

Dear Members:

I know you have heard about the fiscal crisis and the cities proposals for hundreds of millions of dollars in givebacks. I am also very aware of the rumor mill within our Department. There are proposals being submitted by every facility and specialty area within our Department to the Commissioner for his review. These are proposals and your union cannot act on these because they change every day and have not been approved. I communicate with the Department regularly about their intentions and proposals. Your delegates and members have called to inform me of what they have heard. This is good. This union will continue to fight all budget cuts, not just to our rank but to the Officers we supervise as well. Please continue to call me with this type of information.

It seems one cost savings proposal is to civilianize Captains positions. We will never agree to replacing a uniformed Captain with a civilian. Certainly, our shift reduction/rescheduling award/agreement help us in this area. While in some areas this has been submitted as a proposal, your union will fight that every step of the way. If the proposal becomes a reality, we will if necessary, have City Council hearings with the Public Safety Committee. We will also file lawsuits if necessary to protect our job. **A civilian cannot replace a Captain.** We will also go public in the newspapers as well as informing the Mayor that replacing a Captain with a civilian is a threat to the safety of the public, staff and inmates.

Below is the testimony I gave to the City Council on the proposed budget cuts. You should also know that Commissioner Horn testified against any additional budget cuts in our Department because it would pose a threat to all who work in the Department, the inmate population and public safety. Please take a few minutes to read and familiarize yourself with the CCA's position on these very important issues. If you have questions, please call the office.

THE NEW YORK CITY COUNCIL

PRELIMINARY BUDGET HEARINGS FOR FISCAL YEAR 2004

MARCH 25, 2003

FIRE & CRIMINAL JUSTICE SERVICES COMMITTEE – CORRECTION

TESTIMONY OF

PETER D. MERINGOLO, PRESIDENT

N.Y.C. CORRECTION CAPTAINS' ASSOCIATION

I appreciate the opportunity to speak to the members of the City Council. My name is Peter Meringolo and I am the President of the Correction Captains in the New York City Department of Correction. Captains are the first line supervisors and they are responsible to oversee the job the Correction Officers perform and for the care, custody and control of the inmate population.

I am here to urge you to stop the budget cuts for the Department of Correction that may result in cutting more posts. Currently, the posts that have already been cut are having an impact on the safety and security of my members, the officers we supervise and the inmates under our control. To allow the Department to further reduce staff would hamper our ability to perform our tasks in a safe and efficient manner. It could also lead to some troubling times in our facilities.

I have worked in this department for almost thirty-one (31) years, nineteen (19) of which were spent working in our facilities prior to becoming the Union President. I have witnessed first hand just what devastating effect post cuts can have on the safe and secure running of our facilities.

Everyday I receive calls from Captains informing me of how they are being forced to perform the same job with less staff. On a regular basis we are being forced to gamble with safety by doing away with staff that is needed to perform our job properly. Management believes that it is not the concern of the Captains when they verbally instruct us to cut posts on a daily basis. It is of grave concern since we are held accountable to accomplish the same goals and provide the same level of safety, despite working shorthanded. The managers of this department are not properly assessing the situation; they are merely guided by the fact that they must reduce the budget. They have not lessened our responsibilities; in fact they have added more work to an already overburdened staff. What is more troubling is when something goes wrong that can be attributed to post cuts, my members are still held accountable for not performing miracles. This is simply wrong. Management is putting everyone in harms way by suggesting on a regular basis that we attempt to perform the work of the Department minus the staff necessary to accomplish it.

The Department constantly boasts about the reduction of violence. This has only been possible due to the work the Officers and Captains perform day in and day out. The number of incidents of violence will quickly increase if the Department continues to cut posts. The inmates we are charged with controlling are fully aware of the cutback in staff and this will eventually lead to trouble. It is the direct supervision employed by this agency in the past that has produced resounding numbers in violence reduction. What do we really accomplish if an incident arises that injures staff and inmates due to the cutting of an essential post or reducing the number of Officers required to provide a safe environment?

I have personally been involved in two (2) riots during my tenure on this job. In both instances one of the underlying reasons was the cutting of staff. If you are unable to give the inmates all that they are entitled to, it will cause unrest. Cutting corners on supervision can lead to escapes and increased incidents of assaults on staff as well as inmate assaults on inmates. What has the cost of a riot done to the budget? All that was saved is now out the door. A major disturbance will result in injuries that will have staff absent from work. It will lead to lawsuits that will cost this city millions of taxpayer dollars.

Soon the no smoking policy will take effect in our facilities. While I believe our staff will work very diligently to institute the no smoking policy, I also believe it will not happen without incident. This is yet another reason to have the proper staff assigned to our facilities. Every facility has a procedure to assemble, a response team when an alarm is sounded indicating staff or inmates are in danger. I have been in a facility when the alarm has sounded and have seen first hand that there were not enough officers to respond, since the officers had been reassigned to other posts as a direct result of post cuts.

It should further be noted that Correction Officers and Captains are much different than their counterparts in Police and Fire. When Captains respond to an incident they rely on the Officer's observation of what transpired. They are responsible to investigate the incident, separate the inmates if necessary, have all the injured seen by medical staff, collect all reports and render a conclusion. There is no other staff assigned to aid them in these enormous tasks on a daily basis. It must further be noted that they are still responsible for insuring that all regular activities are accomplished despite the fact that they are in the middle of investigating an incident. It is a proven fact that the lack of supervision and shortage of staff will always spell trouble.

Over the next few years we will be losing much staff to retirement. This in and of itself will create shortages in our facilities. To add post cuts on top of this, asking Captains to gamble and work short is really creating a bad working environment, one that will be filled with incidents and injuries. I simply say to the department that they have to look elsewhere to accomplish their objectives. The staff within the facilities as well as the staff outside the facilities that are the support team has already been cut far too much. To continue to accomplish our mission, we need to have the proper number of staff.

Thank You,

Peter D. Meringolo