



New York State Correctional Officers & Police Benevolent Association, Inc.

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PRESS RELEASE

July 30, 2009

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For Immediate Release:

The Department of Correctional Services has been ordered to appear in Albany Supreme Court on August 7, 2009 and explain why it should not be held in contempt of court for allegedly violating a Temporary Restraining Order issued by Supreme Court, Wayne County prohibiting the reduction of positions, involuntary transfers, and layoffs at Butler Minimum Correctional Facility.

Judge Nesbitt's Order results from the Department of Corrections transferring 20 Correction Officers out of Butler Minimum Correctional Facility and replacing them with only 12 officers.

NYSCOPBA, the union representing Correction Officers employed by the NY State Department of Correctional Services, alleges that the Department of Corrections has blatantly disregarded the prohibition against further staff reductions at Butler Minimum handed down by Supreme Court Justice Nesbitt in Wayne County.

"The blatant disregard for a Judge's order is a clear indication of how the New York State Department of Correctional Services Commissioner, Brian Fischer, feels about the safety and security of my members," said Donn Rowe, President of the New York State Correctional Officers & Police Benevolent Association.

On July 13, 2009, the New York State Correctional Officers & Police Benevolent Association (NYSCOPBA) secured a Temporary Restraining Order (TRO) from New York State Supreme Court Judge John B. Nesbitt, in regards to the Department of Correctional Services (DOCS) closure of Butler Minimum Correctional Facility in Wayne County, NY.

The Temporary Restraining Order prohibited DOCS from any reduction of positions, layoffs, involuntary transfers or other actions related to employees who are represented by NYSCOPBA.

On July 23, 2009 twenty Correction Officers were transferred out of Butler Minimum C.F. to other correctional facilities. In direct defiance of Judge Nesbitt, the Department of Correctional Services has refused to fully replenish those twenty officers, leaving the facility understaffed and dangerously undermanned.

“Our facilities throughout the State are not adequately staffed to begin with, so when DOCS resorts to sneaky tactics to cut staff, it demonstrates what we have been saying all along. They (DOCS) feel they are above the law on the one-year notification law and now above Judge Nesbitt’s Order. If DOCS feels they can break the law and flout the Judges of this State, you can only imagine how they treat my members who perform the most dangerous jobs imaginable behind the prison walls,” said President Rowe.

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