



New York State

Correctional Officers

&

NYS COPBA

Police Benevolent Association, Inc.

**Testimony of  
Michael B. Powers  
President  
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**As part of the**

**Joint Legislative Public Hearings On the 2016- 2017 Executive Budget Proposal:  
Public Protection**

**February 4, 2016  
10:00AM  
Hearing Room B  
Legislative Office Building  
Albany, NY**

Good afternoon Assemblymember Farrell, Senator Young and esteemed members of the Fiscal Committees.

Thank you for allowing me the opportunity to speak today on behalf of my entire membership regarding the Governor's proposed budget for the upcoming fiscal year.

My name is Michael Powers. I have the privilege of serving as President of the New York State Correctional Officers & Police Benevolent Association, (NYSCOPBA). Among other titles, NYSCOPBA represents approximately 20,000 dedicated correctional officers and sergeants who are charged with maintaining the care, custody and control of our state's prison population, a thankless job that is becoming more dangerous each year.

With me today are two of NYSCOPBA's other statewide elected officials, Executive Vice President Tammy Sawchuk and Treasurer John Telisky. Also present are several members of the NYSCOPBA Executive Board.

Let me begin by stating the obvious. Since we visited with you a year ago, the correctional system in New York State has faced the greatest challenge in its recent history. Of course, I am talking about the escape at the Clinton Correctional Facility last June.

We are all waiting for the Inspector General to complete her investigation. An investigation, we trust, that will not only reveal the specific facts associated with the escape, but will also address the root causes of such a breakdown in one of the most critical institutions in our society, namely, our correctional system.

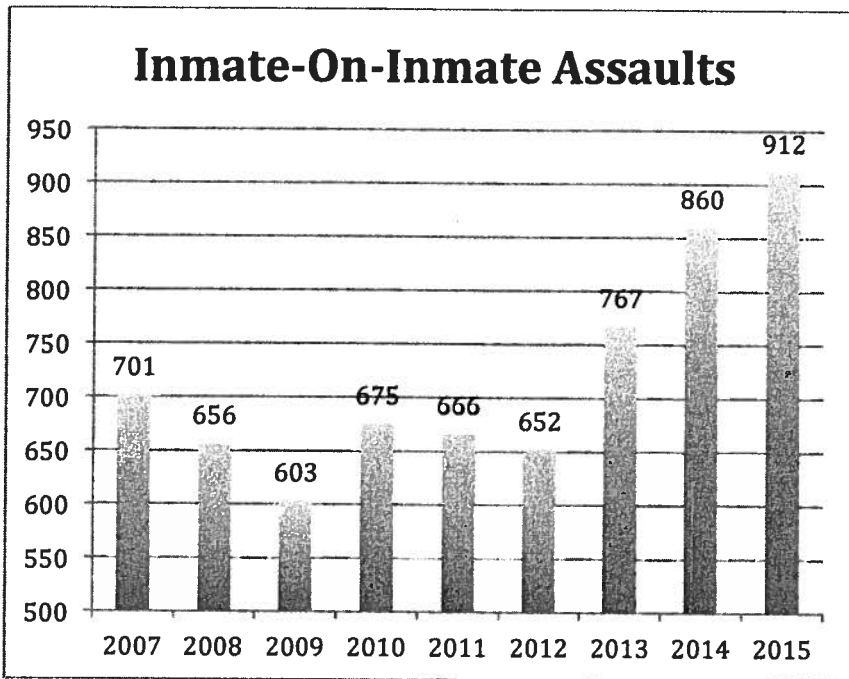
When that investigation is complete and we have had time to thoroughly digest its findings and conclusions, I can assure you that NYSCOPBA will clearly, forcefully and frequently share its recommendations for how New York's correctional system can be improved.

NYSCOPBA can do this because of the working knowledge its members have of our correctional system. We have shared these recommendations with this Administration and with prior Administrations. And we will continue to do so until the one goal of every corrections advocate, regardless of political or ideological persuasion, has been achieved.

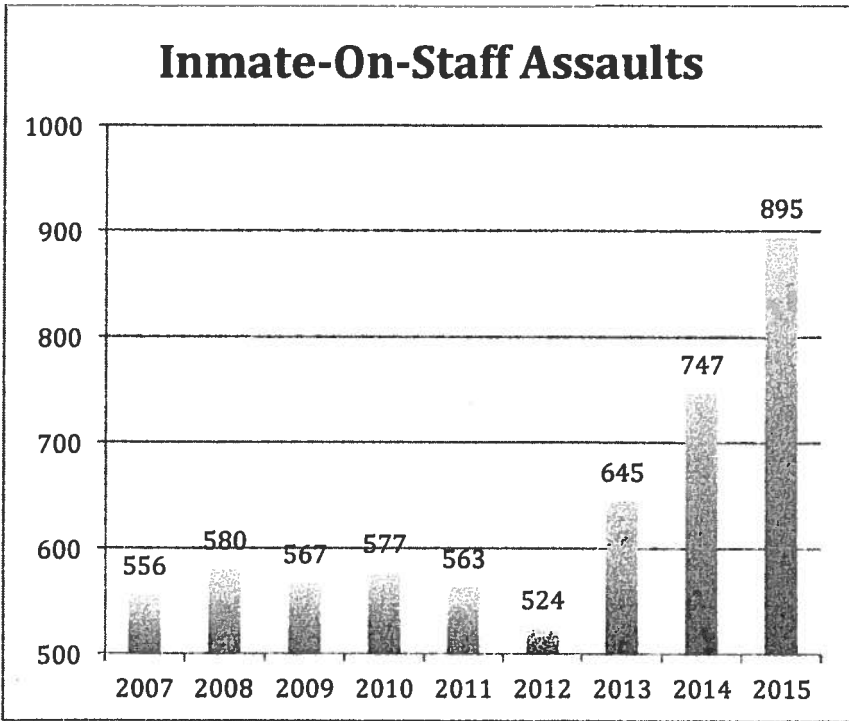
That goal is the dramatic reduction in violence that afflicts inmate and staff alike within the walls of the New York's correctional facilities.

Some of you may remember our testimony from last year. For the first time, we presented visual displays of the amount of violence that afflicts New York's correctional system.

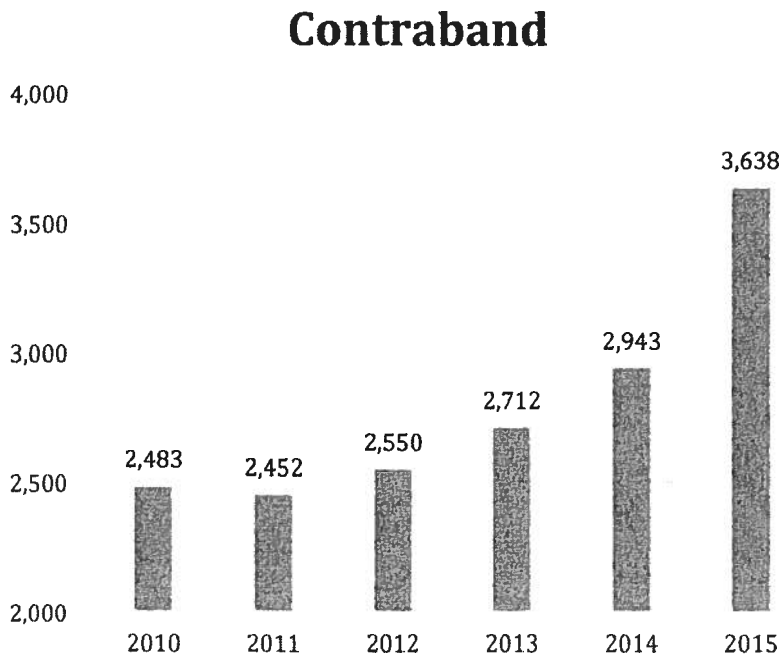
Sadly, I am duty bound to share an even more troubling display than we provided last year.



According to data gathered by the Department of Corrections and Community Supervision (DOCCS), inmate on inmate assaults grew by six percent in 2015 and are up forty-seven percent from their recent low water mark of 2009.



Inmate on staff assaults grew by twenty percent last year and are up more than *seventy* percent from the recent low in 2012.



There is also an explosion in the amount of contraband in the correctional system. Up nearly twenty-four percent from just the prior year.

Unfortunately, we are not aware of any data on the amount of K2 or other drugs possessed by inmates. But anecdotal evidence and the contraband data suggest they are rampant in most, if not all, facilities.

Let me remind you that this alarming *rise* in assaults and confiscation of contraband have been occurring while the inmate population has been *falling* by more than five percent.

Let me also repeat that it is our belief that no one supports the more violent system depicted by these graphs. We just do not agree on the root causes of this epidemic or how to reverse it.

I would now like to clearly and concisely state what the dedicated professionals of NYSCOPBA believe:

- We believe it takes resources to effectively provide care, custody and control of inmates.
- This is especially true because a larger percentage of the inmates inhabiting correctional facilities (nearly 2 out of every 3) have been convicted of violent felonies.
- It is also the case that inmates that were originally assigned to maximum security facilities based on the nature of their conviction have been reshuffled to medium security facilities to address overcrowding at maximums. Overcrowding, I should mention, that still exists today.
- The necessary resources I just mentioned come in the form of a sufficient number of regularly and uniformly trained corrections officers outfitted with equipment that enables them to both do their job *and* return home safely to their family each night.
- While we are encouraged by the increase in correctional officer positions that have been filled in the current fiscal year, we have not yet reached a staffing ratio that allows posts critical to the safety of inmates and staff to remain open as their security plan dictates.
- Meaningful training is not regularly available once a corrections officer leaves the Academy. Too often, what is provided does not focus on the tools and techniques corrections officers need to provide security to a facility.
- While we are encouraged by the additional money proposed in this budget for better equipment at Clinton and certain other facilities, in many cases the equipment corrections officers rely on is embarrassingly outdated or inadequate. And we are not talking about high tech devices you might see in the movies. We are talking about basic needs like flashlights, batons, radios, vehicles and the like.

**NYSCOPBA has articulated its stance on these critical issues frequently and consistently at hearings like this and through official channels like Labor-Management meetings at both the State and facility levels. All too often, the response has been a polite acknowledgement but no meaningful follow-through by the Department.**

**NYSCOPBA hopes that the release of the Inspector General's report will spur meaningful and concerted action to reform a correctional system that had already been in crisis prior to June of 2015. A crisis that no one can now deny.**

**The men and women of NYSCOPBA, each of whom walks the toughest beat in law enforcement (as Senator Nozzolio often states), remain committed to such reform.**

**Thank you again for the opportunity to share our views. We will do our best to answer any questions you have.**