

Correction Officers' Benevolent Association, Inc.

“PATROLLING THE TOUGHEST PRECINCTS IN NEW YORK”



October 14, 2016

A Message From The President

COBA PUSHES BACK AN UPDATE ON OUR PROGRESS AND THE CHALLENGES THAT REMAIN

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Dear Brother and Sister Officer,

Since assuming the responsibilities as president of the COBA, I have received a lot of positive feedback from officers who are both new to the job and from those who have been on the job for many years. The common response I hear is that officers are interested in learning about the union's vision for changing the negative public narrative that has tarnished our reputation and distorted the tremendous role we play in New York City's Criminal Justice System. A Correction Officer armed with knowledge and information is a Correction Officer better prepared to confront the challenges that lay ahead.

That is why I will continue to share with you in person, via membership mailings, on our website and social media, everything the union continues to do on behalf of you, the members, as well as the challenges that we still must face and our plan for tackling those challenges head on. **I will continue to be completely transparent in all of our union business and ask that you tune in to our message and engage. When you receive a post card inviting you to a general membership meeting (which had never been done before), make it a priority to attend the meeting just as we, the COBA Executive Board make you and your brother and sister officers our number one priority.**



COBA PRESIDENT
ELIAS HUSAMUDEEN
ON INSIDE CITY HALL

Discussing the
elimination of punitive
segregation for 16-21
year old inmates.
October 11, 2016



COBA President Elias Husamudeen with a NY1 reporter at the October 11th Board of Correction hearing discussing rule changes for the Department of Correction.

COBA FILES LAWSUIT TO STOP THE ELIMINATION OF PUNITIVE SEGREGATION FOR 16-21 YEAR OLD INMATES

Looking at the road ahead, we as correction officers, face many new challenges to our safety and security which require a new approach for dealing with these challenges. Accordingly, we have taken a new, pro-active approach to pushing back against City Hall, The Department of Correction and the Board of Correction.

We have filed an improper practice petition against the City and the Department of Correction for violating our collective bargaining agreement when the Department unilaterally eliminated punitive segregation for 18-21 year old inmates. In addition, we have sued the Mayor, the City Council and the Law Department for their failure to keep us safe. COBA's position is crystal clear. Ending Punitive Segregation is another way of saying it is open season on correction officers and an invitation for inmates to increase their terrorist attacks on correction officers, civilians, and other inmates. This administration puts their desire to be first in the nation ahead of being the smartest, when it comes to ensuring the safety of staff and inmates alike.

We are also suing the Board of Correction for their failures to keep us safe. If there was ever a tale of two cities, it could not be more evident in the City's two approaches to crime fighting. In one approach with the NYPD every possible tool is provided to police officers to their precinct commanders. Their academy is cutting edge with the latest technology and new legislation is regularly passed by the City Council to give them the resources they need to protect themselves in their fight on crime. But that's simply not the reality in the other approach to the City's fight on crime. When it comes to the crime wave we see in the jails we could not be less adequately equipped, more under staffed and poorly trained to deal with the terrorists we face each and every day.

We need to remove these repeated terrorists from our jails and have them placed in a different jurisdiction NOW! Our message to the Mayor is ***"Stop telling us help is on the way and that reform is working. Stop telling policy makers, like the Board of Correction, that thanks to some bogus Departmental programs our members feel safer. STOP PRETENDING THAT THE CRIME WAVE IN THE JAILS DOES NOT EXIST!"***

COBA is demanding that Mayor de Blasio apply the same priority, resources, and tools to our war on crime inside the jails, as he would to the public war on crime which his administration touts daily. Unless the administration adopts one uniform strategy to fighting crime on the street and behind bars, there can be no victory for public safety in New York City.

We have also undertaken a new, pro-active approach in dealing with the Nunez Litigation and new rules concerning Use of Forces. To that end, we have filed a lawsuit against the new Use of Force Directive and we have returned to the bargaining table to renegotiate our contract based on the new Nunez Litigation. The directive based on the Nunez litigation was pushed back again to take effect in September of 2017.

COBA FILES LAWSUIT AGAINST INMATES WHO ASSAULT OFFICERS

We have begun, for the first time, filing personal lawsuits against inmates on behalf of correction officers, especially those who we know have filed lawsuits of their own against the City and the Department and who are guilty of assaulting correction officers. **The days of inmates brutally assaulting our members without consequence ARE OVER! This Executive Board and I will hold everyone responsible when it comes to our safety and the work conditions that we work under.**

REMOVE ASSAULTIVE AND MENTALLY ILL INMATES OFF RIKERS

I have demanded that inmates who continue to assault Correction Officers be removed from our system and sent to mental health facilities or jurisdictions that have punitive segregation. I also recently testified before the Fire and Criminal Justice Services Committee at the New York City Council about a number of bills being introduced that would affect Correction Officers.

Our members' safety, as well as the public's safety must be paramount. We have not, as yet, seen a detailed plan that would demonstrate how producing inmates in civilian clothes would prevent the concealment of weapons and contraband which we already struggle with when inmates are behind bars.

The Council was reminded that correction officers transport anywhere between 900-1,100 inmates daily back and forth through the five Boroughs to the courts and back to their facilities. There is no room for error and correction officers perform this essential service every single day without any incidents. The criminal justice system depends on this seamless process in order to adjudicate the numerous court cases that are processed daily.

We recently met with Council Speaker Melissa Mark-Viverito and Public Advocate Tish James to express a number of our security concerns regarding this proposal.

CORRECTION OFFICERS WORKING DOUBLE AND TRIPLE TOURS

How can this agency ask correction officers to be away from their children for 72 hours straight without proper rest? How can this agency force law enforcement officers to miss meals during these punitive shifts? How does the Department even justify mandating triple overtime shifts when the inmate population has actually declined from last year?

Just this past August, 335 correction officers were forced to work triple tours because of the numerous new programs the DOC has adopted. For example, in the George R. Vierno Center, in the Secured Unit Program that began in July, there are only 7 inmates but yet there are 60 correction officers assigned to monitor them. In The Robert N. Davoren Center there is the Transition Restore Unit Program (TRU) that requires 50-60 Correction Officers to monitor less than 10 inmates. Similar programs such as The Accelerated Program Unit (APU), The Program Accelerated Clinical Effectiveness Unit (PACE) and the Clinical Alternative to Punitive Segregation Program (CAPS) exists in The Anna M. Kross Center. And OBCC has The Enhanced Supervision Housing (ESH) Program.

Because of the implementation of programs such as these, correction officers are forced to work double and sometimes triple overtime shifts. We are firmly in support of legislation passed by the City Council which would require the Department to evaluate the effectiveness of the programs it utilizes.

We are demanding that these programs should not be implemented until there is an adequate amount of Correction Officers to staff them with out creating triples.

The COBA will continue to voice our concerns on these vital issues and we will work vigorously to assure that the safety and security of our members is at the forefront of any legislation that this Council passes.



COBA President Elias Husamudeen and Darcel Clark, Bronx District Attorney at the opening of the new arrest unit for visitors and inmates. September 22 2016.

INMATES WHO ASSAULT CORRECTION OFFICERS

Since our last union meeting, there have been a number of positive developments that I want to share with you. First, since Darcel Clark took over as the new Bronx District Attorney, we have met with her and her new team assigned to Rikers Island, numerous times and pushed hard to have inmates who assault Correction Officers to be immediately re-arrested.

To date, the inmates involved in the last five serious incidents causing injuries to correction officers have been arrested and received bails up to \$500,000, with some having been moved to another jurisdiction entirely.

These inmates include: inmates in GMDC who applied a chokehold to an officer and slashed the officer. They were both re-arrested and hit with a \$500,000 bail. In GRVC, an inmate was re-arrested for stabbing an officer with a pen. The inmate was remanded. In OBCC, an inmate was re-arrested and hit with a \$50,000 Bail Bond for punching an officer in the head. Also in OBCC, an inmate was re-arrested and hit with a \$500,000 bail for assaulting a CO who sustained a deep laceration to the left side of his face. At West Facility, an inmate was re-arrested and remanded for slashing an officer in the forearm. In addition, the Bronx DA just opened her office on Rikers to expedite the arrest of

inmates and visitors who commit crimes while on Rikers Island. Recently, we successfully put in our contract the establishment of a Rikers Island Arrest Unit which is focused on arresting and prosecuting inmates and visitors who bring in contraband.

These arrests are just the beginning. I have directed our Legislative Chairman, Tommy Farrell, to have new legislation introduced at the next State legislative session that would impose mandatory sentencing for ANY inmate who assaults a CO, whether or not a serious injury was incurred. This legislation would also mandate consecutive sentencing for assaultive inmates. We are also introducing legislation to make it an automatic felony for anyone found guilty of promoting prison contraband to address the influx of drugs and weapons brought in by inmate visitors.

For far too long, this Department has allowed inmates who assault correction officers to threaten our safety with impunity. We will fight to keep arresting these inmates, we will keep suing these inmates and we will push to have these inmates completely removed from our jails and sent to a different jurisdiction where punitive segregation exists.

If policy makers can act so swiftly to punish individuals who assault NYC police officers, then those same elected officials should act just as swiftly to punish the convicted criminals who terrorize and assault our Correction Officers!

The union is continuing our fight to have the use of punitive segregation for all inmates including 16-21 year olds. We are fighting to adopt the same policy that the Federal government uses on punitive segregation/solitary confinement. The Federal government did not eliminate punitive segregation for inmates of any age. It appears that City Hall and the Department seem to think they know more than the Federal government when it comes to inmates who violate and continue to commit crimes while incarcerated.



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“Patrolling The Toughest Precincts in New York”

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Real Solutions for Real Problems



The shortsightedness of the Department and the City of New York is evidenced by their failure to reduce violence with the elimination of punitive segregation for inmates who historically are the most violent population in the system.

We will continue to fight the Board of Correction and City Hall’s decision to eliminate punitive segregation.

In my meetings with the Mayor, I have also pushed for the creation of a new state of the art correction academy and have finally been informed by City Hall that monies have been set aside to include funding for this vital project in the next Mayoral Budget. I will keep you posted as this develops.

Another positive development is the fact that since we negotiated our last contract and created a 30 day suspension review committee, the number of Correction Officers out on suspensions for job-related use-of force incidents has diminished to nearly zero, which is unprecedented.

We have taken steps to significantly improve union benefits, especially for retired members and will be opening a new COBA benefits office on 21st Avenue in East Elmhurst, Queens to make your union benefits coordinators more accessible to you.

STAY ENGAGED WITH COBA

While there has been much progress in some areas, there is still much more work to do in many other areas. There are problems at every facility, some that are unique to that facility and others that are common throughout the Department. I want to be informed about these issues by you. I want to know if your mutuals are being denied; **I want to know if your pass days are being cancelled; I want to know if you aren’t getting meals; and I want to know if you are forced to work four out of four and triples. It doesn’t matter if you have one day on the job or twenty years. I need to hear from you!** Email me at president@cobanyc.org. Call your Delegate and call your Executive Board Member. We work for you and just as we have strived to arm you with information, we also need to be armed with information so we can effectively fight for you. You are our eyes and ears in the jails.

Our commitment is to restore safety and security on behalf of every single correction officer. Our cause is improving your work conditions and bringing back the respect and dignity you so rightfully deserve. So as we face these new challenges in our union’s history, the question becomes, which path will you choose? Will you remain complacent and disengaged? Or will you stand up for yourself, for your fellow officers, and for

your union? Will you look the other way or will you become an ambassador for the union, speaking to your family and friends on social media and educating them about the realities we face, the sacrifices we make, and the duties we perform on behalf of this City each and every day. I call on you to join us on a new path, create a bold new narrative for New York’s Boldest, and together let’s write the next great chapter in the COBA’s history!

REAL SOLUTIONS FOR REAL PROBLEMS

As the President of this union, it’s so important for you to understand who I am and what I am about. I’m interested in real solutions and achieving real results. The problems facing us as correction officers are real and deserve real solutions. Problematic inmates and mentally ill inmates who assault us are serious threats and properly dealing with them requires more than protests, demonstrations, and rhetoric. This union has offered real solutions to solve this problem. This is just the beginning. Stay tuned and stay engaged.

In solidarity, always,

Elias Husamudeen
President