

PBA Local 382

Memorandum

June 8, 2012

To All Essex County Officials & Other Interested Parties:

You've heard from me for many years and for a variety of reasons and my intent is not to rehash any prior complaints or opinions regarding jail operations and the ICE contract, but bare with me in the remainder of this communication if I need to refer to certain facts, which I may have addressed and brought to your attention in the past, but are still pending.

As you know, the PBA has taken some issue with certain parts of the ICE contract and specifically with the regulatory language, which describes our obligations and which we believe puts correction officers under undue and unnecessary control of the federal government.

Grievances have been filed and we are awaiting a date before an arbitrator where we hope to ascertain whether or not the county was permitted to sell our employment rights to the federal government in the same way they sold our jail beds.

Willie Parker is the member of county counsel who is addressing the grievance on behalf of the county if anyone would care to contact him to look over the issues that we submitted and I assure you that the issues we brought forth are far from problematic in regard to maintaining the integrity of the ICE contract, but for some reason, there seems to be a worry that by simply removing this unnecessary language, which violates and distorts our rights as NJ Law Enforcement Officers will anger federal officials.

I don't wish to unnecessarily anger the feds either and I support and appreciate the financial benefits of the ICE contact as well as the importance of its success, but regardless of how many detainees are placed into our jail, we, as Essex County Correction Officers, **don't work for the federal government**, nor will we be "unnecessarily" subservient to the employment and job related guidelines, which are meant to describe a Federal Detention Officer.

As I stated above...the grievance is on file with county counsel and I certainly hope that all involved county officials will look it over as to speed up the process in getting

these issues resolved and you will see that these issues involve conflicts in how we are hired, how we are trained, how we are investigated, who investigates and who conducts officer interrogations, how we are disciplined, how and to whom our personal and job related information is to be disseminated and/or made available to, etc.

These examples, which I've listed above are clearly detailed in state law, but county officials seem to be too busy bending over backwards for the feds to address the fact that a contract to house ICE detainees cannot terminate or even infringe on the lawful or contractual rights and protections of NJ Correction Officers.

I won't elaborate too much, but using the one example of "investigations and interrogations", I've already been present for and endured hours upon hours of officer interrogations by federal investigators for just about the most ridiculous allegations ever made by federal detainees or inmates for that matter and lets just say that although I've always been professional and courteous during these interviews, it absolutely laughable that these federal investigators come marching in at the very thought that an officer may have raised their voice to a detainee.

The best story I have to tell so far is the allegation brought during an interview by a federal investigator that an officer told a detainee that if he assaults the detainee, he will earn \$200 as if we have some sort of bounty system and the allegation went on that this officer took the detainees sneakers and **sold them.**

Yes, I'm very serious and as much as correction officers took a big financial hit recently in the cost of our health benefits and can use the extra money, we have no need to put a detainees sneakers on Ebay and the only thing more laughable than these ridiculous investigations and interrogations every time a detainee gets their feelings hurt, is that jail officials are forced to entertain this garbage, which brings me to my next point.

I've been provided with hundreds of pages of public documents, which were disseminated by the county freeholders regarding complaints made by detainee advocate groups. These documents include several letters of complaint by several advocates, transcripts of a Freeholder public meetings where these advocates spoke and transcripts of a Freeholder Penal Committee meeting with jail officials where jail officials were asked to answer the complaints made by the advocates.

As you know, the ICE contract has caused much political controversy regarding if and why illegal aliens should be incarcerated and normally, the PBA would have no reason to take a position on the political overtones. We are simply soldiers who do

what we are told and we are sworn to hold custody over anyone who society says should be or must be incarcerated and if these advocates want to go to such lengths to argue for the rights of incarcerated illegal aliens, so be it.

However, what I read in these documents was a multitude of ridiculous and baseless accusations by these advocates that the jail is inhumane, and jail staff is abusing detainees so therefore I decided to take a position and provide some perspective on what our priorities need to be in regard to incarcerating ICE Detainees moving forward.

The allegations made against officers, jail management and jail office staff in these documents are so ridiculous and slanted that they're not worth mentioning, but these allegations prompted a freeholder meeting with jail management who according to what I read in the transcripts seemed to have done a great job in explaining that our jail in fact provides exactly if not more than what our obligations are and even to the point where we coddle these detainees in my opinion.

However, what bothers me more than the way we coddle the detainees is the way in which some freeholders are so concerned that the advocates are satisfied, because in case you have realized it yet, these advocates will never be satisfied and I'm getting a little tired of the constant appeasements as if these detainees are some sort of Choir Boys who don't pose a danger and are being abused by the big bad correction officers. I've drawn these conclusions by simply reading the freeholders comments in the transcripts as proof that some freeholders priorities are way off base.

One freeholder according to the transcripts is so concerned for the welfare of Detainees that he notes... *the importance of "GUARDS" being properly trained to know the difference between a Detainee and an Inmate.*

If that isn't ridiculous enough, he elaborates that... *he's concerned that a "GUARD" may have a problem with an inmate and while the "GUARD" is still upset, he comes across a Detainee and the Detainee is going to get the brunt of what the inmate did.* He continues that...*our people need to be trained because its really apples and oranges and we need to run the ICE program at the highest level with the highest regard for the "dignity of the detainees."*

First of all Mr. Freeholder, I checked my PBA membership roster and our list of uniformed supervisors and I didn't find any "GUARDS" employed at the jail. We are fully state trained, state certified and mentally evaluated "Correction Officers" and we find the term "GUARD" demeaning to our positions within the law enforcement community.

However...please know that even if we were that foolish that we cant **"differentiate"** between inmates and detainees, you'll be happy to learn that inmates and detainees **wear two different color uniforms to make it even easier for us "GUARDS" as you call us.**

Furthermore, there are no "Guards" causing our precious detainees to get the brunt of anything and all incarcerated individuals in our jail are treated fairly and according to their personal needs, wants and actions and for the record, I'm personally insulted that one of our own freeholders would jump to such ridiculous conclusions and portray us in a public document like a bunch of keystone cops who cant differentiate between inmates and I'm sure these documents are also in the possession of the advocates.

Its no wonder that these advocates believe what the detainees are saying when one of our own elected officials on an investigative committee is making these outlandish public remarks regarding our work ethic.

The transcripts continue and at the end of the banter...another freeholder chimes in and say's **"Thank you Freeholder XXXXX, that was excellent. I too need to stop using the word Inmate when we are referring to these Detainees and we should strike that on the record"**.

The truth of the matter is that this false notion that detainees are some sort of political prisoners as opposed to law breakers and are given the notion that they are not inmates is what fuels them to make these incessant and baseless complaints against jail conditions and jail staff like spoiled children.

Our elected officials who insist otherwise need to realize that these detainees are many times drug users, drug dealers, gang members, etc. who lie, cheat and steal and have a variety of serious criminal backgrounds aside from their illegal existence in this country.

They will fight us and fight against our authority as much if not more than the regular inmates. They have threatened and assaulted officers, they have threatened and assaulted one another, they have been found to be in possession of weapons and other contraband.

In other words...**THEY ARE INMATES** who are incarcerated for a reason, but we're so desperate to keep the millions rolling in that we will keep wiping their noses and patting their heads to the point of disgust.

Its not a bad word... **Inmate** (Noun) a person confined to an institution.
On the other hand...**Detainee** (Noun) a person held in confinement.

Does that sound like apples and oranges to you or is it the exact same thing?
What's all this playing with words? So we can make ourselves feel better for treating them with kid gloves and profiting from their incarceration?
Am I being an alarmist? Is this too much for anyone to absorb?

By any chance, did our county officials happen to see the news a few weeks ago where in Mississippi, a **Private "For Profit" Prison** suffered a riot orchestrated by **ICE DETAINEES** where **A CORRECTION OFFICER WAS KILLED, hostages were taken, beatings, stabbing's, etc.**

The prison in question is predominately inhabited by "Low Risk" ICE Detainees who according to reports were held after being deported once and later re-entered the country.

I wonder how many moaning advocates were there when that jail erupted?
<http://www.cdspatch.com/news/article.asp?aid=17167>

READ THE REPORTS AND THEN TELL ME ABOUT YOUR CONCERN FOR THE **"DIGNITY OF ICE DETAINEES"** & HOW US DUMB GUARDS NEED TO BE TAUGHT THE DIFFERENCE BETWEEN DETAINEES & INMATES!!!

The news out of Mississippi is telling our story and its all there in black and white. They most likely let their guard down. Privatization, gang activity, lack of proper staffing, lack of proper resources, cutting financial corners and cutting operational corners, etc.

That's what they're blaming down there. Does it sound familiar?

I'm sure all the executives from the private prison company down there were all getting together a few days before the riot saying...*"who cares, they're just detainees. They're not real inmates"*.

Either we can learn from what happened down south or possibly be destined to live it, but we absolutely need to get our priorities straight.

Don't be bullied by advocates and instead...support and protect your custody officers and **allow them to maintain their dignity** without fear of ending up in one of those ridiculous, pointless and politically motivated federal interrogations for simply doing their jobs.

Thank you for your time.

Sincerely,
Joe Amato, President
PBA Local 382