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Testimony of  
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As part of the

Joint Legislative Public Hearings On the 2015- 2016 Executive Budget Proposal:  
Public Protection

February 26, 2015  
10:00AM  
Hearing Room B  
Legislative Office Building  
Albany, NY

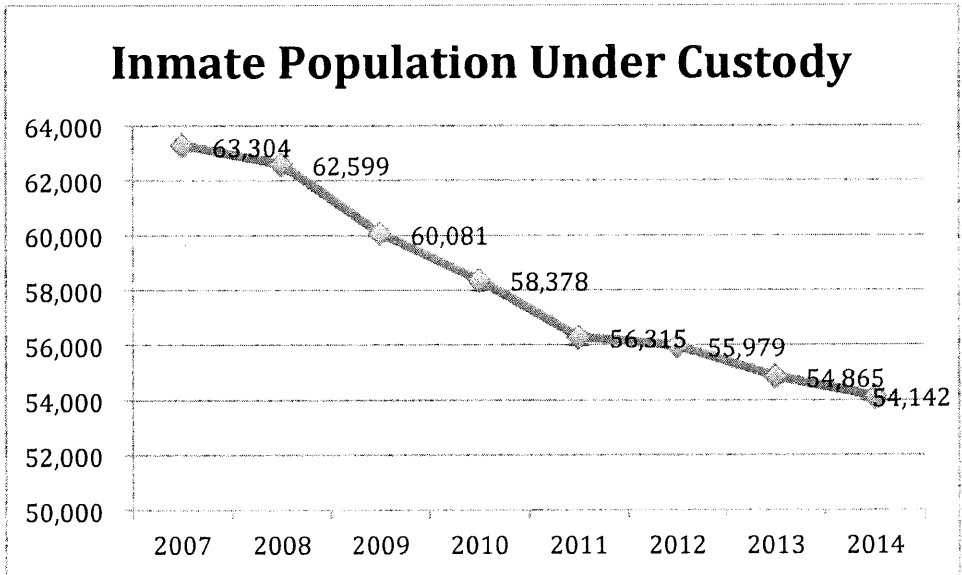
Chairman Farrell, Chairman DeFrancisco and honorable members of the New York State Legislature, thank you for providing me the opportunity to share the views of the New York State Correctional Officers & Police Benevolent Association, Inc. (NYSCOPBA) on critical issues associated with the proposed Executive Budget for State Fiscal Year 2015-16.

My name is Michael B. Powers. And I have the privilege of serving as President of NYSCOPBA. In that capacity, I represent over 26,000 of the bravest and most dedicated public servants in New York State. 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 our Executive Board.

Obvious to everyone in this room is the fact correctional facilities by their very nature are extremely dangerous, not only to the employees working within the prison setting, but also to those incarcerated. What is extremely troubling to me, however, is the fact that correctional facilities in New York State are becoming more dangerous, not less. **And this trend is occurring even as the number of offenders in the State's correctional facilities declines!** It is NYSCOPBA's position that this decline in safety can be reversed with the right investment from the State. And it must be reversed for the well-being of both the people supervising inmates and for the inmates themselves.

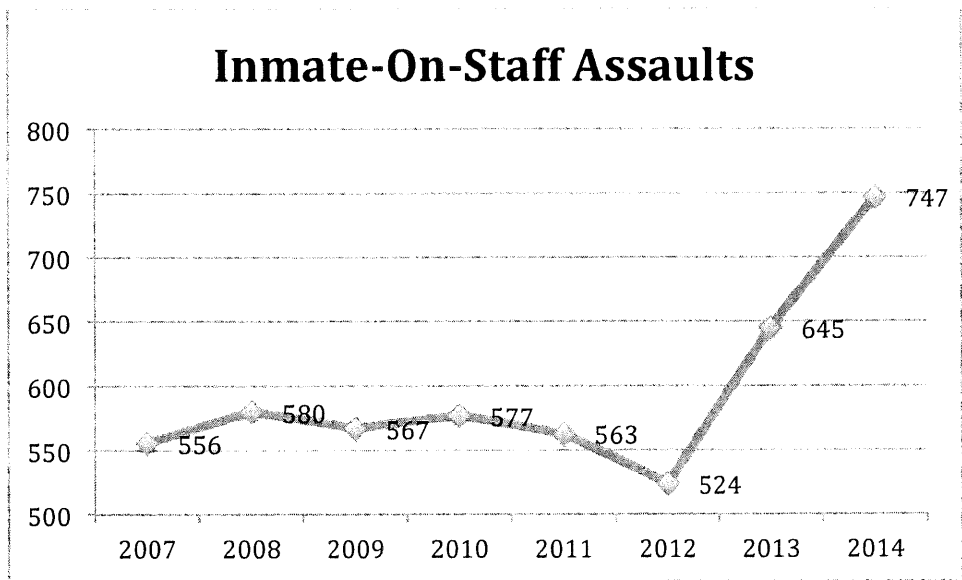
The following charts, created with data collected and made publicly available by the Department of Corrections and Community Supervision (DOCCS) on their web site, illustrates this phenomenon.

The first chart illustrates the 14.5% decline in the number of inmates between 2007 and 2014.

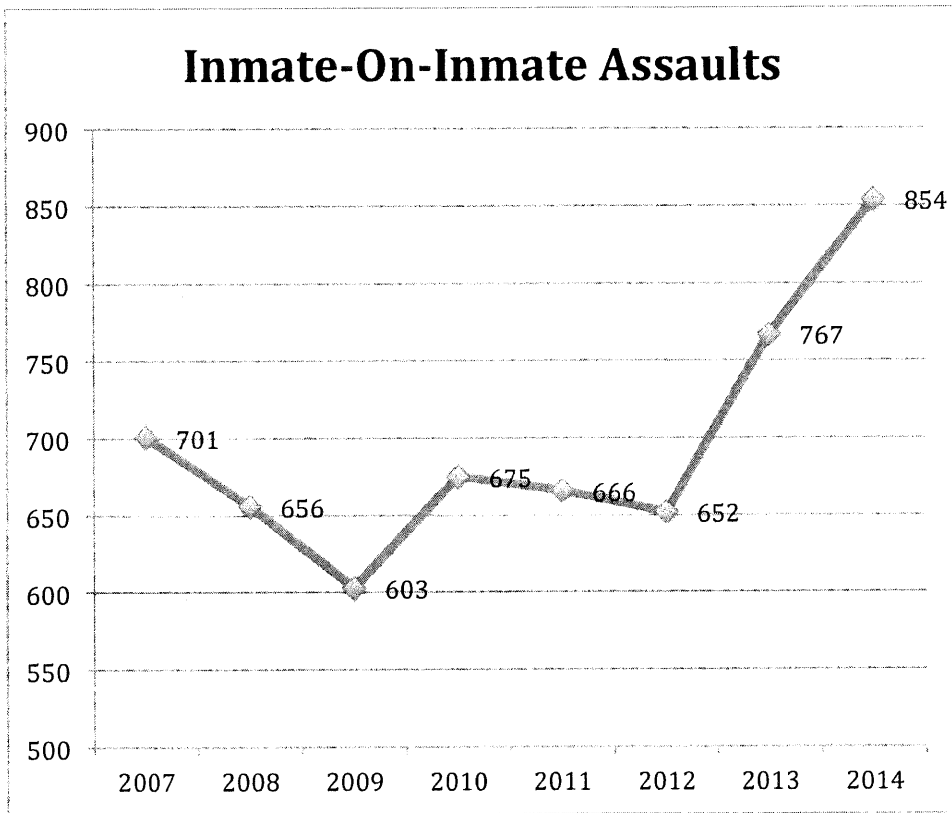


With fewer inmates within the State system, a reasonable person might expect the number of assaults to decline accordingly. This has not been the case.

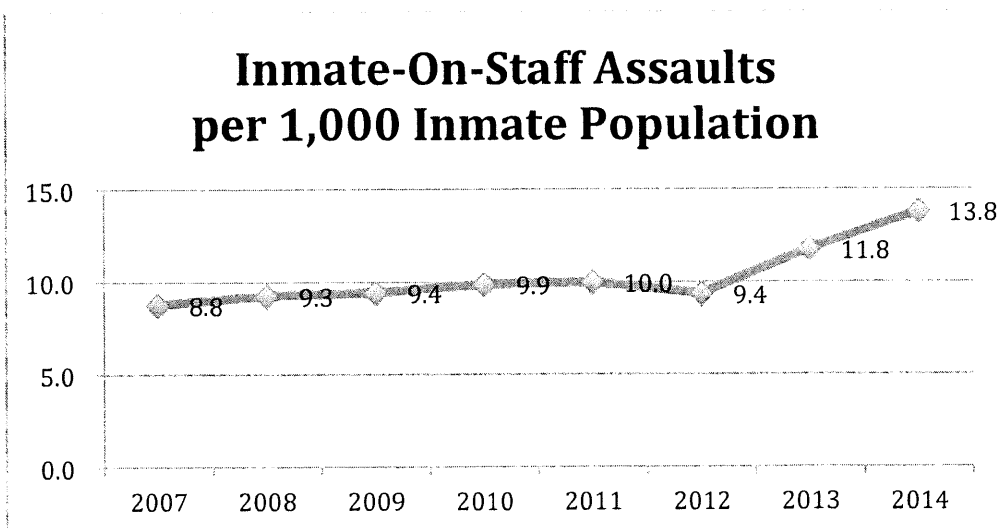
As the next chart illustrates, the number of assaults on staff has increased by nearly 34% during this period. The increase is especially dramatic over the last two years.



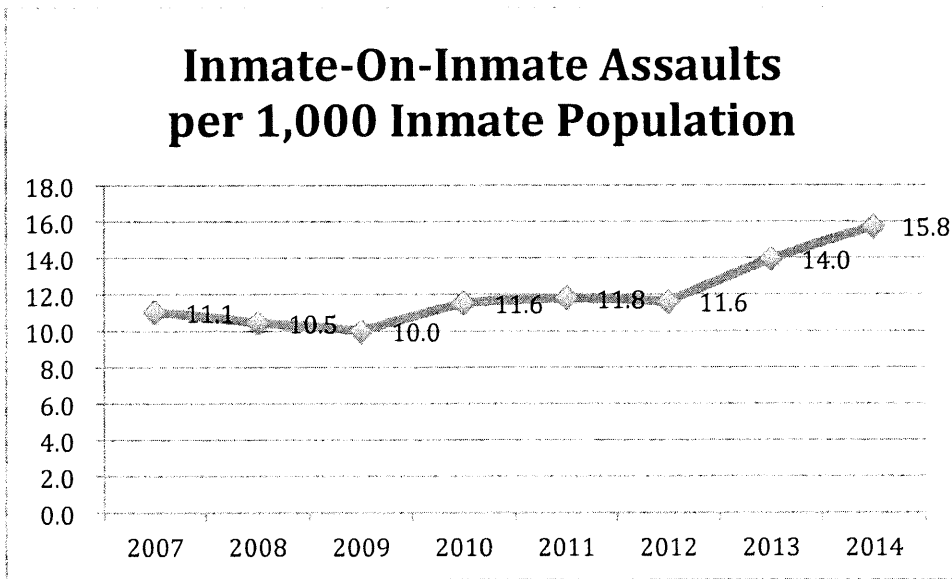
The picture does not meaningfully change if we look at assaults by inmates on other inmates. Here you see an increase of more than 25%, with the same spike since 2012.



The pictures get even more alarming when you put these two phenomena together. When controlling for the decline in inmate population, the number of inmate assaults on staff has risen more than 53% during this seven-year period.



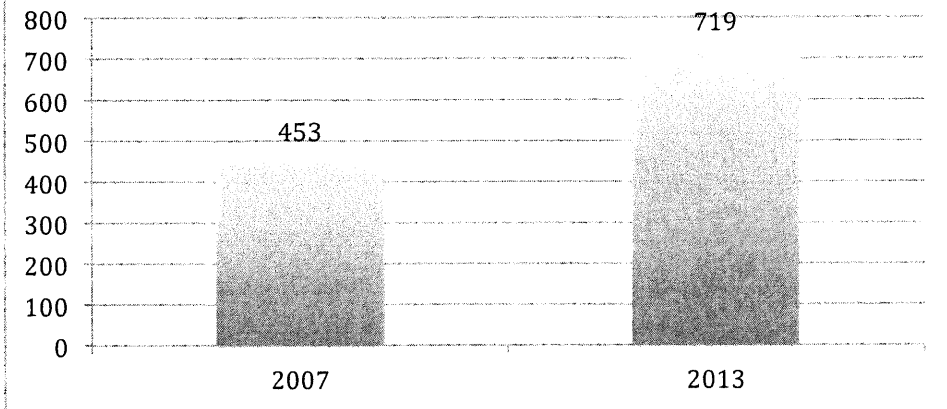
And it has risen nearly 47% when we look at inmates assaulting each other.



Regrettably, this disturbing trend shows no sign of abating. In fact, it is getting worse. Through 46 days in 2015, DOCCS reports 114 Inmate-on-Staff assaults. If this trend continues, there will be 904 assaults on staff in 2015, an increase of nearly 21% from 2014 and an astonishing increase of more than 72% from the low water mark during this period in 2012.

Now, some observers might downplay the significance of these trends. After all, they might say, the overwhelming majority of assaults do not result in any injury. What this sentiment does not illustrate, but the graph below does, is the significant increase in the number of injuries resulting from assaults on staff. As this 59% increase demonstrates, even at a time of declining inmate population, violence, and the consequences of violence, are rising at an alarming rate.

## Injuries Reported as a Result of Assault on Staff



As we all know, the groups that care about public protection often disagree. They probably disagree on the causes of this increase in violence. But I believe we can all agree that this dramatic and unexpected rise in the amount of violence in New York State correctional facilities must be reversed. And that we must take prudent steps to reverse this trend in this budget.

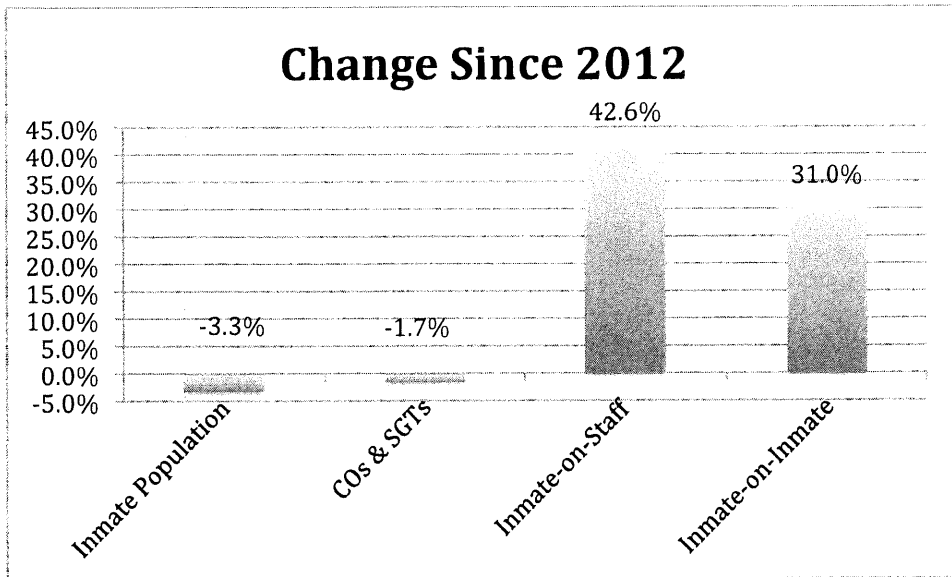
One year ago, NYSCOPBA endured the closure of four correctional facilities. It was able to do so because of the commitment by the Governor that some of the savings from those closures would be used to improve the safety of the facilities that remained open. Unfortunately, as this data shows, that commitment was insufficient.

It also appears that the number of training classes held by DOCCS is, at best, keeping up with the increase in attrition as large numbers of corrections officers hired in the late 1980s opt for retirement. Some are, no doubt, doing so because their workplace is becoming more and more violent.

NYSCOPBA believes that New Yorkers of all political persuasions agree that corrections officers and the inmates they supervise should be as safe as possible. Clearly that is not happening. We respectfully urge the Legislature to make a prudent reinvestment in the one option proven to improve safety in our correctional system. That option is the addition of 475 fully trained and equipped corrections officers who risk their lives every day to keep all New Yorkers safe.

I believe the final chart vividly summarizes the state of affairs in New York's correctional facilities. Inmate population and staffing are declining. And violence against inmates and staff is rising. I hope all who care about public protection in this state will agree this is not a positive development and will join together to do

something meaningful about it not only in the forthcoming fiscal year, but also in the remaining month of the current budget season.



Thank you once again for the opportunity to share the views of NYSCOPBA on this critical policy and budget issue. The men and women of NYSCOPBA are the finest correctional officers in the nation. With continued and improved communication between the administration and the union, we can continue to be seen as such. With that I would be happy to answer any questions you have.