mr. White's group, which is calling itself the Benevolent Law Enforcement Union (BLEU), has until Aug. 31 to present the Public Employment Relations Board with the signatures of at least 30 percent of NYSCOPBA's roughly 25,000 members. If BLEU produced a sufficient show of interest to withstand challenges by NYSCOPBA, then a representation election would be held.

Mr. White said during a May 31 phone interview following the Albany press conference at which he announced the decertification move that AFSCME had previously indicated that it had no intention of seeking to regain representation rights.

He said he had persuaded John Bulgaro, who heads the Albany-based Teamster's Local 294, to join him in the effort to bring NYSCOPBA members under the Teamster banner. He expects to meet shortly with Carl Haynes, the Teamsters Local 237 president who also heads the national union's Public

Employee Division.

A spokesman for Mr. Shanagher, Dennis Fitzpatrick, dismissed the notion that the Teamster name had an aura that would lure members into breaking with NYSCOPBA. "Members realize the AFL-CIO is losing members incrementally," Mr. Fitzpatrick said. NYSCOPBA was just one of the law-enforcement unions in 19 states which over the past two decades left AFL-CIO affiliates – which both AFSCME and the IBT are – to become independent, he said.

"In 30 years, the AFL-CIO could not have accomplished what we did in three years," Mr. Fitzpatrick said.

Contract Key Issue

During the disaffiliation push three years ago, a driving force was rank-and-file discontent that despite being law-enforcement officers, they were being held to the same contract pattern as was applied to state civilian employees. Mr. Shanagher used the promise of obtaining a "law-enforcement contract" as his rallying cry both in the decertification vote in April 1999 and his run for president a couple of months later.

Mr. White charged that the contract Mr. Shanagher produced during the most recent round of bargaining failed to break out of the mold set by the two largest unions of civilian state employees, the Civil Service Employees' Association and the Public Employees' Federation, providing wage hikes of about 13 percent over four years. The annual value of those increases fell short of what was negotiated by the union representing State Troopers.

While NYSCOPBA hailed a law that gave it the right to seek binding arbitration for future contract disputes, Mr. White called it a limited victory on two counts. The law only applies to correction officers, he noted, which excludes NYSCOPBA members including Forest Rangers, Environmental Conservation Officers, Hospital Treatment Assistants and Campus Police Officers at the State University. He also noted that arbitration rights do not guarantee contract parity with State Troopers; they merely level the playing field and offer an avenue for resolving a bargaining dispute.

Gained Differential

Mr. Fitzpatrick countered, however, that the legislation improved the union's chances of breaking out of the patterns applied to civilian employee negotiations. He also contended that while the pay raises did not exceed those of the CSEA and PEF, NYSCOPBA made several significant gains after its initial deal was rejected by the membership. He cited a law-enforcement differential which he said would amount to \$1,750 annually and an increase of \$1,000 in the longevity differential for union members with at least 20 years on the job.

"We made sure that health insurance coverage was continued during suspensions... and when you were out of Workers' Comp. Time," Mr. Fitzpatrick added.

Mr. White said there have also been widespread complaints by members about a lack of servicing by NYSCOPBA. "The past three years there's been a loss of respect for membership by management at the grievance and arbitration levels," he said.

Mr. Fitzpatrick disputed that claim. He said that NYSCOPBA's officers inherited 1,600 pending grievances from Council 82 and had successfully whittled down the backlog, in the process winning cash awards on some cases that had languished for nearly a decade.

Mr. White said that after serving as a chief sector steward for NYSCOPBA during the past year, he sensed enough discontentment to push for decertification. A onetime president of Council 82's Mohawk Correctional Facility chapter, he decided against opposing Mr. Shanagher in next month's

election, convinced it would be impossible to improve the union under the current framework.

"Teamsters Are Fighters" But Mr. Shanagher in his statement suggested his members wouldn't buy that line. "We will not send millions to Washington to get nothing," he stated. "We will not give up the progress of the past three years in gaining the recognition we have deserved as law-enforcement professionals, each title with its own specialty."

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GLASDALE: HELL'S GATE

Take a walk on the dark side of our nation's prisons. Enter, if you will, into.....

GLASDALE: HELL'S GATE

The Fictional Novel

The authors of "Glasdale: Hell's Gate", the newly-released prison-based, adult fictional novel that is taking the country by storm, wish to welcome you to the book's site. The second you open "Glasdale", you will refuse to close it until you have read it from cover to cover. It will keep you on the edge of your seat, wondering what will happen next.

About the Authors

Robert E. Digges, Jr. is a 22-year veteran Correctional Officer of our nation's prison system. He was born in Chicago, Illinois and is the author of the non-fiction prison-based book, "Behind the Walls: A Correctional Officer's Story". He has written contributions for numerous law enforcement publications. Mr. Digges is also certified as a Special Intelligence Team Supervisor and a Correctional Institution Inspector. Marlon R. Vines, born in Arab, Alabama, is a 10-year veteran Correctional Officer and has also written for various law enforcement publications.

About the Book

Journey deep into the bowels of Glasdale State Prison, named "Hell's Gate" by the ones who are unfortunate enough to become residents within the razor wire topped fences, the high-tech brainchild of apathetic politicians on their way to the top. State Bureau Agent Steve Brannon is placed undercover, posing as an inmate in Glasdale State Prison to gain information on another inmate, one of the state's biggest drug dealers. Unknown to Agent Brannon, the ones who have placed him undercover have reason not to want him to come back out again, therefore they deny any knowledge of his existence or of his mission. Follow Melanie Brannon as she attempts to solve the mystery of her husband's disappearance. Follow Steve Brannon as he is faced with challenge after challenge in his effort to regain his identity and his freedom from Hell's Gate. Step into Glasdale. Many will enter. Few will leave.

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State Correction Honors 4 Heroic Staff Members

Two state correction officers June 4 received the highest honor bestowed by the Department of Correctional Services for subduing inmates who had engaged in violent attacks, one against a fellow officer, the other against another inmate.

The ceremony, presided over by Governor Pataki at the DOCS Albany Training Academy campus, also featured the presentation of medals to two employees for heroic actions away from their jobs.

Medal Winners

The Medal of Honor was given to Correction Sgt. Jeffrey Haines of Coxsackie Correctional Facility for stopping a vicious assault by one inmate against another and to Correctional Officer Paul MacNeil of the Wende Correctional Facility for rescuing an officer who had been knocked unconscious by an inmate.

Another Wende employee, Plant Utility Engineer Mark Battaglia, received the department's Medal of Merit for assisting a Town of LeRoy Police Officer who was being assaulted by a motorist he had stopped. The same honor was conferred upon Officer Clinton Stevens of Washington Correctional Facility for crossing weakening ice on Lake George to help rescue a man who had fallen through.

Mr. Pataki became the first Governor to receive DOCS's Medal of Honor. Commissioner Glenn S. Goord credited him for improving prison security by, among other things, providing programs for inmates that reduced tensions in facilities and reducing overcrowding by allowing for the early release of 44,000 nonviolent offenders for good behavior.

Mr. Goord also praised Governor Pataki for including in the 1995 law reinstating the death penalty a provision that applied to inmates who killed correctional officers.

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New Bill Aims to Help Battered Female Cons

ALBANY

Women serving prison sentences for assaulting or killing their batterers would become eligible for work-release programs under a bill passed by the state Legislature.

"It's a major victory for women who fought back against their abusers, who want a second chance at a productive life," said Assembly sponsor Scott Stringer (D-Manhattan) yesterday.

About 100 inmates would be affected once the bill is signed by Gov. Pataki, who supports the measure. The state correction commissioner would approve releases case by case. Eligible convicts would have no prior arrest record.

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Prison's dairy barn burns

6/25/02

Clinton Correctional was primary milk operation for upstate prisons

By ANNA JOLLY, Contributing Writer

DANNEMORA - Smoke could be seen for miles as fire consumed the dairy barn at Clinton Correctional Facility Monday afternoon.

Clinton Correctional fire crews were still working Monday night to extinguish the blaze.

Dannemora Fire Chief Byron Wing said while the fire was under control, he expected it to burn all night. He is unsure of a cause, but the building was a total loss.

About 15 regular and inmate staff were evacuated when the blaze was discovered; no one was injured. The 100 milking cows and 150 other cattle were in a nearby field and all survived the fire.

"It started somewhere in the middle (of the barn) and the wind pushed it through a little," Wing said.

An inmate working in the barn first saw the fire and notified a supervisor around 1:15 p.m. Crews from Dannemora, Cadyville and Saranac, among others, arrived shortly after.

The building is located at the top of a hill on Mountain View Road, just off Cook Street in Dannemora.

Wing said water had to be pumped up the hill, which made the work especially tiring.

"It was a pretty hot fire," he said. "Barns usually go pretty quickly."

Daniel Senkowski, superintendent of Clinton Correctional, arrived shortly after fire had consumed the structure.

Senkowski said workers were trying to find local farmers who could milk and care for the cows. He said the dairy farm facility is the main milk-making operation for prisons in upstate New York.

"It makes me heartsick," Senkowski said. "We took a lot of pride in our operation."

He did not have a damage estimate, but said the facility was valuable enough to reconstruct.

"We'll rebuild ourselves. It's cost-effective for us to rebuild."

He also said he was grateful no one was injured in the blaze.

Fire crews were able to save a barn in back of the main facility and a partially constructed barn across the street was not damaged.

When Village of Dannemora Historian Pete Light saw the smoke he rushed to take pictures of the fire.

Light said the barn was built in the early 1940s and the land has been owned by New York state since the prison opened in 1845. He said the barn was a unique period piece with a slate roof and crown

moldings.

"It's a big loss today," Light said. "You don't see that kind of building anymore."

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Correction officer runs for legislature

CHEMUNG COUNTY

Denny Middaugh, a correction officer at the Elmira Correctional Facility, has announced he is running for the 12th District seat on the Chemung County Legislature.

Middaugh, 53, of Southport Street in Elmira, has been endorsed by the city Democratic Committee. Incumbent Republican Richard Milazzo, of West Avenue, said Wednesday night that he would seek a fourth four-year term this fall.

Middaugh has not run for public office in the past, but he has been active in union politics on the local and state level for Council 82 and the American Federation of State, County and Municipal Employees.

Middaugh said he wants to improve the lines of communication between the legislature and residents, and he wants lawmakers to help push for more events at the Coach USA Center.

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Prison watchdog group slams New York's system

Albany -- Report decries treatment of prisoners; state officials denounce attack as political, unfair, biased

By JAMES M. ODATO, Capitol bureau
First published: Friday, June 28, 2002

New York's 71 prisons, fraught with mentally ill, idle prisoners and misbehaving, underpaid correctional officers, must be downsized while vocational services and drug treatment programs are boosted, a new report says.

Slammed for its anti-administration bias by the state Department of Corrections, the report by the Correctional Association of New York touts recommendations that include the group's push to repeal the Rockefeller Drug Laws.

"It's not a muckraking document," said Assembly Corrections Committee Chairman Jeffrion Aubry, D-East Elmhurst. "If we don't treat (inmates) appropriately and we release them there is a concern."

The report, based on first-hand visits to 25 prisons between 1998 and 2001, says that in most maximum security prisons, 30 to 60 percent of inmates locked 23 hours a day in special housing units are mentally ill. One member of the association's visiting team indicated that Coxsackie Correctional Facility has "the most depressing SHU he had seen, so cut off were the inmates from the outside world."

Robert Gangi, executive director of the association, said "98 percent of the men and women in prison

are going to be returning to the community; we should be doing more with them."

The findings reflect the association's traditional concerns: a prison population of poorly educated people and drug abusers, many HIV-infected inmates and questionable medical care, and growing use of SHUs.

The report also indicates that correctional officers use derisive and racist language, harass and abuse prisoners, are underpaid and are denied necessary training.

Corrections Commissioner Glenn Goord said a response to the report would waste taxpayers' dollars. In a four-page press release, he said the association offers poor suggestions and fails to recognize a sharp increase in vocational enrollments, library usage, diplomas and drug treatment participation.

He said use of SHUs -- a total of 3,450 cells built by the Pataki administration -- has cut violence, assaults, weapons possessions and contraband. He also said 505 inmates -- 23 percent of the 2,235 in maximum security disciplinary units -- are diagnosed as mentally ill. Since 1995, 47,765 prison employees have received mental health training, and all maximum-security personnel get such training annually.

Goord said the association was using four-year-old material for political purposes in an election-year. Gangi insisted the problems are pervasive and ongoing.

Denny Fitzpatrick, a spokesman for the New York State Corrections Officers and Police Benevolent Association, said Gangi's group was wrong to criticize the use of the disciplinary units because they have helped make prisons safer.

He agreed correction officers suffer low morale and are underpaid, but said they are not getting away with misconduct.

"Groups come in there and spend a day or two days ... They don't live it every day," he said. "It's just not fair."

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Attica inmate shot by guard during melee in yard

By ANGELICA MORRISON
News Staff Reporter
7/5/2002

A fight at the Attica Correctional Facility Wednesday night ended when a corrections officer shot one of the combatants in the buttocks, but not before two inmates stabbed each other.

The violence erupted when about 10 inmates began fighting with each other, according to James Flateau, spokesman for the Department of Correctional Services. Officers were able to stop that fight, but two of the men apparently broke off and fought each other.

With about 180 inmates in the yard, one officer in a tower released tear gas. After that didn't work, another officer in a second tower fired an AR-15 rifle and hit Rodney Little in the buttocks. No officers were hurt. A homemade knife was used during the fight. "It was an aggressive, deadly fight, one of the most violent I've seen in my 12 years working at Attica Correctional Facility," said Corrections Officer Fred Kintzel Sr.

Flateau said the inmate was shot after both men had ignored repeated verbal warnings, tear gas and warning shots. Little was treated at the Erie County Medical Center for multiple stab wounds to his kidney, bladder, right side and left shoulder, as well as the bullet wound. He was in intensive care Thursday, listed in serious condition. The 37-year-old inmate is serving seven to 14 years for rape, sexual assault and robbery charges from Brooklyn.

According to state police officials, the other inmate, whom they refused to identify, suffered no major injuries and was placed under confinement, pending an internal hearing. Charges against both of the inmates are pending. The two officers involved in the incident also are under investigation, Flateau said.

Flateau said Wednesday's incident marked the first time a corrections officer had shot at an inmate at Attica since 1984. In that case, an inmate who was beating another inmate with a bat, was shot in the shoulder.

Officials attributed the violence to the heat wave Western New York has been experiencing. "It's normal for summer weather and the recent heat wave to precipitate violence in New York's Correctional Facilities. Gang activity for control over drugs and extortion also adds to the dangerous mix of hot weather," said Rick Harcrow, a corrections officer and spokesperson for the corrections officers' union at Attica prison.

Although this was the first shooting in nearly 20 years, the use of tear gas to control inmates is more common. As recently as May 18, tear gas was used to stop a 20-inmate fight. According to Flateau, tighter prosecution laws for inmates has helped keep some of the violence down.

He noted that in 2001, the rate of inmate-on-inmate assaults in state prisons was the lowest in 20 years. "We're prosecuting more inmates for misbehavior in prisons, but that does not detract from the fact that prisons are prisons, and the staff did the appropriate thing and acted professionally and appropriately," he said.

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Attica inmate violence is rising

By SANDRA TAN and ANGELICA MORRISON
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The troubles at the Attica Correctional Facility that led to the shooting of an inmate Wednesday night are the latest sign of escalating violence at the maximum-security prison over the last two months. During a two-week period in mid-May, according to corrections officers, gang wars led to at least five inmate stabbings or slashings, three of which occurred on consecutive days.

In that same period, one officer was physically assaulted by an inmate, and another had human excrement thrown on him, said Attica corrections officer Richard Harcrow, a union steward with the New York State Correctional Officers and Police Benevolent Association.

And Attica isn't the only area facility with serious problems, officers say. A large cache of weapons made by inmates was found in the prison yards of the Wyoming County Correctional Facility just this week.

"The numbers are a cause for worry," Harcrow said. "You're always concerned that something's going to happen. Just because you put people behind a 40-foot wall doesn't mean they're problem-free."

Attica's violent reputation

Attica's reputation as a violent facility was made 30 years ago when it became the scene of the nation's deadliest prison uprising. Since then, corrections officers have sought to bring more exposure to the potential hazards they face on the job.

Recent conflicts at Attica subsided in June but flared up again on Wednesday when a group of inmates got into a fight that led to more minor injuries, said Fred Kintzel Sr., a corrections officer and union steward who witnessed the events.

The instigators with the weapons were immediately removed and confined, but two other men produced homemade weapons 10 minutes later and began viciously attacking one another, Kintzel said.

The inmates continued to fight for a few minutes, ignoring the tear gas and a warning shot as they came at each other with slashing and jabbing gestures, Kintzel said. One of the men was wounded and had blood soaking through his shirt, he said.

"These inmates were so intent on doing deadly physical harm that they were oblivious to what was going on around them," he said.

Though corrections officers sometimes physically intervene in such fights, Kintzel said it was clear they would have been seriously harmed if they'd tried to step in this time.

Because of the position of the inmates, the officer who had fired the warning round was unable to get a clear shot at inmate Rodney Littles. Another officer above the compound then fired, shooting Littles in the buttocks, said Kintzel, describing the series of officer interventions as "textbook."

Littles, 37, was taken to Erie County Medical Center for multiple stab wounds to his kidney, bladder, right side and left shoulder, as well as the bullet wound. He remained in serious condition in the intensive care unit Friday.

The other inmate, Thomas Webb, 33, suffered minor wounds and was treated in the prison infirmary. He was confined in isolation.

Charges are pending against both inmates, and the two officers who intervened in the incident are under investigation, Department of Correctional Services spokesman James Flateau said earlier.

Flateau could not be reached to comment Friday.

Gang rivalry a concern

Corrections officers said that nearly all of the violent incidents at Attica recently were among inmates in the same cell block - "A". Attica has four major cell blocks, each holding about 480 inmates.

Concerns about rival gang factions, many of which are divided by race, has continued to grow in A Block over the past few months, Harcrow said, though it was not clear whether the most recent attack was gang related.

New inmates typically align themselves with one prison gang or another early on for self-protection, he said.

"Whatever gangs you have on the outside you have on the inside," he said. "You actually probably have more on the inside because of the higher concentration of gang members."

Harcrow said he doesn't believe the state Department of Correctional Services is taking a serious enough look at problems at Attica.

He noted that Flateau, the department spokesman, said an inmate hadn't been shot at Attica in 20 years. But in fact, Harcrow said, an inmate was shot in the hand in 1997 after he ran across the prison yard holding a knife and ignored warnings to stop.

The weapons typically used in violent altercations, such as the ones used Wednesday, consist of pieces of metal that are smuggled into inmate cells, sharpened and attached to handmade handles.

Harcrow said he's seen crude weapons fashioned in Attica's prison with metal pieces broken off a locker or a mop bucket handle, then sharpened by rubbing them against a cell floor or bars. Often, he added, inmates wrap tape or pieces of a bedsheet or pillow case around the metal to create handles for their weapons, he said.

Higher ranking union officials say Attica isn't the only area facility where inmate weapons are becoming a threat to both corrections officers and inmates.

A total of 33 handmade weapons were found Tuesday and Wednesday at the neighboring Wyoming County facility, a medium-security prison, officers reported, as new gang activity from the notorious Bloods and Crips has begun filtering into the prison.

"There are so many weapons that come out in different styles," said Grant Marin, union vice president. "They can be ice picks. They can be razors taped to a toothbrush to cut the guy's face up, plexiglass from the various shops as well as the metal."

Inmate alerted officers

One corrections officer, who asked not to be identified, said employees made a sweep of the facility after one of the inmates who felt threatened tipped off officers to the hidden weapons.

"We find them from time to time, but this number in a short period of time is unheard of since 1993, where there was a major stabbing," he said. "It seems like we're starting back into a cycle where we get violent inmates and gangs and stuff. That caliber of inmate starts trouble."

Though much of the violence is directed from inmate to inmate, officers at the Wyoming County facility have been concerned about their safety as well.

Officers worry about safety

"The officers are not happy with the conditions," the employee said. "It definitely makes it tense for the staff, because it's our job to break (fights) up, and I want my staff to go home in one piece."

The Wyoming County corrections officers reported the weapons findings to their union, which in turn contacted the state corrections department.

But Marin said the department decided there wasn't a need to perform a lock-down of the facility to conduct further searches, even though officers were concerned that inmates could be planning a violent outbreak.

"If a large-scale disturbance were to occur (at Wyoming) it would be difficult to control, when compared to Attica," he said. "This is because the layout of the facility and the fewer restrictions placed on the inmates in a medium-security facility."

Flateau had said that the department was aware of the number of weapons found, but said many were old and dirty because they'd been buried for some time. He also said he hadn't heard unions complaining to the state recently about problems in the prisons.

Marin said that it's not the union's job to keep the facilities safe. "If something happens," he said, "it's up to the department to take care of it."

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Prison Guards Union President is voted out

From the Auburn Citizen Newspaper Tuesday 7-9-02

Albany(ap) - The president of the union representing New York's state prison guards was ousted Monday.

In a leadership challenge, Richard Harcrow received 6,352 votes and Brian Shanager, the incumbent, won 4,677 votes, said Denny Fitzpatrick, spokesman for the New York State Correctional Officers and Police Benevolent Association.

The union's executive vice president, William West, was ousted in voting by Carl Canterbury, Fitzpatrick said.

Shanager has been president of NYSCOPBA since May 1999 when the union took over representation of the guards from a rival union. Nyscopba represents about 26,000 employees, most of them prison guards.

Shanager, 37, is a sergeant at Taconic state prison and has been with the prison system since 1986. Harcrow, 42, is a guard at Attica state prison and has been an employee of the prison system since 1983.

The union under Shanagers leadership, recently endorsed Republican Governor George Pataki's bid for a third term.



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