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200 Maximum security cells

Tom Mulhern, president of Cayuga C. F. local 3551 This is what he wrote up and submitted to The Post-Standard. Tom also would like to encourage any other locals that are having a SHU constructed in there medium facility to use his article by putting in there own facilities information and then submit it to there local press for release.

The creation of 2200 maximum security cells to reduce overcrowding sounds like a good idea, and for a while as President of the Cayuga Correctional Officer local union I thought of the positive impact on the

system and the additional jobs that would be available, so I was supportive. I cannot be supportive any longer.

The change for me has come in the details of this plan. The communities that agreed to have medium security facilities have never been consulted regarding their interest in having a 200 inmate maximum security facility. They were never asked or never told that not only would they be getting one of these maximum units dropped into the existing facility, it would be done with no corresponding increase in the level of security usually accorded maximum security facilities.

The state has even compromised the security of the existing mediums for the duration of the construction period. The state says that by erecting a 16 foot temporary fence they do not have to follow their own security directives regarding entrance and exit of a correctional facility. Inmates have shown that fences alone do not provide security and that relying on fences to do the work of armed posts, which do deter, is a recipe for disaster. The state's plan calls for all construction security to be provided by two unarmed officers responsible for the site and the gate that they cut into the security fencing that normally protects against escape. When a gate is open there is usually armed coverage.

Once the maximum security unit is built inside Cayuga Correctional Facility the inmate population will stand at 1502. The facility was built for 750 inmates. The plan calls for an increase of 17 officers spread over three shifts to cover this unit. That is it. Nothing at Cayuga will be different as far as security. The only difference will be that there will be 200 maximum security inmates housed inside a medium security facility. This plan allows the state to circumvent the normal procedures that would have to occur to get a community to agree to have a maximum security facility in their back yards. It also allows the state to circumvent the more expensive maximum security perimeter provisions like 24 hour armed tours, walls or more extensive fencing, and additional armed mobile patrols.

These methods of circumvention and operating on a shoe string is a recipe for disaster. It places Correction Officers and the community at risk. It brings to mind an old saying, "You get what you pay for." It is my hope that none of my Officers or any member of the community pays for the state's circumvention tactics with their lives.

Tom Mulhern
Cayuga C.F.
President Local 3551

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The state has put prison guards and community members at risk

The following article comes from The Post-Standard on 10/30/97 by Greg Munno.

The guards say the state is not providing enough staffing to handle the 200 additional prisoners who will be sent to the site.

Moravia, N.Y.,-- The state has put prison guards and community members at risk by cutting corners on a 100-cell addition to the Cayuga Correctional Facility, the president of the local prison guard union said Wednesday.

Thomas Mulhern, president of the New York State Corrections Officers' Local 3551, originally

supported the addition to the medium-security prison when it was announced in August. The new cells will house 200 more prisoners.

But the state's unwillingness to provide enough people to guard the construction site and staff the new cells when they open has soured his opinion of the project, Mulhern said.

He also said Cayuga Correctional Facility isn't designed to house the type of prisoners scheduled to live in the new cells-maximum-security prisoners with a history of disciplinary problems.

In a letter sent to local media, state Sen. Michael Nozzolio and Assemblyman Daniel J. Fessenden, he wrote:

"The plan calls for an increase of 17 officers spread over three shifts to cover the unit. That is it. Nothing at Cayuga will be different as far as security. The only difference will be that there will be 200 maximum-security inmates housed inside a medium-security facility.

This plan allows the state to circumvent the normal procedures that would have to occur to get a community to agree to have a maximum-security facility in their back yards. It also allows the state to circumvent the more expensive maximum-security perimeter provisions like 24-hour armed towers...

It is my hope that none of my officers or any member of the community pay's for the state's circumvention tactics with their lives."

James Flateau, spokesman for the Department of Correctional Services, said Mulhern's comments were inaccurate and inflammatory.

"The union leadership has changed its position on the project because the overtime they thought they would get out of it hasn't been there," Flateau said. "It's getting to be Christmas, and they want more taxpayer money for presents. But the state isn't Santa Claus."

Flateau said the state has modified its plan to increase staffing at the prison to 19 new officers plus two sergeants. He said the cells are designed so that prisoners never have to leave them, not even to shower, so guards don't interact with the inmates.

The prison sometimes gets maximum-security inmates from Auburn Correctional Facility and hasn't complained before, he said.

Mulhern said Flateau's assertion that he is complaining because of a lack of overtime is "absolutely not true." He said the new prisoners often will leave the cells for private consultations with their lawyers and families.

"The special housing inmates we now get live in single cells," Mulhern said. "Although these new cells are wonderfully designed, with two prisoners in them it will take more staff to deal with the inmates if a problem arises.

"Nineteen officers and two sergeants is a little better, but over seven days a week and three shifts, plus vacation and sick time, it's still not enough. It's not even a sergeant per shift. The plan can still work, but we need the staff and the communication from the state to the community to make it work."

Nozzolio agreed.

"This plan wasn't our first choice, and I understand Mr. Mulhern's concerns," he said. "If the governor's prison expansion plan had passed, we wouldn't be dealing with this issue. Since we're busting at the seams, we have to try to make this compromise plan work. I think Mr. Mulhern is right that we need extra staff to make it happen."

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Federal Court, Northern District, 97-CV-1545

A complaint has been filed in Federal Court, Northern District, 97-CV-1545, against Glenn Goord and Thomas Testo. It was submitted to the court clerk, Lawrence K. Baerman on 10/23/97. The defendants have 20 days from service of summons to respond.

The charges are for violations of the RICO Act.

LET'S KEEP ON THE COUNCIL TO PERSUE THIS ACTION IT IS THE ONLY WAY WE CAN PROTECT OUR RIGHTS!!!!

CHAPTER 96 - RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS

§ 1961. Definitions

As used in this chapter -

(1) "racketeering activity" means (A) any act or threat involving murder, kidnaping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in narcotic or other dangerous drugs, which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: Section 201 (relating to bribery), section 224 (relating to sports bribery), sections 471, 472, and 473 (relating to counterfeiting), section 659 (relating to theft from interstate shipment) if the act indictable under section 659 is felonious, section 664 (relating to embezzlement from pension and welfare funds), sections 891-894 (relating to extortionate credit transactions), section 1029 (relating to fraud and related activity in connection with access devices), section 1084 (relating to the transmission of gambling information), section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud), sections 1461-1465 (relating to obscene matter), section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to the obstruction of State or local law enforcement), section 1512 (relating to tampering with a witness, victim, or an informant), section 151 (relating to retaliating against a witness, victim, or an informant), section 1951 (relating to interference with commerce, robbery, or extortion), section 1952 (relating to racketeering), section 1953 (relating to interstate transportation of wagering paraphernalia), section 1954 (relating to unlawful welfare fund payments), section 1955 (relating to the prohibition of illegal gambling businesses), section 1956 (relating to the laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire), sections 2251-2252 (relating to sexual exploitation of children), sections 2312 and 2313 (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 (relating to interstate transportation of stolen property), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341-2346 (relating to trafficking in contraband cigarettes), sections 2421-24 (relating to white slave traffic), (C) any act which is indictable under title 29, United States Code, section

186 (dealing with restrictions on payments and loans to labor organizations) or section 501(c) (relating to embezzlement from union funds), (D) any offense involving fraud connected with a case under title 11, fraud in the sale of securities, or the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in narcotic or other dangerous drugs, punishable under any law of the United States, or (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act.

(2) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, any political subdivision, or any department, agency, or instrumentality thereof;

(3) "person" includes any individual or entity capable of holding a legal or beneficial interest in property;

(4) "enterprise" includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity;

(5) "pattern of racketeering activity" requires at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity;

(6) "unlawful debt" means a debt (A) incurred or contracted in gambling activity which was in violation of the law of the United States, a State or political subdivision thereof, or which is unenforceable under State or Federal law in whole or in part as to principal or interest because of the laws relating to usury, and (B) which was incurred in connection with the business of gambling in violation of the law of the United States, a State or political subdivision thereof, or the business of lending money or a thing of value at a rate usurious under State or Federal law, where the usurious rate is at least twice the enforceable rate;

(7) "racketeering investigator" means any attorney or investigator so designated by the Attorney General and charged with the duty of enforcing or carrying into effect this chapter;

(8) "racketeering investigation" means any inquiry conducted by any racketeering investigator for the purpose of ascertaining whether any person has been involved in any violation of this chapter or of any final order, judgment, or decree of any court of the United States, duly entered in any case or proceeding arising under this chapter;

(9) "documentary material" includes any book, paper, document, record, recording, or other material; and

(10) "Attorney General" includes the Attorney General of the United States, the Deputy Attorney General of the United States, the Associate Attorney General of the United States, any Assistant Attorney General of the United States, or any employee of the Department of Justice or any employee of any department or agency of the United States so designated by the Attorney General to carry out the powers conferred on the Attorney General by this chapter. Any department or agency so designated may use in investigations authorized by this chapter either the investigative provisions of this chapter or the investigative power of such department or agency otherwise conferred by law.

§ 1962. Prohibited activities

(a) It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has

participated as a principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. A purchase of securities on the open market for purposes of investment, and without the intention of controlling or participating in the control of the issuer, or of assisting another to do so, shall not be unlawful under this subsection if the securities of the issuer held by the purchaser, the members of his immediate family, and his or their accomplices in any pattern or racketeering activity or the collection of an unlawful debt after such purchase do not amount in the aggregate to one percent of the outstanding securities of any one class, and do not confer, either in law or in fact, the power to elect one or more directors of the issuer.

(b) It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.

(c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.

(d) It shall be unlawful for any person to conspire to violate any of the provisions of subsection (a), (b), or (c) of this section.

§ 1966. Expedition of actions In any civil action instituted under this chapter by the United States in any district court of the United States, the Attorney General may file with the clerk of such court a certificate stating that in his opinion the case is of general public importance. A copy of that certificate shall be furnished immediately by such clerk to the chief judge or in his absence to the presiding district judge of the district in which such action is pending. Upon receipt of such copy, such judge shall designate immediately a judge of that district to hear and determine action.

Whoever willfully transports in interstate or foreign commerce any person who is employed or is to be employed for the purpose of obstructing or interfering by force or threats with (1) peaceful picketing by employees during any labor controversy affecting wages, hours, or conditions of labor, or (2) the exercise by employees of any of the rights of self-organization or collective bargaining; or Whoever is knowingly transported or travels in interstate or foreign commerce for any of the purposes enumerated in this section - Shall be fined not more than \$5,000 or imprisoned not more than two years, or both. This section shall not apply to common carriers.

§ 595. Interference by administrative employees of Federal, State, or Territorial Governments

Whoever, being a person employed in any administrative position by the United States, or by any department or agency thereof, or by the District of Columbia or any agency or instrumentality thereof, or by any State, Territory, or Possession of the United States, or any political subdivision, municipality, or agency thereof, or agency of such political subdivision or municipality (including any corporation owned or controlled by any State, Territory, or Possession of the United States or by any such political subdivision, municipality, or agency), in connection with any activity which is financed in whole or in part by loans or grants made by the United States, or any department or agency thereof, uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate

for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. This section shall not prohibit or make unlawful any act by any officer or employee of any educational or research institution, establishment, agency, or system which is supported in whole or in part by any state or political subdivision thereof, or by the District of Columbia or by any Territory or Possession of the United States; or by any recognized religious, philanthropic or cultural organization.

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PAC funding, what is it about?

For over two decades we have tried to gain" through the merit of our job" what is our due (higher grade, more training, better working conditions, increase staff ratio) , it has not worked. Our political masters have not listen or even worse don't care. We have remain (until the last convention), the shadow law enforcement officers, the army that will do the job that very few in our society would even contemplate doing for a living.

Our efforts in the past had limited effect, solely because of our limited resources to effect change. I know I need not go into the socio-politico dogma that is our legislature. Everything in ploitics is driven by the almighty dollar.

We have tried to gain what was right by using the constitutional avenues at our disposal, it hasn't worked now, we will do as other large labor organizations do, we will buy what we need.

The two additional dollars that all of our members will be paying in 1998 will be used to further our goals in the legislature. Whether those goals are for retirements, cola , up grading. staffing, more prison space, more officers, higher qualifications will be up to the membership. The membership must give direction to their elected officials.

Remember that this two dollars an what it gets our membership must be evaluated and approved in September of 1998 or if not approved must be eliminated and the dues reduced.

But, what if this additional fifty six dollars a year does get a twenty year, or a cola or an up grading. Would it be worth another two dollars a pay to see what that can buy, it may not be ethical but, its a way of life in New York, if you want it bad enough you've got to pay for it.

A.J. Sportiello
Sing Sing

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New Bill Survey: Testing of inmates for transmissible diseases

Please take this survey and forward directly to ts5589@ny.tds.net

Your first name: _____

Your Facility : _____

Would You Support Legislation below: YES _____ NO _____

PURPOSE OF TEE BILL: The bill conforms with the AIDS Advisory Council's principles on HIV testing and is based upon CPL 390.15. In the interests of public health, the bill provides for testing of inmates for transmissible diseases where an employee of a correctional facility has been exposed to blood or significant risk body substances of an inmate through medically recognized circumstances which constitute significant risk and where the testing would provide the employee medically beneficial information which can affect a pending decision to begin, continue, or discontinue medical intervention. It is intended that this shall be accomplished without jeopardizing the confidentiality of the suspected inmate's medical condition.

The bill also provides for a training and education component for employees subject to occupational exposure as directed by the CDC.

SUMMARY OF SPECIFIC PROVISIONS: The bill amends the correction law by adding four new sections providing for testing of inmates in certain cases, employee training, post exposure evaluation and vaccination and screening. The bill provides for the testing of inmates for transmissible diseases in correctional or local correctional facilities, and hospitals. If there is an employee of a facility who has been exposed to blood or significant risk body substances of an inmate through medically recognized circumstances which would constitute a significant risk of transmitting or contracting a transmissible disease which would place such employee at risk of contracting a transmissible disease, the local court of jurisdiction must, upon written request of the employee, order that the inmate to submit to testing for the presence of such disease provided that such inmate has been offered counseling and voluntary testing and the testing shall be the only means by which the employee will receive medically beneficial information which can affect a pending decision to begin, continue, or discontinue medical intervention and the decision can not be made based upon the test result of the employee. The testing shall be conducted by a state, county or local health officer designated by the court order. Test results, which shall not be disclosed to the court, shall be communicated to the inmate or respondent and to the employee in accordance with the provisions of S2785-b of the public health law. Counseling or referrals for counseling will be provided to the inmate and the employee.

The court shall hold a hearing on the request where there is question as to whether circumstances existed which constitute an exposure to blood or significant risk body substance of the inmate who is being ordered to submit to testing and whether testing of the inmate shall be the only means by which such employee can obtain medically beneficial information which can affect a pending decision to begin, continue, or discontinue medical intervention, a test of the inmate could reasonably affect the decision and the decision can not be made based on the test result of the employee.

Such an employee of a facility may direct a request to the commissioner or sheriff for a transmissible disease test to determine his/her status. Such official shall authorize the employee to undergo prompt, scientifically recognized laboratory testing including polymerase chain reaction or other advanced testing technologies for the diagnosis of transmissible diseases. Section 2 of the bill amends the public health law by adding a new section 2785-b which sets forth the administration of testing of inmates or respondents by state, county or local public health officers who will immediately provide to the issuing local court a written report specifying the date the test was completed. The report shall not disclose the results of such test. The results of such test shall only be revealed to the person tested and the employee unless the person tested declines the information. At the time of communicating the results to the inmate or respondent and the employee, the public health officer shall in conjunction with DOCS, office of mental health or a local correctional facility provide counselling referrals.

The bill also provides for employee education and training on bloodborne pathogens and tuberculosis and protocols on screening post exposure evaluation as put forth by the Centers for Disease Control.

JUSTIFICATION:

While performing their difficult and unique duties in various confinement settings, employees at correctional facilities and forensic hospitals are often at risk of coming into contact with persons who engage in conduct which is likely to expose them to transmissible diseases. Indeed, circumstances have arisen which have resulted in the exposure of an employee to an inmate's or respondent's blood or bodily fluid in a manner that may have involved the transmission of HIV or other diseases from the offender to the employee.

Presently, when an employee suspects exposure to a transmissible disease, he or she must submit to a strict testing regime to determine whether he/she has contracted a serious disease. Because reaction to these diseases is often slow to register, employee testing at various intervals will not always provide the necessary information for such employees to assess risk of transmission. Furthermore, this response will not allow the worker and his/her family to determine if he/she should avail himself/herself of the new prophylactic treatments which can prevent the development of full-blown diseases.

Where there is a rational basis, testing of inmates and respondents at an appropriate time will provide employees with information quickly, thereby enabling the employee and his/her family to promptly explore and consider all available options in a fair and reasonable manner.

PRIOR LEGISLATIVE HISTORY: New bill

EFFECTIVE DATE: First day of November

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Sing Sing prisoner fatally stabbed

OSSINING, N.Y. (AP) -- A prison inmate at Sing Sing Correctional Facility was stabbed to death by another prisoner using a 7-inch piece of sharpened metal, a state corrections spokesman said.

The inmate, whose identity was not released, was repeatedly stabbed at around 6 p.m. Tuesday in a cell block that houses about 60 inmates, said James Flateau, a spokesman for the state Department of Correctional Services.

The prisoners had been released from their cells for evening recreational activities at the time.

A guard witnessed the slaying, Flateau said.

The inmate was pronounced dead an hour after the stabbing at Phelps Hospital in nearby Sleepy Hollow. The prisoner suspected in the killing has been identified by authorities, but they would not release his name until he has been officially charged.

Authorities are investigating a possible motive for the slaying.

This is the first homicide this year in the state's prison system, which houses 69,600 inmates. Sing Sing, a maximum security prison with about 2,000 inmates, is in Ossining, about 30 miles north of New York

City.

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PHONE CARDS

Date: 97-11-03 15:36:23 EST

To All Fellow Hackneters,

If you are on the road or happen to make several long distance phone calls, I can give you a phone card that is Rechargeable. All calls will be for only .18 cents a min. no matter what time of the day or night, no matter if it is weekdays or weekends. There is no gimmick, I will send you this card free of charge and you can have it activated and start enjoying only .18 cents a min. This is great for all who are away from home and make calls to stay in touch with friends and relatives. To activate, you simply call the activaton # and charge a min of \$25 and when you use that up, you Recharge the same card. You will never have to go and purchase those 5 and 10 dollar cards that can charge up to 31 cents a min. If you can beat this price per min(and I don't think you can), then disregard, if not, E-Mail me at F1981DC@AOL.COM and I will send you a free card and you can enjoy the same savings I am. In fact, Maybe C82 should contact me and give their Field Reps this card and the whole union can save money. (which is all of us)

Don Fitz

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Short Poll

[Reply to Thomas J. Short Jr.\(ts5589@ny.tds.net\)](mailto:ts5589@ny.tds.net)

I am taking a poll and request that everyone please respond with first name and facility and a simple yes or no. Thank You very much for taking the time to respond.

SHOULD WE EVER SUPPORT THIS GOVERNOR IF HE PRIVATIZES ANY EXISTING, NEW, OR DRUG TREATMENT FACILITIES IN NEW YORK STATE?

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****** MEMO ******

TO: ALL EMPLOYEES
FROM: The POWERS THAT BE
DATE: 10/28/1997
SUBJECT: TOILET POLICY

In the past employees were permitted to make trips to the toilet under informal guidelines.

Effective immediately, a toilet policy will be established to provide a more consistent method of

accounting for each employee's toilet time, thereby ensuring equal toilet time for all employees.

Under the policy a "TOILET TRIP BANK" will be established for each employee. On the first day of each month, employees will be given twenty toilet trip credits. These credits may be accumulated!

Within two weeks, the entrance doors to all toilets are to be equipped with Personnel Identification Electronic Stations (PIES) and computer linked with voice print recognition devices.

Before the end of the month each employee must provide two (2) copies of his/her voice prints, one normal and one under stress, to the personnel department. The voice print recognition stations will be operational but not restrictive for the rest of the month. When installed, employees should acquaint themselves with the stations during this commissioning period.

If an employee's toilet trip bank balance reaches zero, the doors to the toilet will not unlock for that employee until the first of the next month.

In addition, all toilet bowls are being equipped with timed paper roll retractors.

If the toilet is occupied for more than three (3) minutes, an alarm sounds, the roll of paper will retract into the dispenser, the toilet will flush and the toilet door will open.

If the toilet remains occupied, your picture will be taken.

The picture will be posted on the noticeboard. Anyone whose picture appears any more than three (3) times will have cause for instant dismissal.

If you have any questions regarding this policy, please discuss with your personnel officer.

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Parole Watch

Dear Brothers and sisters,

A Brooklyn man put this site together after being robbed, it has some nice info for us.... It shows us all the parole info , and the crimes of the inmate going for parole. I think you will like this...make sure you checkout the inmate database. Hope you enjoy this [ParoleWatch](#)

Additional News article

(Note: This article was originally published April 17, 1997 on the New York Times CyberTimes web site.)

April 17, 1997

New York Group Planning to Use Web Site
To Notify Public on Felons' Parole Status

By PAMELA MENDELS

In a move that is prompting concern among prisoners' rights groups, a Brooklyn-based victims' rights

organization has announced plans to use a World Wide Web site to notify the public when violent felons in New York State -- and, eventually elsewhere in the country -- are eligible for parole. Organizers of the project, called ParoleWatch, say its purpose is to use the Internet to keep victims and the general public informed about an offender's parole status.

But prisoners' rights advocates are voicing misgivings about the project, saying it could prey on people's fears of crime and result in undue pressure on parole officials.

ParoleWatch is being launched by Take Back New York Inc., an organization founded three years ago "to give the law-abiding public a greater voice in the criminal justice system and to advocate for the rights of victims," in the words of the group's founder and executive director, Joseph Diamond.

There is a blank spot in the criminal justice system. We put these guys away. They get out and the victims usually have no way of knowing when they get out.

Raoul Felder

Diamond said that the new Web site's information about violent felons eligible for a parole hearing would be culled from official records and news accounts, and that the site might also publish victims' statements. Diamond said he was also considering including statements from those working on behalf of the prisoner.

Users will be able to find the information by searches based on a variety of aspects of the case, among them the location of the crime, the date of the crime, the name of the inmate or the name of the victim.

In the first year of the project, Diamond said, he plans to publish lists of only New York State prisoners eligible for parole. However, in coming years, he said, he hopes to offer listings of possible parolees nationwide, adding that he hopes to have between 500 and 1,000 cases described on the site by June 1998.

Diamond is also hoping to obtain from the New York State Department of Correctional Services a listing of violent felons up for parole this year, as well as related information. James B. Flateau, a spokesman for the department, confirmed on Wednesday that Diamond's request was before the department's commissioner and said he expected a decision in a week or two.

ParoleWatch will not be the first such site. For almost a year, the New Jersey State Parole Board has published on the Web a list of inmates eligible for parole. But Parole Watch might well be the first parole Web site published by a private organization.

It has some prominent supporters. Raoul Felder, the New York divorce lawyer, serves as chairman of the project's advisory board, which also includes several well-known victims' rights advocates. Felder said he backed the project because too often victims receive no notification when offenders are up for parole.

"There is a blank spot in the criminal justice system," Felder said. "We put these guys away. They get out and the victims usually have no way of knowing when they get out." ParoleWatch, he said, "gives them a fair shot."

Peggy B. Burke, a senior associate and specialist in parole issues at the Center for Effective Public Policy in Silver Spring, Md., says that if the information contained on the site is accurate, the project could prove a valuable public service. Although many states require that victims be notified when an offender comes up for parole, she said, the system is imperfect. Sometimes lack of staffing is a problem. Other times victims cannot be tracked down years after a crime, or a parole board might not even know the name of the victim. A Web site could prove a useful way of helping to rectify these problems, she said.

But others voiced concern about the project, saying it could lead to mass anti-parole campaigns that -- even if based on insufficient information -- could sway parole officials.

Jennifer Gainsborough, the public policy administrator for the National Prison Project of the American Civil Liberties Union, said that the Web site could not provide all the important pieces of information crucial to making intelligent parole decisions, including the behavior of the felon in prison or the circumstances of the community to which he would be returned.

"I dislike these things that are really trying to encourage unproductive involvement by the public," she said. "It's not that the public don't have the right to know this information. But I don't see it as helpful to get people involved in the parole process when they know nothing about a particular case beyond what this group chooses to tell them."

Marc Mauer, assistant director of the Sentencing Project, a Washington, D.C.-based criminal justice advocacy group, said that the site could divert attention from the real problem: what to do to keep a community safe once a prisoner does get out of jail.

"Ninety five percent of people in prison are coming home sooner or later," he said. "There are some who would rather [it be] later than sooner. But even if that is the case, the prisoners are coming home at some point. The more challenging question is what environment are they coming back to? What should the criminal justice system and society do to see they have a smooth transition back to the community?"

But Diamond argues that people have a right to know about the state's plans regarding the fate of criminals.

"If the government were going to open a toxic dump site in a community, the public has a right to know that," Diamond said. "I think it's the same thing with parole. If a violent felon is about to be released to the community, the community has the right to know and at least make a statement."

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Initiation rite for the Bloods gang

By TOM HAYS

NEW YORK (AP) - A woman is slashed across the neck on Park Avenue in what one attacker says is an initiation rite for the Bloods gang.

A girl is sexually assaulted in the bathroom of a New York City high school and says one of her assailants bragged about being a Blood.

An HIV-infected man terrifies New Yorkers by admitting he has had unprotected sex with dozens of young women. He, too, claims Bloods membership.

Absent on New York police blotters just a year ago, the Bloods - or their ``wannabes" - are creating a citywide scare. A growing number of criminals are pledging allegiance to a version of the gang known for fighting bloody turf wars on California streets.

The outbreak has become an issue in the mayoral election and the subject of a debate over whether Gotham's Bloods - and its Crips, too - are actual gang members worthy of all the attention.

``There's nothing new about gangs in New York City," said Jeffrey Fagan of Columbia University's Center for Violence Research and Prevention. ``The hysteria over this is far more intense than the problem itself."

Still, authorities - eager to preserve the city's record run of plummeting crime rates - have gone on the offensive.

In August, police arrested dozens of suspected Bloods in ``Operation Red Bandana" - a reference to the gang's signature color. The sweep came in response to about 130 random slashings since January, half attributed to a blood-drawing initiation rite.

In the past week alone, police cracked down on a branch of the Crips in East Harlem called the Rollin' Thirties Crips, arresting 24 members on drug and other charges, and foiled a plot in which two Brooklyn rape suspects allegedly tried to silence their 14-year-old victim by paying a Blood \$5,000 to kill her.

Authorities have identified about 1,000 Bloods in the city, including 500 in the jail system. Yet the gang remains a riddle.

Experts and police agree the Bloods are much less organized and fraternal than established New York City gangs like the Latin Kings, Netas and Zulu Nation. They also have no official affiliation with their murderous West Coast counterparts.

``They're alien creatures to us," said Sgt. Wes McBride, a member of a Los Angeles County sheriff's gang unit. ``The slashings, we don't have that. The gangs out here don't take any pleasure in hurting people for no reason. If they have a problem, they just blow you away."

So who are the New York City Bloods?

One profile portrays them as independent crews, or ``sets," of 20 or so petty criminals who identify each other with red clothing and a triangle of cigarette-burn scars on their shoulders. In some neighborhoods in Brooklyn, Queens and Manhattan the crews have been linked to assaults, subway robberies, crack dealing and random mayhem aimed at muscling out criminal competition.

``We have our own New York-style Bloods," said Queens prosecutor Mariela Palomino-Stanton. ``They've borrowed traditions of the (West Coast) Bloods and put their own stamp on them. But it's not so organized that you can really get a clear picture of the extent of the problem."

Some authorities speculate that the Bloods on the street ``graduated" from the city jail system, where black inmates began banding together and using the name to protect themselves from Hispanic gangs.

The school system also is rife with ``gang intimidation strategies," according to a recent report by Edward Stancik, the Board of Education's chief investigator. Bloods in Brooklyn waited outside a junior high school to jump students, hold boxcutters to their throats and offer them ``one way out: join the

gang," the report said.

The same week the report made headlines, Mayor Rudolph Giuliani announced he was beefing up the Police Department's street gang unit. He vowed to create gang-free school zones. He also called on legislators to enact tougher anti-gang laws, boasting that his proposals are ``precisely what should have been done in the 1920s with the Mafia."

Critics called the mayor's announcement election-year hyperbole. They also claimed the mayor and Stancik failed to distinguish between real Bloods and teen-agers who are using the name.

For those teens, ``the Blood name works," Fagan said. ``It gives you instant status as a tough guy."

Authorities suspect many incidents - like the Park Avenue slashing and the sex attack at Martin Luther King Jr. High School - are the work of wannabes.

Still, frightened parents have kept their children home - especially on Halloween, after rumors circulated that it was a Bloods initiation day. Principals have canceled late afternoon classes amid rumors that gang recruiters were lurking.

Some students act unfazed.

``The Bloods here, they're not real," said a Martin Luther King senior from the Bronx who identified himself only as Gabriel. ``They're just into the image, into the initiations and all that."

But one resident of a Brooklyn shelter for former gang members nodded knowingly when asked about the scare. His warning: Trying to separate actual gang members from wannabes is folly.

``The wannabes, I don't laugh at them," said Jimmy, 31, once a member of the Los Angeles gang Varrio Norwalk. ``They're dangerous because they have the most to prove."

AP-NY-11-03-9

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Sergeants Local letter of complaint

Dear Rich:

On 10/20/97, I learned that C-82 (all max facilities) and DOCS was going to hold a two day meeting at the Marcy QWL concerning GANGS within our facilities. I attempted to call you on 10/21/97 to ask why the Sergeants and the Lieutenants were not invited to this two day meeting. But, as usual, not a sole except John D'Alessandro, was in the Albany Office. I was informed that everyone was out of the office attending some type of meeting in Connecticut. I attempted to call again at 1:00pm on 10/22/97 and again there was not a sole in the Albany office. Everyone had already left for the two day meeting at Marcy. At that point I asked the C-82 operator to page Mike Graney and I gave her the Great Meadow phone number because I was at work. When Mike called me, I informed him that I was very upset over the fact that the SERGEANTS & LIEUTENANTS WERE NOT INVITED to this two day meeting. Mike stated that the Sergeants and Lieutenants were on the list for this meeting, but Correction Policy did not want us at this meeting and they had us removed from the list of people to attend this meeting. At that point, I stated that the Sergeant's and Lieutenant's locals are both statewide local who represent every

facility in the state, we should have been invited to this meeting. I also informed Mike that I would sending out a letter regarding the fact that once again, C-82 and Correction Policy has cut the Sergeants and Lieutenants out of something that effects every member of C-82. On 10/22/97 @ 9:pm Pam Troue was on my answering machine; message was that now THEY ? wanted me and Lt. B. Smith to attend the meeting on 10/23/97 and that I should page her as soon as possible. Upon paging her and her returning my call, I then explained it would be impossible for me to arrange time off at that time of night. I then asked her to have Mike Graney call me. When Mike called me @ 10:00pm, I again explained it would be impossible for me to arrange the time off and that I was pissed off over the fact that Correction Policy had cut the Sergeants and Lieutenants out of this meeting. Mike then stated that he now believes that it was DOCS that did not want the Sergeants and Lieutenants at this meeting. Mike also stated that he thought that the Sergeants and Lieutenants would be done separately at some later date. I asked Mike to check with Mr. Breen (who was there with him) and call me back. I waited until midnite, but never received a call and on 10/23/97, I reported to work.

My question to you Rich, is when is C-82 going to stop SHITTING on the Sergeants (largest local within C-82) and the Lieutenants? When are the elected leaders of C-82 going to wake up and realize that the Sergeants and Lieutenants are dues paying member of C-82? When are the elected leaders of C-82 going to understand that C-82 has other members besides Correction Officers? When is C-82 going to show US, the members who are not Correction Officers, some respect by including us in matters that effect EVERY member of C-82? Also, if it was DOCS and not Correction Policy, that cut us out of this meeting, then why didn't YOU or someone else from C-82 fight for our right to be at this meeting? I demand a written response, so that I can better explain to my 1,000 + pissed off members why we and the Lieutenants were not invited to attend this very important meeting.

Fraternally,
Timothy P. O'Leary, President Local 1871

cc: M. Graney C-82 V/P, L. Crouch C-82 Secretary, M. Surprenant C-82 Treasurer, J. Butler Corr. Policy Chair, R. Hoyt Law Enf. Policy Chair, W. McMillan C-82 Staff Rep, M. Cooper 1871 Secretary, All local 1871 Executive Board Member, All local 1871 Stewards, B. Smith President of Lt.'s local 2951, file

John Butler Correction Policy Chairman reply:

<< My question to you Rich, is when is C-82 going to stop SHITTING on the Sergeants (largest local within C-82) and the Lieutenants? >>

***That was a great letter from a uninformed local president as far as I am concerned!!

Rich was on vacation during this whole thing and Mike, Patty and myself took the initiative to hold these meetings with Richs blessing!! So my question to O'Leary is why didn't he CALL me to get the real deal, after all it was Correction Policy that he first accused!!!

If he wants to talk about getting shit on ask him why he circumvents C-82 and negotiates with DOCS without coming to us first. Ask him that if he expect Sgts and Lts to be invited to Correction meetings with hacks if it will be alright if hacks come to HIS meetings with DOCS!! Tim is the ONLY one on a one way street here, I suggest your local inform him WHO the Correction Policy Chairman is and how to

get in touch with me, he obviously doesn't know!! He will find a man that is very open and accepting to Sgt.s and Lt.s concerns and would be willing to help.

I have already said more than I should concerning that letter, but you should have seen me and Patty the day we read it. The part about DOCS not wanting them there is true and that is because of the way it has been set up over the years. We didn't do it, but would like to correct it. Because of the time constraints we were under to get this together the issue of Stgs and Lts being there was left to the members and they wanted them there too! Had Tim and/or Bernie been able to make it WE would have and was prepared to LEAVE, if DOCS protested!!! Did he tell you that?

John Butler
Correction Policy Chairman

Anthony Sportello
President
Sing Sing CF reply to letter:

Dear Brother O'Leary,

I was one of the Presidents who attended the meeting at Marcy QWL, on Wednesday 10/22/97 Presidents from a number of the Max. jails met in Vernon New York for a pre-meeting briefing. At that meeting the question as to why you and Bernie Smith were not in attendance. We were told that DOCS refused to meet with the line staff union reps and management representatives.

On 10/23/97 the same question was asked to Kevin Breen, his response was that DOCS would meet separately with Sergeants and then with Lieutenants. He stated for the record that Sergeants and lieutenants were management and DOCS will not meet with all the factions of C82. K. Breen stated that this has been the policy of DOCS for the fourteen years that he has been with the State.

Mr. Breen was told that Sergeants and Lieutenants are part of Council 82 and that the Union will dictate the representatives that will be present at meetings.

Also, the Executive Committee members that were present were told that an Unfair Labor Practice should be lodge against DOCS.

I don't know if when the meeting was setup if the original listing of attendees included Lieutenants and Sergeants.

For the record, I think it is time for the Lieutenants and Sergeants to become a full partner in the Union, this would include membership in the Policy Committee.

Fraternally,
A.J. Sportiello
Sing Sing

2nd letter from Tim O'Leary

Date: 97-11-09 12:38:00 EST

To All Local 1871 Stewards:

I would like to clear up the issue as to who did not want the Sergeants and Lieutenants to attend the two day meeting for all maximum security facilities on inmate gangs. After further discussions with C-82 VP Mike Graney, C/P VC Pat Rybak and Asst. Comm. K. Breen, I have learned that it was the Dept. and NOT Correction Policy, that did not want the Sgts and Lts at this meeting. Mr. Breen stated that the Dept. considers the Sgts and Lts to be middle management and whenever the Dept meets with C-82 and the Correction Officers, the Dept does not want the Sgts and Lts to attend these meetings. Mr. Breen further stated that if our local requested a labor/management meeting and if inmate gangs were listed on the agenda, the Dept would discuss inmate gangs with the Sgts at that time. The Dept can consider the Sgts to be whatever they want, but the fact is, the Sergeants are FRONT LINE Supervisors who work hand and hand and side by side every day with the Correction Officers and bottom line Sgts and Lts are members of C-82. Therefore, if not the Lts., at least the Sgts. should have been allowed to attend this two day meeting. I still believe that the Sgts. and Lts. should have been allowed to attend the two day meeting. Your Executive Board and I will continue our demands to both the Dept and C-82, for both Sgts and Lts to be included in all meetings and discussions on matters that effect EVERY member of C-82. We will not back off on this issue until our demands are met.

Fraternally,

T.P. O'Leary, President Sgts Local 1871

cc: C-82 Pres R. Abrahamson, VP M. Graney, CpVc P. Rybak, Local 1871 Executive Board and CPC J. Butler

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Military Leave Case

There is a case known as the Military Leave Case in which a Federal Judge determined the following: It is managements duty to determine the needs of the facility and establish jobs (plot plan). Jobs are made up of three components, hours of work, day off squad and job assignment (area of work per plot plan). Officers have a right to bid these jobs.

If you take this determination and apply the contract to you will see that if any component of the job changes it is now a new job and should be re-bid. Also take into consideration Article 24, permanent vacancies are posted, this leaves management no right to unilaterally change any bid job as it is permanent and has been agreed to when the plot plan was negotiated.

Another aspect of management unilaterally changing jobs is, was it done unilaterally or did the Local sanction it? If the local sanctioned it without rebid you have been misrepresented. If not, management is guilty of dealing direct with the holder of the bid if they sought approval from him.

This is my opinion after several years of trying to represent members under this contract in a fair impartial manner. I hope I have provided some insight and assistance.

HD

In a message dated 97-11-08 12:15:52 EST, you write:

Per our contract, seniority shall be the basis by which we select pass days. (RDO) so, theoretically any time you change a jobs squad you change 100% of that job. now, most of us would agree to some extent that many co's bid jobs by virtue of that jobs discription (duties) the contract has no language in it regarding job description. Also, there is no language in the contract regarding the changing of a particular jobs discription, and how much of that job must be changed before it must be posted for re-bidding. I don't have a copy of the contract in front of me right now but, we do have a paragraph that allows for mutual agreements between labor & management to circumvent the seniority portion of the contract.

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Prison industry blues

The Times Herald Record 11/6/97

Audit: Program costly, few inmates employed

ALBANY (AP) - Too few state prisoners are making license plates, office desks and uniforms - and they're making them at too great a cost to the state, state Comptroller H. Carl McCall found yesterday.

Despite a goal to work without any cost to the state, the Corcraft program ran a \$4.4 million deficit in the fiscal year ending March 1996. McCall's auditors blamed weak long range planning and poor marketing, and questioned why only 3 percent, or 2,160, of the state's 69,700 or so inmates work for Corcraft.

The Department of Correctional Services refuted several of the auditors' findings.

For example, Corcraft improved productivity as a means of reducing the number of inmates working, and saved the state \$2.4 million in salaries for correction officers, prison officials argued.

Productivity isn't the problem with Corcraft, said Theresa Bourgeois, McCall spokeswoman. She said the bigger question is whether there is enough of a market to make Corcraft self-sustaining and whether Corcraft's managers are apt to find it.

The McCall report explored whether the prison industries should expand it's market beyond public agencies to the private market. Right now, Corcraft can sell goods to state agencies, local governments, public authorities, the federal government and other state governments.

So far, the Department of Correctional Services is its biggest buyer, with 24 percent of all sales, followed by the Department of Motor Vehicles with 21 percent.

But Ed Cleary, president of the state AFL-CIO, doesn't think the state should be underwriting prison industries at all.

"Has he decided what industries he wants to put out of business?" Cleary said. "That should be in the report, too."

By mandating local and state government agencies to buy office furniture from Corcraft, the state is

putting private furniture suppliers out of business, Cleary said.

"There were four or five furniture makers back in Jamestown years ago. Not anymore. A couple of those places relied on government contracts, and they competed with each other," Cleary said. "It's a crazy thing that we have to lessen the cost of the prison system by eliminating (private) jobs."

Corcraft hasn't taken jobs from any private companies, Flateau said, and efforts to improve marketing and productivity are made to protect existing private industries.

"In the past, the people who sold furniture in New York who complained about competition from Corcraft didn't make any furniture in New York," he said. "They imported furniture from outside of New York for sale in New York."

Prison industries gained attention earlier this year with a Department of Correctional Services report that Corcraft makes about a quarter of all Medicaid eye wear in the state. Private optics lab operators complained they were losing valuable Medicaid business.

Virtually from the moment the state set up prison industries in the late 1810s, the policy has been set upon by those who complained that it was taking jobs away from "honest" industry.

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Prison use(s) discussed

By KRISTEN SCHWEIZER Staff Writer

SOUTH FALLSBURG - A proposed private prison in the Town of Fallsburg could take one of two forms --either it could be a holding facility for the INS, or a minimum security prison for state prison inmates in need of drug rehabilitation.

Those two options were offered as possibilities before a packed Fallsburg Town Board meeting last night as officials from Corrections Corporation of America talked about their plans. James Ball Jr., director of business development for CCA, said his company hasn't yet decided which course to take. No paperwork has been filed with the town at this point. "We're looking for a potential match for the town of Fallsburg," Ball said. He added CCA "is not going to a community where we're not wanted."

Their presentation brought out a spirited crowd of about 70, with many state corrections officers among its ranks. Some carried signs outside, such as "CCA Go Home," and "No Privateers." Many state corrections officers see private prisons as trouble--noting they pay less and that their employees are less qualified than state prison workers.

Duane Hannold, president of Council 82 at Sullivan Correctional Facility, said CCA's presentation was "well-rehearsed... they side-stepped every question the public had." Examples, he said, including what kind of barrier they intend to put up to protect the nearby Benjamin Cosor Elementary School - some 800 feet away from its property line. Also, who would cover the costs in the event there was an escape and outside police had to be called in?

Ball said the Fallsburg facility would employ more than 450 workers. He said the INS inmates would mostly come from arrests of illegal aliens at Kennedy Airport. He said his company is expected to meet soon with state officials to discuss the option of drug rehab inmates.

In February, CCA announced it had purchased 180 acres off of Old Falls Road with the intent to build a \$42 million, minimum-security 1,000-bed drug treatment facility. The company had remained mum on its plans until yesterday, despite much opposition from locals and state officials.

In April, state Attorney General Dennis Vacco issued a ruling saying New York law does not authorize private prison to set up inside the state. Gov. Pataki, as well as other state corrections officials, also came out against the plan.

Locally, a grassroots group also formed against the prison proposal. The group, Citizens Opposed to Private Prisons, is made up of concerned locals and various employee unions including area correction officers.

Once CCA officials file a formal application to build here, the town's Planning Board will conduct an environmental impact study on the company, including what economic impact a private prison would have in Fallsburg. The town must also change zoning on the land CCA bought. And finally, public hearings will be held before anything is finalized, town officials said.
