

Prison News and News Articles For Correction Officers in New York State: { Page 6 }

ARTICLE LIST:

[Back to Correctional Officers Informational Page](#)

[Back to Page #1](#), [Back to Page #2](#), [Back to Page #3](#), [Back to Page #4](#), [Back to Page #5](#),
[To Page #7](#), [To Page #8](#), [To Page #9](#), [To Page #10](#), [To Page #11](#), [To Page #12](#),
[To Page #13](#), [To Page #14](#), [To Page #15](#), [To Page #16](#), [To Page #17](#), [To Page #18](#),
[To Page #19](#), [To Page #20](#), [To Page #21](#), [To Page #22](#), [To Page #23](#)

[Assemblyman Feldman's Regarding Mohawk C.F.](#)

[Disturbance at Mohawk Correctional Facility](#)

[Dear Mr. Assemblyman](#)

[Thanks You Senator Hoffmann](#)

[Tupper Lake\(WRONG PLACE FOR A PRISON\)](#)

[Insurance complaint](#)

[Complaint on our Insurance](#)

[Sample Letters For Placing Complaints](#)

[Convention Admendments 10/24 \(pt1\)](#)

[Rick Bealls Admendment](#)

[Redress for our grievances](#)

[Compensation Info.](#)

[Advocate Slams Gym Equipment](#)

[COUNCIL 82 PRESIDENT RE-ELECTED TO HIS POST](#)

[Aug. 20 ,97 Utica Observer Dispatch](#)

[Attacks on prison staff declinging](#)

[Immediate Response to Houston Statistics Required ?](#)

[Council 82 Election Protest](#)

[Convention Admendments 10/24 \(pt2\)](#)

[Convention Admendments 10/24 \(pt3\)](#)

[Mohawk Officers have won this day, September 11,1997 !!!](#)

[Back to the Titles](#)

Assemblyman Feldman's Press Release Regarding Mohawk C.F.

Dear Sheldon Silver and the Assembly members:

I am writing to you today as a result of Assemblymen Feldman's remarks to the press about Correction Officers in New York and the disturbance at Mohawk Correctional Facility. I have decided to write to the entire assembly that are on-line since I have written the Assemblyman Feldman and other Assemblymen/Women several times before in the past and have never received a response.

First Assemblyman Feldman appears to be speaking for the entire assembly. He states that the inmate informant already has a lawsuit pending against Correction Officers at Mohawk for alleged mistreatment. As a result of this statement it is obvious to me that the inmate in question has taken the opportunity of the Mohawk disturbance and created new allegations of mistreatment and the so-called "black baby with a noose around it's neck" as a form of retaliation to the Officer's, the Superintendent of Mohawk, the Department of Corrections, and the Governor.

At no time in my career of 11 years working at Seven prisons in New York State have I ever seen or heard of such a tattoo, and believe me I am in a position to know this because I work the front line and talk to officers on a daily basis. When I heard of Feldman's allegations I immediately phoned Correction Officers that I know in every Correctional Facility all over the state. My suspicions were correct that the officers believe the tattoo does not exist and neither has anyone saw such a thing.

Feldman previously publicly ridiculed Senator Nozollio for his statements to the press that there would be more outbreaks of violence like Coxsackie and Mohawk if prison expansion wasn't passed. Then what does Feldman do, but add fuel to the fire by making unsupported statements to the press without investigating them. Feldman really screwed up on this one because if there were any such tattoos they are gone. He would have been much wiser to privately call for an investigation.

The second issue is that in Law Enforcement any information received from an informant has to be judged on the "Reliability and Credibility of the Informant". Has this inmate previously informed and has the information been found to be credible. This is a test which must be met before any investigation is called for.

For Dan Feldman to make such unfounded statements that Officers caused the riot at Mohawk Correctional Facility is simply erroneous. Our job is more difficult than any of you could ever perceive. Before we even get to work in the morning we say to ourselves, "Well I hope I walk out of here in one piece today", "I hope I am not a hostage", "I hope I don't get urine or feces thrown at me", "I hope I don't get assaulted". The list goes on and on. What is the assemblymen's thoughts in the morning? "I have my \$60,000 salary", "I have another \$60,000 or more in expense account", "Who shall I influence and have dinner with tonight", "Oh, I hope I don't have to talk to that assemblyman today". Sounds like a difficult job to me.

I personally was involved in a riot and also in 1987 I was seriously injured as a result of an inmate assault upon me, luckily another officer just happened to be coming into the block to deliver legal mail to an inmate and saved my life. For assemblyman Feldman to say the officers started the outbreak of violence at Mohawk is simply ridiculous.

Furthermore Correction Officers are not in the business of taking inmates' lives. I as well as several of my brother and sister Correction Officers have numerous commendations from saving the lives of inmates that have attempted to take their own lives. We have the documentation to prove it.

Bottom line is none of you have any idea of what we put up with and right here right now I offer this challenge to any assemblyman in the state to come with me to work for one week in an Officers uniform to get an unrestricted view of the Correctional Environment. This would be an unrestricted view of the facility something none of you have ever experienced. This will be unlike any tour any of you have ever taken. No escort officer, and especially no limited access to only certain so-called "safe and quiet areas" of the facility. Which one of you for one day of your lives can find a heart and a backbone and act like a real man for once in your life. This can be arranged for as many assemblymen as would you like in various facilities around the state. I await your responses.

In closing many Correction Officers around New York State were going support Assemblyman Feldman in his re-election campaign both financially and through campaign work because of his Introduction and passage of A-401 the assembly anti-privatization measure. We recently discussed who we were going to support and how we would mobilize our people. This simply will not happen for Assemblyman Feldman at this point. His statements are simply off the wall, and I personally think he has cracked.

I am personally requesting your responses to this matter.

Thomas Short
Correction Officer
Cayuga Correctional Facility

[Back to the Titles](#)

Disturbance at Mohawk Correctional Facility

I am writing you to voice my views on the article that was apparently released by you concerning the recent disturbance at Mohawk Correctional Facility.

The article states that you believe, based on a statement from a former inmate, that the disturbance was the result of possible beatings of inmates by Correction Officers. I personally find that to be nothing more than an attempt to incite other inmates throughout the New York State Dept. of Correctional Services system, which by the way is operating well over capacity.

This type of statement, is nothing more than flaming the fires of unrest that already exist in the prisons. These fires due to lack of proper staffing, lack of proper cell space for the dangerous inmates, too many idle hours for those inmates in medium facilities due to overcrowding. Budget constraints lead to all of these things. The governor and other elected officials keep taking away, yet pass new legislation making mandatory sentences the reason for the overcrowding. You want to send more to jail, but want to do it with less.

You can't have it both ways.

Today, corrections is dealing with a younger, more violent type of inmate. They are more gang oriented, and use that to their advantage. Note the increase of gang violence in the prisons. Maybe you should try putting on the uniform of Correctional Officer and try working in one of our maximum facilities. Maybe the place to learn from first hand experience would be in the Special Housing Unit at Coxsackie, or Southport Correctional Facility, or Sullivan Correctional Facility or Attica or Clinton. The list can go on and on. I think you get my point. Will you try such an experiment.

To say that the death of the inmate in Mohawk was due to the officers/staff is sheer stupidity on your part.

Have you asked anyone who was there at the time of the inmates death? Did your ex-inmate source see or partake in the incident. Or does he have a revenge factor, or flames of hatred of the system to fan?

I am not saying that all inmates are liars, no more than I am saying all corrections staff are saints. I would not, however, judge everyone on one ex-inmates say so.

How many injuries to inmates from staff were there during the disturbance (riot) at Mohawk?

How many injuries to staff from inmates were there during the riot (disturbance) at Mohawk? answers- 7 staff 0 inmates from what I have read.

By the way, I have 27 plus years in the Correctional Facilities. How many times have you ever been in one? Even if only for a couple of hours? Take the time to learn what is going on before you belittle the Correction Officers, Sergeants, Lieutenants, and other staff of our NYS Dept of Correctional Services. If you did you would find you have the best in the United States, bar none.

Fred Hamilton, Sgt.
Collins Correctional Facility

[Back to the Titles](#)

Dear Mr. Assemblyman

Were you at Mohawk Correctional Facility during this incident? If you have not, then how can "YOU" make a judgement when you've only heard one-side of a two-sided story. You blame the officers for the incident without any type of evidence to support your story. You say there will be an investigation and I hope there will be to prove you wrong! And when this investigation is over and you still have no evidence, I will expect a full rebuttal exonerating my fellow officers.

You have opened your mouth, when a time of silence should have been the only sound.

Where were you when the incident at Mohawk Correctional Facility was going on?? In some cushy office or hotel room?? Where are you when crime is running rampant on your streets?? In the same office or motel room? Safe and sound from all the violence.

Would you feel differently about these individuals who commit crime if the crime was committed towards your own family? Your Son or Daughter or Wife or maybe your Parents or Grand-parents? Go ahead and think hard about that, because the possibility is there. Maybe because of you, this violent criminal is out on the street and does the unthinkable to one of your own! How will you feel then??

We know why you have taken this side of the issue. It is a political ploy to help in your re-election process. At what price will we all have to pay?

Hiker
Clinton Correctional Facility
NYS taxpayer
Voter

[Back to the Titles](#)

Thanks You Senator Hoffmann

Senator Hoffmann: On behalf of all the officers here at Mohawk I would like to take this opportunity to thank you for taking the time to come to our facility in the aftermath of the riot. To know that there are still some politicians who take the time to see things first hand is refreshing. Decisions have to be made and to make informed decisions one must take the time to see things first hand as you did.

I commend you for this action and just wish you could let a little of your class rub off on one of your counterparts, namely one Daniel Feldman. His comments defy rational thinking and border on insanity. He appears to be one of those politicians who votes with his heart rather than his head. His heart apparently sheds some much blood for inmates he does not have a drop left for those among us who laid beaten uncouncious on the walkways of Mohawk. I sent this sorry excuse of a man an e-mail to express my feelings to him. I posted it on our hack net for all to see. I am doing the same with this thank you to you. Because your care and concern should and will be posted for all to see. Just sorry I did not have the pleasure of meeting you, a very classy lady.

Respectfully
C.O. AL FAYLE
MOHAWK

[Back to the Titles](#)

WRONG PLACE FOR A PRISON

The \$68 billion approved by the legislature last week is crammed with special - interest items benefiting one regional interest or another at the expense of broader considerations. One such item authorizes \$130 million for the design and construction of a new 1,500-bed maximum security prison for violent offenders, smack dab in a valuable wilderness of the Adirondacks. There are several things to say about a proposal to quarantine murderers and rapists inside Adirondack park, only one of them good. It would bring new jobs to the northern town of Tupper Lake, a once vibrant mill town that, like many poor Adirondack villages, needs an economic transfusion. That is why Ron Stafford, the state senator who has long exercised almost total control over most legislation affecting the Adirondacks, worked so hard for this provision. The prison would be build in his district and would create between 400 and 600 jobs.

As is almost always the case in Albany, however there were no public hearings on the idea and no attempt to reach out to environmentalists, planners and economists to see to see if there were better ways to increase Tupper Lakes tax base. Nor were there any public examination of whether the prison would damage the regions wilderness value. (I hope the music from the festivals doesn't scare the bears, or the fumes from the bus loads of visitors on weekends doesn't gas the racoons.)

It is surrounded by large tracts of privately owned back country, which contain some of the most spectacular rivers and lakes in the park. Gov. George Pataki promised to bring together local citizens, politicians, and environmentalists to develop a comprehensive strategy to satisfy the economic needs of local residents without undermining what is still a largely unspoiled environment, He failed to do that. (does George keep his promises).

The prison plan must still clear a few hurdles, D.O.C.S must certify that the prison is needed to house violent offenders, and the controller must sign off on any spending contracts. In a jab at the environmental

community, Mr. Stafford said that reason and understanding rather than elitist arrogance should prevail on the prison question. Fair enough but so far environmentalists have had no real chance to sit down and reason with Mr. Stafford

[Back to the Titles](#)

Insurance Complaint

I received over eight hundred packets from Norvest Agency (Guardian Life) I open the package and hit the ceiling, they wanted me to put this garbage package out to my membership and try to sell them a 60 day waiting period, income offset package, called Graney got his secretary, she stated that she was going to refer me directly to Norvest, I called talked to a representative name Joan and told her that when their agents come down I can't be responsible for their safety, the Disability package was garbage. She sent me a flier stating that the product effective 7/1/97 would be same coverage and guarantees as the policy held by members of C82 with Jardine and she guaranteed a 5% savings. I gave a copy to Mid Hudson Regional Chair P. Littlefield, I hope he issue it to all members of region on thursday 8/14/97, DSCF QWL.

Anthony Sportello, President Sing Sing CF

my note

The above insurance will only cost more for new participant or new officers, this only further divides the membership, please make a complaint to the below addresses to stop the division of members. Let them know we were not even asked our opinion.(Ed Kasper)

[Back to the Titles](#)

Complaint on our Insurance

Any complaints about the insurance changeover are to be directed to the following offices: The following agencies handle complaints about problems with insurance. Your letter should state complaint, policy # if there is one, the Union Council 82, name of Insurance companies. Norvest Agency (Guardian Life)

Write to the following two agencies.

Ms. Rachel Kretser
Assistant Attorney General
Bureau of Consumer Frauds and Protections
Office of Attorney General
State Capitol
Albany, N.Y. 12224

There are also regional offices that can handle complaints for the Attny. General they are located in NYC, Binghamton, Buffalo, Plattsburg, Poughkeepsie, Rochester, Syracuse and Utica.

Another agency that you should write to is:

Consumer Services Bureau
New York State Insurance Department
Agency Bldg. 1

Empire State Plaza
Albany, N.Y, 12257

If you are intrested in another option for insurance or disability income policy contact:

Combined Life
Insurance Company of New York,
7 Washington Square Box 15004 Albany
12212-5004
(518) 456-9333.

They have accident and sickness policies. Try it you might like it.

Combined Life has a toll free customer service number 1-800-951-6206. If you are in the Western New York area, area rep Kris Schlia, located in Fredonia, NY and phone number is 1-716-672-5479. Kris told me all calls would get a response. He also stated that the company will come to your facility for informational meetings if requested. They have done it at Collins CF.

[Back to the Titles](#)

Insurance: sample letter of complaints

OK people, let's do something about this insurance thing. For those of you who figure that these letters are needed, but your ONE letter won't make a difference. Your wrong! It will!!! Some of you may not feel comfortable composing a letter, so here are two letters for you to copy, edit, and/or print out. Just, Please, put them in an envelope and mail them out ASAP. Most of you would claim that an inmate has more rights and freedoms. By NOT voicing your opinion on this matter you are saying that your freedom of choice is worthless to you. Think about it, even if it was a complete waste of time, you would still waste more time waiting for line-up to start, or the time-clock to say you can go home.

Please do this for all of your brothers and sisters in uniform

Bob Viccaro
Auburn Correctional

Ms. Rachel Kretser
Assistant Attorney General
Bureau of Consumer Frauds and Protections
Office of Attorney General
State Capitol
Albany, N.Y. 12224

Ms. Kretser,

It has been brought to my attention that I should contact your office, to correct an injustice done me by Council 82 of the American Federation of State County and Municipal Employees (AFSCME). I am a New York State Correction Officer, mandated to being a member of the union, Council 82. For many years our union has carried disability/income and life insurance through Jardines. Without discussion and/or approval from the members of the union Jardines was dropped as our provider and The Gaurdian was contracted. I, along with many others, question the legality of this action and would request your office to

investigate this matter and correct it if applicable. Thank you for your cooperation in advance.

Respectfully Submitted,

Name _____

Address _____

Phone _____

Consumer Services Bureau
New York State Insurance Department
Agency Bldg. 1
Empire State Plaza
Albany, N.Y, 12257

Sir/Ma'am,

It has been brought to my attention that I should contact your office, to correct an injustice done me by Council 82 of the American Federation of State County and Municipal Employees (AFSCME). I am a New York State Correction Officer, mandated to being a member of the union, Council 82. For many years our union has carried disability/income and life insurance through Jardines. Without discussion and/or approval from the members of the union Jardines was dropped as our provider and The Gaurdian was contracted. I, along with many others, question the legality of this action and would request your office to investigate this matter and correct it if applicable. Thank you for your cooperation in advance.

Respectfully Submitted,

Name _____

Address _____

Phone _____

[Back to the Titles](#)

Amendments

Over the next few days, you will see postings from me regarding the Amendments for this year's Convention. I will send them out in sections, so as to not inundate you with information. I am responding to Dan Crum's posting of 8/12/97, where I was asked to comment on the packet of Amendments to the Constitution which were received by many of our members over the past week. This packet contained 24 Amendments and one Resolution. The Amendments in the packet are not numbered (they will be in the packets distributed at the Convention), but I will comment on them in the order in which they appear in the

packet that has already been distributed:

a.)The Amendment co-authored by William Makuch and Harry Olsen has to do with making both Policy Vice-Chairman full-time. Certainly, the jobs of Policy Chair are demanding, which require them to be all over the State at any given time. Having a full-time vice-chair to help meet the needs of the position would be nice, however, at last year's Convention, these positions were increased from two days per month to half time positions, resulting in a substantial increase in cost to the Council. The reason for the increase was due to the workload of the Chairs'. If the workload is that great, we should exhaust existing resources. Possibly, the other full-time chair positions (President & VP) could lend a hand. Also, we currently have a number of field staff whose workload is not as great as others. This would be another source of assistance. Either way, all avenues should be exhausted before we even think of making these positions full-time. One last thought, I believe the cost of approving this Amendment is an additional \$30,000 plus per position. **My recommendation would be to vote NO.**

b.)The Amendment submitted by Robert White and Pat Cornacchio has to do with making the Treasurer full-time. Certainly in my mind, the Treasurer is probably more than a half time position, but full-time, I think not. I believe this topic is covered much better in another Amendment proposed by Robert J. Cronin. **On this Amendment I would vote NO.**

c.)The Amendment submitted by an officer at Southport, has to do with the elected officers' salaries. This Amendment is a direct reflection from the above Amendments. **Having voted NO on both of them, I would most certainly vote NO on this one.**

d.)The Amendment from Local 1406 (Collins CF) which is a new Article, basically deals with a selection process to be used to pick staff reps. During my run for President last year, I spoke of a process not much different than this. My view on this has not changed. For the handful of field reps who do an outstanding job, they would all be reelected for as long as they wish to serve the Council. For those not doing the job (and you all know who you are), your days would be numbered. **Absolutely, I would vote YES.**

e.)The Amendment submitted by Ron Dowdall, which is also a new Article, asks for a detailed agenda of upcoming Board of Directors meetings be sent out at least 45 days prior to the meeting. This is a good idea and something that could be accomplished quite easily. Any item which may come up during the 45 days which needs to be addressed at the Board meeting could be done under new business. **I don't see a problem with this new Article and would support it by voting YES.**

f.)Another Amendment submitted by Ron Dowdall which is a new Article, having to do with the renewal, extension or implementation of contracts, needs to be explained in greater detail. I need more information regarding this Amendment before I can give a recommendation on how to vote. Let me say this, the Council is a \$9 million business. The membership votes for their officials to make day to day decisions on running this business. I don't believe we would be able to call a meeting and vote on each and every decision which must be made. You cannot run a business by micromanaging. But as I said earlier, **I need more information on this issue.**

g.)Daniel Grant also submitted another new Article, a form, 200D. This form (which is in triplicate) is about accountability. Since we are now paying mileage to staff reps, this would be a good record system to verify that the individual actually traveled to various work locations. **I would recommend to vote YES on this Article.**

h.)Robert J. Cronin submitted a revision to a current Amendment. I am sure there will be much discussion

on what the goals of the Council should be.

i.)Robert J. Cronin submits another revision to an Amendment which suggests that we reallocate a greater amount of funds into the Political Action Committee ("PAC"). I am all for putting more money into the PAC/Legislative funds. Certainly this is a good cause, however, I am not sure we can do what he is suggesting here. **More discussion and clarification is needed before rendering a recommendation on this Amendment.**

j.)Robert J. Cronin submits an Amendment to an Amendment, suggesting that the Secretary/Treasurer be one full-time position. I couldn't agree with him more. You will find the same Secretary/Treasurer position in PEF, CSEA and our parent organization, AFSCME. I stated in (b) above, that the Treasurer was a more than half time position, but not a full-time position. In light of this, from my perspective, Secretary/Treasurer would be a full-time position. **I would recommend to vote YES.**

Richard Abrahamson, President Council 82

[Back to the Titles](#)

Rick Bealls Admendment

I have submitted this amendment to Council 82 and I am looking for your support and constructive criticism. BE IT RESOLVED;

That Article VIII of the Constitution of the New York State Law Enforcement Officers Union, District Council 82,Afscme,AFL-CIO, be amended to to read as followed:

Add New Section: The negotiating committee shall be called by the president when the state contract is to be negotiated. This committee will consist of at least thirty-two[32] members in good standing of Council 82. The cost of this committee is the soul responsibility of Council 82 [mileage, perdiem, hotel,etc.].

A.] The correctional contract committee members will be elected from all correction policy regions,[Four [4] from the Northern region, Four[4] from the Mid-Hudson region, Four[4] from the Western region, Two[2] from the Central region, Two[2] from the New York City region] and at least Nine [9] various law enforcement and other represented members.

B.] The supervisors contract committee members will consist of at least Seven[7] supervisors who will be elected by the members who are represented under that contract.

The responsibility of this committee is to negotiate a fair and equitable contract with New York State and then explaining this tentative contract to all its union members. Thus affording the union members the opportunity to make an informative decision on how to vote on the negotiated contract.

Rick Beall-Collins C.F. Local 1406

[Back to the Titles](#)

Redress for our grievances

What is our avenue for redress for our grievances and why? The big question is WHY? Why was it put in the contract and for who? Was it to give purpose to the field reps? It certainly falls short of statutory and

State Constitutional Rights. Per the Fair Employment Act the Department must administer grievances. Administer being the key word. Administrative actions when disciplinary must have every component of a fair trail. (this is per case law), then article 7 is subject to the same standards of our due process at every step and every level.

ALSO HERE IS A REAL TID BIT
Matter of Wald v Nassau Chapter CSEA

Such ratification alone, however would not (without requisite specificity) constitute a waiver on the part of a public employee of his constitutional and statutorial rights otherwise available to him under the Civil Service Law (75 and 76) In a very similar situation the Second Department recently stated: Somthing more of an affirmative action by the complaintants (public employees) indicating approval of the contract and acceptance of its terms in substitution of their statutory rights must be shown before an estoppel can be fairly concluded to have arisen.

So if most Judges today will require you to follow contractual remedies first, they are denying you your rights under the NY State constitution and condoning a process which falls short of statutory and civil standards. Especially timeliness!!! To delay Justice is to deny justice.

[Back to the Titles](#)

Compensation Info

Date: 97-08-14

Question? Where does the adminastration get there petty cash from.? Well here is some info to check up on. When a officer goes out on a work related injury he has to use his own time first (sick, vac, pls) then go to half pay and so on. When he returns, the state ins. fund pays the jail (x) amount of money to restore his time that he or she used. Now the administration summits the total time the officer used, to the ins. company which includes the bi-weekly time you should have gotten while you were out and using your time. But in many cases that does not happen and officers don't catch it. Admin. says here is all your time back that you had when you went out on comp. and the officer is happy about that. What he fails to see is that he didn't get the bi-weekly time. Same with P.L.'s the jail will tell the officer that he cant get his P.L. s back that he used on comp. because thats the rule in the contract. Guess what? BULLSHIT. And I'm the proof in the pudding. So the money the ins. company gave the adminstration does not add up to the amount the officer got back for time. This is 1 of their hush hush secrets they have. If your suspect of this find a officer who was out and came back and ask them if the monies added up. I bet it does not, when I questioned to have a audit done on my payroll 2 years ago at Orleans I told the union rep. that I was going to do this because the money didn't add up. Wouldnt you know that 2 days after my request I got a call from payroll, they had a \$ 1000 doller check with my name on it now thats odd. Mr mom94@aol.com

[Back to the Titles](#)

INMATES' ADVOCATE SLAMS GYM EQUIPMENT'S REMOVAL

Wednesday, August 20, 1997 -- Associated Press

ALBANY -- A prisoners' rights advocate criticized state officials Tuesday for removing free weights and aluminum bats from a prison where inmates used the equipment against guards in a disturbance.

Robert Gangi, executive director of the Correctional Association of New York, said the decision by prison officials to deny all 1,300 inmates at Mohawk Correctional Facility access to the equipment because of a July melee that injured 11 correction officers was unfair.

“If there are a handful of inmates that have abused the policy they should be punished, but you shouldn't establish a policy that deprives everybody, punishes everybody,” Gangi said.

But Council 82, the union representing state prison guards, thinks state prison officials should go a step further and ban barbells and other free-weight accessories in all state prisons in New York.

“We have had several instances where the weight bars or the weights themselves have been used as weapons or as battering rams,” Bob Lawson, Council 82 spokesman, said.

During the July 18 disturbance at the medium-security Mohawk Correctional Facility near Utica, corrections officials say prisoners beat guards with bats, and wielded barbells and other weight-lifting equipment during the melee.

[Back to the Titles](#)

COUNCIL 82 PRESIDENT RE-ELECTED TO HIS POST

Sarah Metzgar,

ALBANY -- Richard Abrahamson won re-election Thursday to the presidency of Council 82.

Abrahamson, just finishing his first term, won a runoff battle against Louis Delmonte, 4,422 to 3,169.

For the post of executive vice president, incumbent Michael Graney easily won re-election, defeating Paul Pawlowski with a vote of 4,806-to-2,676. Incumbent treasurer Michael Surprenant also won another term, but correction policy chairman Curtis Bowman was ousted in a narrow vote by John Butler Sr.

Patricia Rybak defeated Donald Rowe for the post of correction policy vice chairman. Leonard Crouch, former president of the Albany Police Officers Union, won election earlier to the post of recording secretary.

The union represents 26,000 state prison guards and law enforcement officers. The new officers will start their two-year terms in late September.

[Back to the Titles](#)

PRISONERS ADVOCATE CRITICIZES REMOVAL OF WEIGHTS AT MOHAWK.

By NEKESA MUMBI MOODY / The AP

ROME- A prisoners rights advocate criticized state officials tuesday for removing free weights and aluminum bats from Mohawk Correctional facility here wheinmates used the equipment against guards in a disturbance last month.

Povert Gangi executive director of the correctional association of new york said the decision by prison officials to deny all 1,300 inmates at the prison access to the equipment because of the july 18 melee that

injured 11 corrections officers was unfair

"if there are a handful of inmates that have abused the policy they should be punished but you shouldn't establish a policy that deprives everybody punishes everybody" Gangi said

but Council 82 the union representing state prison guards thinks state prison officials should go a step further and ban barbells and other free weight accessories in all state prisons in New York.

"we have had several instances where the weight bars or the weights themselves have been used as weapons or as battering rams" council 82 spokesman Bob Lawson said

it has not been determined when or if Mohawk inmates will get the weights back the state said.

[Back to the Titles](#)

Attacks on prison staff declining

Violence cited by supporters of new construction

By Kyle Hughes

O-D albany bureau

Albany - Despite warnings from legislators and union officials that violence is increasing in New York prisons attacks by inmates on staff actually have gone down in recent years state statistics show

Inmates - on - inmate assaults also were down from 1995 to 1996 though still higher than in 1994 department of correctional services spokesman Mike Houston said

Still the number of attacks on prison staff by inmates has declined in each of the last three years.

Unrest at Mohawk Correctional Facility in Rome one month ago left one guard seriously injured and others with lesser injuries in 1994 the prison system reported 999 inmate attacks on staff a rate of 15.2 attacks per 1,000 inmates in 1995 there were 962 assaults a rate of 14.1 in 1996 assaults on staff declined further to 889 a 12.9 rate.

The statistics are not so good for inmate - on - inmate assaults in 1994 there were 1472 such assaults a rate of 22 per 1000 inmates in 1995, 1753 assaults a rate of 26 in 1996 1637 a rate of 24.

From January through May of this year there have been 647 inmate on inmate assaults Houston said.

The level of violence inside the prisons was cited by supporters of Gov. George Pataki's plan to add cells to the system. Law-makers this month approved building a new 750 cells two men to a cell prison in Tupper Lake and eight 100 bed modular lockups at existing prisons one of which will be added to Midstate Correctional Facility in Marcy.

At Sing Sing Correctional Facility in Ossining Sunday one inmate was stabbed by another using a homemade knife,

The stabbing was at least the third serious incident in the prison this summer. Earlier four correction officers were beaten by a mob of about 100 inmates and four inmates were hospitalized in a gang fight.

State prison records show 94 assaults on staff at Sing Sing in the 12 months that ended in May that was second only to Attica where 104 assaults were reported.

The assaults involve fists or weapons or throwing bodily fluids including human waste sing sing superintendent charles greiner said such tossing incidents are rarer since passage of a law that made in a felony.

"We'er always going to have incidents" Greiner said. "that's the type of people we have in the people we have in are violent individuals"

This was in the Aug. 20 ,97 paper

[Back to the Titles](#)

Immediate response to Houston Statistics Required ?

The Gannets News chain ran a column next to the equipment article from Correction Association Gangi, DOCS states that per 1000 inmates only 888 assaults on staff occurred throughout the system in 1996. Our stats at Sing Sing shows that our facility has 10.2% of these assaults alone. Need to show that stats used by Houston are incorrect and doctored, need to show that using minimum facility population gives distorted perception of what's happening in the jails.

I have the report of unusual incidents generated to the Governor from DOCS January 1996 - December 31, 1996, need the real data from each jail, send Sportiello@juno.com immediately will rebut info with true data all news media. If there's a cover-up lets blow the top off of it.

Fraternally,
A.J.Sportiello
Sing Sing

[Back to the Titles](#)

Council 82 Election Protest

American Federation of State, County and Municipal Employees, AFL-CIO
1625 L Street. N.W. Washington. D.C. 20036

Gerald W. McEntee
International President

William Lucy
International Secretary-Treasurer
August 29, 1997
JUDICIAL PANEL CASE NO. 97-111
Council 82 Election Protest

GREETINGS :

This is to acknowledge receipt of the enclosed correspondence requesting an investigation in the above matter. A hearing has been scheduled in this case for September 10, 1997 at 7:00 p.m. at the:

Desmond Hotel

660 Albany Shaker Road
Albany, New York

Any member having documents or other information which they believe may have some bearing on this matter are requested to be present and to bring the appropriate documents with you. It is especially directed that the original records be available in case there is a need for inspection. These records should include a copy of the election committee's report. the ballots, and copies of the minutes of any meetings at which matters concerning the election were considered.

John Giorgi will serve as the hearing officer in this matter.

In Solidarity,

(signed)

John Seferian

Judicial Panel Chairperson

JS:ahd Telephone: (202) 429-1210 .. Telex: 89-2376 .. Fax: (202) 822-8169

.. e-mail: judicialpanel@afscme.org in the public service

This is Dave St. Louis's protest.

1026 Tirinty Avenue
Schenectady, NY 12306

Law Enforcement Officers Union Council 82:
Elections Committee
Hollis V. Chase Building
63 Colvin Avenue
Albanv. NY 12206

Dear Sir; (Elections Committee)

I. David St.Louis am a candidate for the office of statewide Executive Vice-president and a member in good standing of Local 3023 Council 82 AFSCME am hereby filing a protest of Council 82s 1997 statewide election under Appendix D. Elections Code of the international Constitution

I wish to protest this election sighting gross misconduct by Andy Guynup, Clinton Correctional Facility's Local President under Appendix D, Elections Code Section 1. Paragraph B which states, "No publication sponsored by or supported by the Federation or Subordinate body shall endorse or support any candidate for elective office within the Federation or any Subordinate body". Andy Guynup is also in violation under a memo put out by the Governor's Office of Employees Relations (GOER) for the Guidelines for internal Labor Organization Elections and Campaigning.

This memo is an agreement between the State of New York and Council 82 which states the following: "Material by the Union which favors or disfavors any particular candidate would be inappropriate". Andy Guynup signed this literature as an elected union official, President of his local. The memo also states, "Distribution of literature in working areas (inside the jail) is strictly prohibited)". "Campaign activities are restricted to non-workin areas, such as parking lots, lobbies and other designated areas which are open to the general public". Andy Guynup distributed his literature inside Clinton Correctional Facility in working

areas without the Superintendent's permission.

Attached is the campaign literature Andy Guynup printed, distributed, and signed his own name to as a Local Union President and Local union representative instructing members who to vote for and whom that local is endorsing since he is the Local President.

This affected me greatly since Andy Guynup strongly supported and campaigned for Mike Graney, the incumbent. Andy Guynup showed this by putting this down on the attached literature that he printed up and distributed it throughout Clinton Correctional Facility. He instructed his members how to vote by stating in his literature, "As your Local representative may I suggest", and he then listed the candidates he endorsed. Since he is a Local President, he has great influence over his members as would any other local president would in any other local. Since most members don't know who most of the candidates are other than what they read in the Enforcer and therefore many will take his advice whether out of fear of retaliation, lack of future representation or that since most members don't know the candidates they can be easily swayed to vote his way. Since he has publicly endorsed Mike Graney and other candidates, members may think since he is the Local President, he knows best

Also, while I had visited Clinton Correctional Facility on May 30, 1997. I did get permission prior to going there by the Superintendent to be at Clinton Correctional Facility in the lobby. Andy Guynup approached me in the front gate area or main entrance to the Main which has public access and began yelling the following; "There's no campaigning allowed in this facility I don't allow it!". At one point he telephoned and spoke to the Superintendent's Secretary, who just so happens to be Curt Bowman's mother, to have me removed from the facility. Curt Bowman is the current Correction Policy Chairman who also works out of Clinton Correctional Facility. I told him I could be there by virtue of a memo put out by the Commissioner and that I had permission from the Superintendent to be there and his response to that was, "The superintendent doesn't know what the memo says, you aren't allowed to politic in this jail!". Andy Guynup knows very well what the memos say because the memos put out by the Governor's Office of Employees Relations was forwarded to all Local Presidents by Council 82.

While at Clinton Correctional Facility I also had one officer approach me, then pulled out of his wallet a copy of the attached literature Andy Guynup handed out and said to me and other officers in the lobby, "Let me check my list to see if this guy is on it." He then checked the list and said, "Nope, he's not on it, I guess I can't vote for this guy". He and several others then laughed. These individuals were directly influenced by Andy Guynup's Literature.

Clinton Correctional Facility has approximately 1000 (one thousand) eligible members who can vote (officers and supervisors) in this statewide election. Just by this facility's size alone can sway this election especially if the local elected officials tell the members how to vote, in favor of Mike Graney for Vice-president. It is unlikely all 1000 members will vote however, by taking a more realistic number of voters, the ones that recently voted in the local's election approximately 424 members voted. It is very possible for me to have picked up an additional 173 votes or more away from Mike Graney out of the approximately 423 members who voted in order for me to beat Paul Palowski for second place in the run off had Andy Guynup not handed out illegal campaign literature.

Since Andy Guynup is the Local President and has been in the Union for several years, he was completely aware of his actions and had a total disregard to a fair and equal election process for all candidates and members. I am hereby requesting that a new election be held to allow all candidates an opportunity to counter all of Andy Guynup's illegal literature and influence he had over his members in this election.

Sincerely,
(Signed)
David St.Louis

cc: John Sefarian, AFSCME Judicial Panel Chairman

.- Attachment

The 1997 Council-82 Election are up coming.
Direct elections gives you the right to choose!
If you have not pick a candidate, as your Local
Representative may I suggest

President----Louis Delmonte
Vice Pres.---Mike Graney
Treasurer-----Mick Surprenant
Secretary-----Leonard Crouch
Corr. Policy--Curt Bowman
Corr. Vice-----Robert White

Andy Guynup ____ (Signed)_____

The following is the protest filed by Terry Wilhelm and Bob Cronin

Terry M. Wilhelm 73 Tee Hill Road Queensbury, N.Y. 12804 (518) 793-4291

July 17, 1997

Richard Wagner
Council 82 Election Committee Chairperson
Council 82, A.F.82.C.M.E. 63 Colvin Ave., Albany N.Y.

Dear Brother Wagner,

In accordance with the A.F.82.C.M.E. International Constitution, Appendix "D", Section 4, Subsection B,
we the undersigned are protesting the conduct of the Council 82 Correction Policy Vice-Chairman 1997
Elections based on the following inequities;

1. Members of local 1040 Attica Correctional Facility and Local 1406 Collins Correctional Facility were
not allowed to participate in the election of said office. It is our contention that these members should have
received ballots for the following reasons:

a. During the Council 82 election period, the per capita obligation for the Correction Policy Committee
was deducted from each Local's monthly dues remittance in accordance with ARTICLE IV, Section 5., of
the Council 82 Constitution; Local 1040 and Local 1406 respectively. Therefore, the members of these
Locals, having fulfilled that obligation, were members of this policy group in good standing and entitled to
received ballots.

b. The Correction Policy Group and the Election Committee acted beyond their authority when these two Locals were excluded. The Council 82 Constitution states in ARTICLE VII, Section 6 (c), "For the election of chair officers and correction policy and law enforcement policy chairmen and vice-chairmen to be conducted after 1996, ballots will be mailed out to members in good standing on the first business day after June 1 of the election year and must be received back within thirty days thereafter." (Bold added for emphasis.)

No provision for exclusion of any member(s) or Local(s) is attached or implied. Therefore, any member of a correction local who is a Council 82 "member in good standing" is eligible to participate in the election of correction policy chairmen and vice-chairmen. To do otherwise is a direct violation of the A.F.82.C.M.E. International Constitution Bill Of Rights For Union Members # 4, "Members shall have the right to fair and democratic elections, at all levels of the union."

In conclusion, we assert that a run-off candidate for this election was decided over Terry Wilhelm by a margin of (40) forty votes. Thus being, with a substantial amount of support for that candidate lost due to the exclusion of these two Locals, a different outcome could be reached with a new election being held and the inclusion of Attica Local 1040 and Collins Local 1406.

Fraternally,
(signed)
Terry M. Wilhelm
Member of local 3023

(signed)
Robert J. Cronin
Member of local 3023

cc: file

[Back to the Titles](#)

Convention Admendment 10/24 (pt2)

The following is Part Two of the Summary of the Amendments which were submitted for the Convention at the end of September.

k. This Amendment was submitted by Robert J. Cronin regarding the duties of the Secretary. This Amendment would simply change the wording of the from Recording Secretary to Secretary/Treasurer. It goes on to amend the wording regarding the keeping of minutes. Instead of say that the Secretary "shall keep minutes" it replaces it with "shall insure minutes are kept". Since this Amendment falls under the previous one he submitted regarding combining the positions, **I would also vote YES on this Amendment.**

l. This Amendment (submitted by Robert J. Cronin) once again is changing the wording for the position of "treasurer" to "secretary-treasurer". **I would vote YES again.**

m. & o. These Amendments submitted by Robert J. Cronin, deal with referendums and the mechanics of them. Both Amendments call for lengthy discussions and sharing of ideas to come up with the best case scenario. **On the surface, the purpose seems good and I would support such Amendments, but my final opinion on this will be determined by the discussions that will take place at the Convention.**

n. This Amendment again deals with the terminology of the secretary/treasurer. **Once again, I would vote yes on this Amendment.**

p. This Amendment is submitted by Terry Wilhelm and Robert J. Cronin. It addresses many issues. The Amendment is separated into five parts (2 – 6) and needs a great deal of discussion. As I look at this Amendment, there are many thoughts which come to mind, however, I would like to hear what others have to say before rendering my opinion. I am sure I have not thought of everything they are intending to encompass under this Amendment.

Please look for Part Three of the summary which will be coming soon.

Rich Abrahamson

[Back to the Titles](#)

Convention Admendment 10/24 (pt3)

Part 3 of the Amendment Summaries:

q. This Amendment submitted by Terry Wilhelm adds a new Section 6 to Article IX of the Constitution. This Amendment is unconstitutional (in direct violation of the AFSCME Constitution). My initial thoughts on this proposed new Section is that it is targeted at Sergeants & Lieutenants. If a supervisor does something in violation of the Contract, the aggrieved member may file a grievance. If the grievance is won, that person now has the beginnings of a suit against the Supervisor if this incident happens again. We now have a process in place under Article 7 of the Collective Bargaining Agreement, which makes this process possible. If this came to a vote, **I would vote NO**

r. This Amendment submitted by Terry Wilhelm pertains to a situation which almost occurred during the past election process. Two officers running from the same facility could possibly have been elected to two different Executive Committee positions. As the Constitution now states, no two Executive Committee members may come from the same local. If that were to happen, the person seated would come from the higher office, i.e. Pres, VP, Sec, Tres, CPC & CPVC. The revision as proposed to this Amendment leaves the decision, as to who would be seated on the Executive Committee, up to an election process to be held at their respective local. This is ludicrous. We go through the process of a statewide election and then leave it up to the local to make this determination? If we are comfortable with the process as it now stands, then obviously there is no need for this Amendment. **I would vote NO.**

s. This Amendment submitted by Local 2972 Mid-Orange Correctional Facility addresses the issue regarding the guaranteed spot on the Executive Committee for a law enforcement member to be either the secretary or treasurer. I for one believe that the four top positions on the Executive Committee should be open to all members of the Council regardless of whether they are a member of law enforcement or corrections. There should be no restrictions as to who should be able to run for any office. **I would vote YES on this Amendment.**

t. This Amendment submitted by Jim Littlefoot, Peter Littlefield, Richard Harcrow and Robert McGeady is a new Article regarding the position of Director of Public Relations and Communications. They propose that this be an elected position with a two year term starting in September of 1998. The analogy I would use on this Amendment is for the most part, we are correction officers, park policemen or even forest rangers. Look at our last two contracts where correction officers, park policemen and forest rangers

negotiated them. We were out of our element. There is an overwhelming call for the use of professionals during the upcoming contract negotiations. I believe the same principle applies here. A professional communication specialist who has experience, contacts in the media and professional savvy to handle the many situations which arise on a daily basis is needed to fill this position. If the person who currently holds this position is not doing his job well, then we should replace him. I would like to go on to say that I think it should not be an elected position filled by a member of this union. **I would vote NO.**

u. This new Article to an existing Amendment submitted by Richard Harcrow, Jim Littlefoot and Robert McGeady pertains to each local president receiving a fax machine in their home which the Council will purchase and provide. I would like to see a financial breakdown of the total cost of this service. I feel this is shortsighted due to the fact that computers are more valuable than a fax machine. **I would vote NO for a fax machine, but YES for a computer.**

t. This Amendment is submitted by the Mid-Hudson Region and should be withdrawn and not addressed at all. **Vote NO.**

u. This Amendment is submitted by the Mid-Hudson Region regarding the \$2.00 per payday dues increase for the PAC/Legislative Fund. I feel as though this is the most important Amendment of the Convention. The politicians hold the keys to all of our futures. They understand votes and money. If we are to become a player in this game, then we must have \$1 million in our fund by November, 1998. With \$1 million a one or two pay grade increase is a reality; equity in the Tier III retirement system and COLA are both realities. For those of you looking for some sort of 20 year retirement, this also becomes more possible with a large PAC fund. With \$1 million we help get people elected who are receptive to the issues which are most important to our members. When discussing all these issues, it should be a matter of right and wrong or fair and unfair, unfortunately, that is not how this game is played. \$2.00 per payday gives us the second largest PAC fund in New York State next November. Please take the time to look at the bigger picture. We are now starting to prepare for the next contract negotiations in 1999, being a dominate figure in the political arena will only benefit us and our families. What we are talking about here is \$1.00 per week, \$2.00 per payday, \$52.00 per year. I cannot stress enough the importance of this fund. Your investment of \$52.00 possibly translates into approximately \$3,000. It certainly doesn't wipe out all the zeros in the last contract, but spectators can't win, only the players can. **I would vote YES on this Amendment.**

v. This Amendment submitted by Frank Arizmendi states that the President's term should be three years instead of two. **I would vote NO on this Amendment due to the fact that people may tend to get too comfortable in the position. If the Local President is doing a good job, he will be reelected to another term.**

w. This Amendment submitted by Rick Beal regarding putting together a 45 man committee to negotiate our next contract. I believe this is a bad idea. I believe a committee of approximately eight people and the hiring of professional negotiators is the way to go. The State sends in professional negotiators and so should Council 82. **I would absolutely vote NO on this Amendment.**

Rich

[Back to the Titles](#)

Mohawk Officers have won this day, September 11,1997 !!!

I was able to attend part of the rally held in Utica in front of the newspaper building in support of eliminating free weights and the papers refusal to print the truth on behalf of Corrections. Mike Graney, Pat Ryback, Louie Delmonte, Curt Bowman, Ron Hoyt, John Reidy, Bob Lawson, Bernie Smith (President--Lt.s), Don Rowe (President--Hale Creek), Andy Guynup (President--Clinton), Chuck Restle (President--Marcy), and numerous other members attended (I mean numerous!). I was informed they had so many people there the night before the paper was 3 hours late getting out due to the congestion!!

While C-82 was well represented, the pat on the back goes to (once again) the members!! The Officers and local reps of Mohawk did an OUTSTANDING job in getting their message out. Their enthusiasim was the most impressive I have seen. This event was so well organized they even brought grills to cook food for the members, plenty of coffee and other beverages (legal), and even handed out T-Shirts to the particapants. I was VERY impressed.

They carried signs on the medium and corners of the street to encourage motorist to honk their horns, and to go one step further they had bull horns to ask the motorist to honk. Two Officers that took my attention was Gary Worst (I hope I got it right) along with a female hack (sorry,I lost her name) that were working the motorist encouraging them to honk their horns. A most impressive sign was being hauled on a trailer by a truck with free weights, horseshoes, and a baseball bat that were used in the riot by inmates against the Officers. The best part was the Officers seemed to be having FUN doing it! If I could I would list all the names of the participants, but AOL doesn't allow messages that long and I have to get back to work ;-). For the un-named many our hats are off to all!!!

While I was there, I was informed that the paper had pretty much gave in and was now more than willing to cooperate with the local reps. I hope they do for their own good, I don't think they can stand that kind of a vengence again ;-).

This was a rally to base future rallys on. With this type of effort from the members I don't see how we can lose any battle. This is how WE get support for our issues and concerns. It all starts with us and the Mohawk Officers have won this day, September 11,1997 !!!

Details of this rally will be in the Enforcer (if you get it).

John Butler
