

New York State Prisons Among The Safest!

By Sheldon N. Messer

On Tuesday, January 21, 2014, the Albany Times Union published an article by Donn Rowe, President of the New York State Correctional Officers & Police Benevolent Association (One of New York's most powerful unions) entitled "Prisons Congested, dangerous" which appeared on page C2 in the Safety column.

In the article, Mr. Rowe makes some very fictitious yet serious claims, one in which he states that the New York State Department of Corrections and Community Supervision "buried" its annual report on the state of New York prisons "in a dusty corner of its website," because "it would have to admit that New York's correctional facilities are overcrowded and dangerous." I cannot confirm or deny the voracity of Mr. Rowe's claims in regards to why NYSDOCCS opted to place its report in a particular area of its website. However, I can say that Mr. Rowe's claims that New York State prisons are "overcrowded and dangerous", in the context in which he is trying to convey and portray that claim, is utterly false.

First of all, over the last few years, New York has enjoyed a significant drop in its prison population--down from slightly over 70,000 to around 58,000. It is because of this drop, among other things, that Gov. Cuomo has elected to close four more



Upstate prisons---prisons that are costing the taxpayers tens of millions of dollars each year to run. Further, former Commissioner Brian S. Fischer, as well as Gov. Cuomo, has made it clear that Correctional Officers working at those facilities slated for closure this year will not lose their jobs, but will be allowed to transfer to other facilities within the system. Wherefore, is Mr. Rowe lamenting over jobs that has not been and will not be lost?

As far as his claims on overcrowding, logic demands that if there is a decrease in the prison population necessitating the closure of prisons, overcrowding is a non-issue. Mr. Rowe must have also forgotten that just last year, NYSDOCCS ended double-bunking except in those prisons that were recently built and designed for them. Therefore, if there was an issue of overcrowding, the system would not have been able to accommodate those prisoners leaving double-bunks with single living quarters.

Second, Mr. Rowe claims that "every single statistic that measures violence in prisons is at a five year high." The problem with this statement and many others Mr. Rowe makes throughout his article is that he offers us no proof as to the voracity of his claims and statistics. Mr. Rowe needs to quantify the above statement by telling us what statistics is he referring? Who conducted the research which produced those statistics? Which correctional systems were involved in the



research? When was the Research conducted, and most important, who funded the research?

The Citizens of New York deserves to have those questions answered, because if what Mr. Rowe claims is true, then that means---as he emphatically implies---is Acting Commissioner Anthony Annucci, and by proxy, Gov. Cuomo perpetrated what should be a career ending cover-up of brutal assaults on state employees by prisoners. If that is true, and it can be proven, then there is no doubt that such a political scandal---which New York is no stranger to---will surely sink Gov. Cuomo's political career and presidential aspirations faster than the George Washington Bridge scandal is sinking Gov. Christie's in New Jersey.

The other question which the Citizens of New York deserve answered is why Mr. Rowe did not take this to Gov. Cuomo's Commission to root out government corruption? Nevertheless, Mr. Rowe did his best to scare the Citizens of New York into believing that "the barbarians are at the gates" and that New York's prison system is out of control, dangerous, and on the verge of collapse. However, nothing is more further from the truth. The New York State prison system is one of the safest in the country when it comes to prisoner on prisoner violence, and certainly when it comes to prisoner assaults on correctional staff.



It is conceded that all prisons are dangerous places or has a high potentiality for danger. However, it nevertheless boils down to various degrees of dangerousness, which are predicated upon a myriad of circumstances. The bottom line is every prison system cannot be categorized the same and painted with the same brush. Compared to states like California, Texas, Illinois, Louisiana, Mississippi, et al. There is no question that New York has a much safer prison system for both prisoners and staff. That is not to say that being incarcerated in a New York State prison is a walk in the park. However, compare those states' rates of gang violence/participation, gang assault, assaults on staff, and prison rapes, and you will see that New York do not rank in the top twenty-five of the country's worst prison systems.

Mr. Rowe goes on to claim that "there were more assaults by inmates on staff" and once again fails to offer references to support his claims, or identify what statistics he is quoting. I will not belabor the issue of Mr. Rowe's more than liberal use of non-referenced and non-verifiable statistics. However, I cannot dismiss the fact that Mr. Rowe claims that there were "at least five separate assaults on staff..." in New York State prisons, and claims that that is a "five year high". If "at least five separate assaults on staff" is a five year high in New York State, that means that prior to 2013, there were virtually no "legitimate" claims or actual staff assaults taking place at all. I think that is something the public and Mr.



Rowe's constituents should be grateful. Further, when you compare five assaults on staff within a year to the number of the same types of assaults taking place in the other states mentioned above "at least five" unfortunately sounds quite negligible---especially since Mr. Rowe cannot offer us any concrete proof of his claims, and NYDOCCS' 2013 report emphatically refutes his claims.

If Mr. Rowe wishes to discuss with the citizens of New York the rising rates of violence in their prisons, then he needs to come clean and tell them that the only serious and injurious violence taking place in New York's prisons more than any other form of violence, are staff assaults on both adult and juvenile prisoners, which are consistently swept under his unions' rug and chalked up as legal "Uses of Force". However, that is for another article.

The simple truth of the matter is, Mr. Rowe and his constituents, as well as certain Upstate members of the legislature, are attempting to sell the people of New York a rotten bill of goods. Mr. Rowe wants to protect and advance the political and economic status quo and power base of Upstate residents who views the prison system and the imprisonment of thousands of people as an employment program. Mr. Rowe's only concern is to maintain a system of mass incarceration and prison building, in order to prop up struggling and depressed Upstate counties and communities.



Someone need to inform Mr. Rowe, his constitutents in his union, as well as our Upstate legislatures and neighbors that prison-based-economies are not only fiscally unsound--- especially since America is moving towards decreasing its burgeoning prison population---but are also depraved and inhumane. Incarcerating people on a wholesale basis and keeping them locked behind bars without any hopes for freedom and redemption, in order to employ other is not justice! As Humankind advances as a species, we must also find ways of reducing poverty, and ending drug addiction and crime, so that we will have no need of either prisons or men and women to guard them.

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*S. Messer* 2-9-2014