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Probation Association of New Jersey

Serving New Jersey Since 1904

An affiliate of the American Probation and Parole Association

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July 13, 2006

Honorable Philip S. Carchman, Director
Administrative Office of the Courts
Hughes Justice Complex
25 W. Market Street
P. O. Box 037
Trenton, NJ 08625

Dear Judge Carchman:

I am writing to you as the President of the Probation Association of New Jersey (PANJ). As you know, PANJ represents all of the Judiciary Probation Officers. The PANJ Professional Case-Related Unit represents approximately 2,000 employees, most of whom are Probation Officers. Separately, PANJ represents approximately 800 Judicial Professional Supervisors.

Both PANJ and the Judiciary should be pleased that the recent budget crisis, which resulted in the shut down of many Judicial and State facilities, has been resolved.

However, a lot of harm and bad feelings have been caused among Probation Officers and others as a result of the public comments reported to have been made in the *Philadelphia Inquirer* in its publication on July 6 (letter attached).

We hope that these comments which were attributed to: "Judiciary spokeswoman, Winnie Comfort" were not authorized by you or the Judiciary.

Because of the nature of the statements, we ask that you respond to me, and publicly apologize for them, retract them, and confirm that we have the continuing confidence of the Judiciary in supporting and helping its Probation Officers in their often very dangerous work.

The statements are so egregious that we believe the best way to bring them to your attention is simply to quote from the *Philadelphia Inquirer* article which was authored by reporter Jennifer Moroz:

"Judiciary spokeswoman Winnie Comfort suggested the situation was not so dire. She said about 59,000 of those under the watch of probation officers are minor offenders who have been sentenced to

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community service or ordered to pay fines. Another large part of the caseload is people who have skipped out on child-support payments.

Of the rest - about 62,000 - the majority have been sentenced to probation for first-time or minor offenses, she said. Overall, they are much less of a threat than parolees, who have done jail for their crime, she said.

'These are people who prosecutors...have determined are able to be supervised in the community rather than confined to an institution,' Comfort said.

'We didn't put a plan out there and leave it to lie,' she said. 'We're looking at this literally hour by hour.'

I hope that Ms. Comfort was misquoted since it is hard for me to believe that such demeaning and inaccurate statements could be made by any representatives of the Judiciary, even her.

Either way, whether this was a misquote or is accurate, we believe that only a statement coming directly from you, and not your subordinates in the Judiciary, will help "clear the air." I am sure you are aware that Probation Officers are subject to threatening situations in the course of their supervision of probationers. These situations are the reasons for having office visits with probationers made only after screening of probationers by Sheriff's Officers, and the use of metal detectors.

We have documented injuries to Probation Officers and serious incidents, including a relatively recent incident in Essex where guns were put to the head of one Probation Officer who was almost killed, and a second Probation Officer was exposed to the same situation during a home visit to a probationer.

Probation Officers are provided with pepper spray and are even required, in the course of pepper spray training, to be exposed to a "pepper spray hit" in the face. They are issued body armor. They are required in almost all vicinages to make home visits in at least pairs. Police must be regularly available to assist in dangerous situations. We have documented repeatedly the huge numbers of arrests that are

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made by Probation Officers in the course of their duties particularly at certain vicinages such as the Passaic County vicinage.

The statements which are attributed to Ms. Comfort are that these situations do not exist or are, as she says: "not so dire."

She seems to indicate that there is a "world of difference" between Probation and Parole. The truth is that the caseload of the average Parole Officer is about 36 and of the average Probation Officer is about 140. There is an effort, as we have documented to the Judiciary by many Probation Officers, to move to the ranks of Parole because of the dire situation that frequently exists in Probation that does not exist in Parole. There is no "reverse" influx from Parole to Probation.

A large number of individuals who are on probation and are being supervised by Probation Officers are at the same time being supervised by Parole Officers.

A quote in the same article from the Executive Director of the Parole Board totally supported Parole Officers. He said as follows: "every one of the state's 14,278 parolees was being supervised, and that specialized units - including the sex-offender management program, ... were going at full strength.... The officers who are at work are just working much, much harder, and they're doing a great job."

Unfortunately, the comments from Ms. Comfort are demeaning and show a lack of backing and support for the difficult job performed by the Judiciary's Probation Officers.

Her statistics are inaccurate and seem to be designed to prove a mistaken point as to the unimportance of the Probation Officers' job rather than to deal with the facts.

Probation Officers in their caseloads include supervision of Megan's Law cases, many offenders who have committed major crimes, Drug Court cases, mental health cases (including cases requiring monitoring for medication), gang violence offenders, domestic violence offenders, carter krol cases, bench warrants and extraditions.

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The facts, therefore, are quite different than those which are attributed to Ms. Comfort. Ms. Comfort seems to lump together in the so-called 120,000 individuals who are under probation supervision, those who she describes as “people who have skipped out on child-support payments,” “minor offenders who have been sentenced to community service or pay fines,” and those who “have been sentenced to probation for first-time minor offences.”

Almost all offenders are obliged to pay fines. Community service is not uncommon regardless of the nature of the offence. The truth is quite clear. The 120,000 offenders who are referred to in PANJ’s statistics of those under supervision, do not include those who have “skipped out on child-support payments.” Child support issues, as a matter of fact, involve about another 100,000 individuals who may be under supervision in addition to the 120,000 who are in other categories. As to many of the 120,000, their violations and the defiance of the law is so egregious that bench warrants have been issued for their arrest. This involves approximately 30,000. Large numbers are multiple offenders. 50% of probationers are re-arrested for new offences. These are all the same people who are being supervised by Probation Officers.

I try my best personally not to condone confrontation between PANJ and its representatives and the Judiciary. In this regard, we have had meetings with your representatives concerning our issues as to their conduct and our issues as to concerns about the conduct of some PANJ representatives.

However, the situation involving the comments of Ms. Comfort has created tremendous concern among my membership. For this reason, I hope that you will meet with me directly and not ask a subordinate to handle the task of dealing with this issue, and that any response will come from you.

Respectfully,

GEORGE P. CHRISTIE, President
Probation Association of New Jersey