Finally, a CO Bill of Rights for Maryland

Widely hailed as a great win for COs, the Correctional Officers Bill of Rights (COBOR), SB 887, was approved by the Maryland Senate and then unanimously passed by the House of Delegates on the last day of the 2010 legislative session. Gov. Martin O’Malley signed the measure into law on May 4.

The bill, which takes effect in October, provides better due process rights when a corrections officer is suspected of wrongdoing. For instance, COs will be advised of their rights 24 hours before an interrogation, including the right to counsel or AFSCME representation, and access to a record of the interrogation.

“Things will never be the same again,” says Deborah Williams, a corrections officer at the Poplar Hill Pre-Release Unit in Quantico, Md. “From now on, if any of us are suspected or wrongly accused, we will be considered innocent until proven guilty. Until now, that hasn’t been the case.”

A member of Local 1427, Williams still fumes every time she recalls how a fellow CO got fired amid allegations of inmate abuse. The co-worker was charged and tried as a criminal, and then declared innocent. “It’s a travesty of justice,” Williams says. “That’s why we worked even harder this year to pass COBOR.”

See Bill of Rights for Maryland Page 4

Two Wins for Colorado COs

“Today, the Senate stood up for our communities and workers, refusing to pass more cuts to our already stressed prison system,” said Rita Uhler after the Senate refused to take up a House bill, which would have shut down a state-run prison. “This is a step in the right direction for Colorado,” added Uhler, a member of Colorado WINS (AFSCME Local 1876).

It was a dramatic end to this year’s legislative session. The last bill remaining on the calendar was House Bill 1421, which would have mandated not only the closure of a public prison, but also directed a portion of the savings to private prisons. Colorado WINS members lobbied hard to strike these mandates from the final bill that the Senate refused to pass. They logged hundreds of calls to legislators and testi-
COs Need the Workplace Protections of Collective Bargaining Rights

When public safety officers can discuss workplace conditions, it has been shown that partnerships and cooperation develop, which then lead to improved relations and better, more cost-effective public service. This is the essence of the Public Safety-Employer-Employee Cooperation Act (PSEECA), or the public safety officer collective bargaining bill [see page 3].

So much is at stake in getting Congress to pass this measure, especially in those 21 states that do not now fully protect the collective bargaining rights of corrections officers. They have no right to join a union and no right at all to bargain over hours and wages. Working conditions are so bad that many experienced COs are leaving, further putting public safety at risk.

Faced with these challenges, volunteer member organizers have been visiting their fellow COs in several states to help them fight for a stronger voice on the job. And in those states where collective bargaining does not exist, passage of this bill will certainly open up opportunities for corrections officers who have been waiting to have a voice at work. We believe that COs want what every union member has: the right to a safe and protected workplace, decent pay and health benefits, and job security. We will fight together for these rights.

Now that the House has acted, we hope the Senate will do the same. We commend those senators who stand with us on this issue and assure us of their support when the bill comes up for a vote. Our corrections officers are counting on you to do the right thing.

They want you to act now.

As states look for ways to cut their budgets, our courageous and dedicated women and men are facing enormous challenges in the workplace. It’s not surprising that corrections officers find themselves targets of short-sighted lawmakers, but it is certainly wrong. These officers risk – and sometimes lose – their lives to maintain security in our nation’s prisons and jails and make our communities safe.

They deserve our respect. They need the workplace protections provided in this collective bargaining bill. AFSCME is totally committed to ensure its passage this year.
Public Safety Collective Bargaining Bill Awaits Senate Action

Shortly before the July 4 Recess, the U.S. House of Representatives passed the War Supplemental Appropriations Act, H.R. 4899, which included an amendment granting collective bargaining rights for all public safety workers. AFSCME fought hard to add the full language of the Public Safety Employer-Employee Cooperation Act (PSEECA) as an amendment to the supplemental bill. Last May, AFSCME corrections and law enforcement officers from across the country visited their U.S. representatives on Capitol Hill to enlist support for national collective bargaining legislation.

Following the House action, the Senate considered the measure but decided to remove all amendments, including PSEECA, in order to expedite passage of the supplemental bill. The Senate is expected to take it up again, possibly before the end of September.

The bill, which passed the House in the 110th Congress but stalled in the Senate, establishes minimum state collective bargaining standards for corrections officers, police, emergency medical technicians and firefighters. Collective bargaining ensures improved communications between public safety officers and management, especially on decisions affecting operations and working conditions.

Two Wins for Colorado COs

continued from Page 1

fied at the Capitol against the measure.

“We were able to kill this bill through hard work and the dedication of WINS members from every facility throughout the state,” declares Ed Romero, an employee at the Arkansas Valley Correctional Facility.

Meanwhile, Colorado WINS recently signed an employee-management partnership agreement with the Department of Corrections to help improve working conditions. It includes proper compensation for overtime and comp time. “But we’re not done yet,” says Chuck Hudson, a CO at the Fremont Correctional Facility and a Colorado WINS (AFSCME Local 1876) member.

“This agreement is not enough in order to continue to improve DOC and convince management to engage in good-faith with our negotiating team, we need to stay active and increase our membership.”

Colorado WINS – a partnership that includes AFSCME, AFT and SEIU – was founded in 2007. Volunteer member organizers (VMOs) from several states participated in one blitz the following year, signing up more than 400 corrections officers. There are 4,300 COs working in the state’s 24 corrections facilities.
CCA Woes

Corrections Corporation of America, the nation’s largest owner and operator of private prisons, is being sued by 24 inmates who claim the Idaho Correctional Center is so violent it’s called “gladiator school.” One inmate brought the prison violence lawsuit, but modified it to seek class-action status. CCA asked the court to reject the move, but a federal judge rebuffed the privateer and ruled that the class-action lawsuit can move forward.

Previously at the same facility, a Palestinian Muslim was beaten by a white supremacist prisoner. The former inmate, who is also suing CCA, claims that corrections officers at the private facility simply watched and failed to intervene while the assault took place. The victim, according to his lawyers, suffered brain damage and may never fully recover.

Both lawsuits echo complaints against CCA in which other Idaho inmates allege violent victimization from other inmates. According to news reports, proper medical care was denied in an effort to cover up the extent of their injuries.

The state ordered an audit of CCA’s medical care practices and discovered several contract violations. They include: hiring unqualified drug and alcohol counselors, failure to provide prompt medical care, and lack of follow-up or oversight when inmates are returned to jail after being hospitalized. The private firm was ordered to fix the problems and pay thousands of dollars in fines.

Idaho Correctional Center is the state’s only private prison.

‘Signs of the Times.’ CCA and other private prison firms are also experiencing other setbacks. Their profits are dwindling. The struggling economy is forcing states to reduce their use of prison contractors.

For instance, Arizona will not renew an out-of-state contract with CCA, which runs a prison in Watonga, Okla. The facility, which housed approximately 2,000 inmates from Arizona, shut down in May after sending its last prisoners away.

Recently, the firm decided to give up control of the 876-bed Hernando County jail in Florida after running it for 22 years. CCA has not been able to fill the facility to make it financially viable. County Sherriff Richard Nugent, who will take over the jail, reacted harshly to the surprise announcement, calling it “a tactic on CCA’s part to force the board into negotiations … with a gun to their head. My respect for CCA has diminished greatly because if the company follows through, it would put the company’s 170 Hernando County employees out on the street. Basically, you’re telling them ‘you’re out of a job.’ I’m really angry that they would pull this.”

Noting that CCA is not only losing federal prisoners but also local inmates due to a release program, County Commissioner Jim Adkins said that the company’s decision to pull out “may just be a sign of the times.” To date, CCA has lost or terminated contracts totaling 7,594 prison beds within the past 16 months, and is expected to lose at least 3,696 more beds by the end of this calendar year. During a CCA conference call in February, CEO Damon Hininger acknowledged the company was facing approximately 12,000 empty beds, or 14 percent of the approximately 87,000 prison beds available nationwide.

Bill of Rights for Maryland

continued from Page 1

Due Process: The measure also creates the option of a separate appeals procedure using a Corrections Officer Hearing Board for disciplinary actions of 10 days or greater, terminations and demotions. The board, which will include three corrections officers, will issue the final decision on the guilt or innocence of the employee. If the worker is found guilty, disciplinary action will be recommended.

More significantly, the bill recognizes that a corrections officer is innocent until proven guilty. This means that a CO will either be reasigned or on leave with pay pending the final decision. “Allegations of brutality must now be corroborated,” adds Williams. “We can’t be placed on unpaid leave without a hearing.”

The bill further allows managers to use polygraph tests as part of the interrogation process. The results cannot be used in a hearing without the approval of the CO. “To allow for a more thorough investigation, the deadline for completion is extended from 30 to 90 days.

Relentless lobbying by AFSCME COs, the open support of the O’Malley administration and the hard work of key legislators such as Sen. Don Munson (R-Hagerstown) and Del. Galen Claggett (D-Frederick) helped the legislation pass. Deborah Williams
The Battle for Halawa

When state legislators started talking about a budget measure that would close a wing at the Halawa Correctional Facility, members of Hawaii’s United Public Workers (UPW)/AFSCME Local 646 swung into action.

More than 100 members rallied and walked the halls of the State Capitol, urging lawmakers to reject a budget plan to reduce the prison population by sending inmates to the mainland – a move that would have cost 70 COs their jobs.

UPW members also placed a full-page ad in local newspapers, with a compelling message about dire consequences if the plan goes through. Referring to the possible loss of jobs, the ad noted: “That’s 70 families who will no longer contribute to Hawaii’s economy. Many will also be at risk to foreclosure and bankruptcy.”

Matt Manuma, a CO at the Halawa prison for more than 20 years and a member of UPW, is featured in the ad. “I love my job. I am secure. That’s my profession,” Manuma said. “But we also care that sending inmates to the mainland will only enrich the shareholders of Corrections Corporation of America, which runs the prisons. We need to protect and create jobs for the people of Hawaii.”

Their voices were heard. Before the 2010 legislative session ended, lawmakers found other ways to balance the budget without cutting vital services provided by public safety workers.

Connecticut Regulates Access to Personnel Records of Public Safety Workers

Corrections officers in Connecticut are feeling victorious now that Gov. M. Jodi Rell (R) has signed a bill regulating who can see the personnel records of public safety workers.

In recent years, Connecticut inmates have taken advantage of the Freedom of Information Act (FOIA) to learn about a CO’s personal life. Increasingly, FOIA use by inmates has compromised the personal safety and well-being of COs and other front-line public safety workers – some of whom have been threatened or harassed.

“Our jobs are dangerous enough without having our work and family lives put at risk,” says Moises Padilla, a CO at the Manson Youth Institution in Cheshire and vice president of Local 387 (Council 4). “That’s why this bill has long been a priority for our members.”

Council 4 COs collaborated with the Department of Corrections and the Corrections Supervisors Council to advocate for the legislation.

The measure, which became effective immediately, extends the same protections to corrections professionals, forensic technicians and mental health specialists.

Safety Alarm

Members of AFSCME Local 3585 (Council 31) picketed in front of the Illinois River Correctional Center recently. They were drawing attention to safety problems caused by lax security measures and management’s failure to implement safety precautions. The officers’ concerns stem from an incident where an officer was attacked and a warning shot was fired.

“This is a medium-security prison,” says Local Pres. Dick Heitz. “We’ve had a few major incidents, but they have escalated in recent weeks. That’s why we want management to be aware of this alarming situation. We’re afraid it isn’t going to stop.”

The facility, built to hold 1,000 inmates, now houses more than twice that amount.
Corrections Officer of the Year

Ton Johnson (center) received AFSCME’s Corrections Officer of the Year award from Pres. Gerald McEntee and ACU National Steering Committee Chairman and International Vice Pres. Glen Middleton (left). A parole officer at King County’s Department of Corrections and a member of Local 308 (Washington Council 28), Johnson has been actively involved in his union for 19 years, serving as a “go-to” person when it comes to political action, contract negotiations and membership drives. “Ton has carried the water for our folks for years,” says Council 28 Exec. Dir. Greg Devereux, also an International vice president. “He was instrumental in defending against a decertification attempt. His co-workers respect him highly for taking corrections out of the stone age.”

Delegates to AFSCME’s 39th International Convention elected Lee A. Saunders as the union’s new International Secretary-Treasurer. The former executive assistant to International Pres. Gerald McEntee vowed to stop privatization, promote the recruitment and training of young union leaders and protect our members’ pensions at the bargaining table.