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INSIGHT

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Advocate for One Set of High Standards

by Peter A. Tortoreto, Legal Chairman

A healthy and productive PANJ/Union is one which advocates one high set of standards for both the Line and Supervisory Units, in regard to representation and legal issues. To advocate for separate standards is unquestionably counter-productive to the unity and fairness of our organization.

The PANJ Legal Committee has advocated open forum. The Legal Committee is a place where members can discuss our strategies for dealing with issues. This approach is one in which promotes resolution and encourages open communication between Line and Supervisory Leadership as well as rank and file.

Communication between the Units is vitally important. The argument is exacerbated by the fact that such a small percent of our members are actively involved in leadership roles and in the Supervisory Unit the numbers are even fewer. These statistics for involvement are improving as PANJ actively recruits and encourages its members to be involved in affairs of the profession.

Recently two of our legal committee members, the Northern Regional Vice President, Christopher Nwankwo, and Central Regional Vice President, Gavin Cummings, were promoted to the ranks of the Supervisory Unit. Thus far, those promoted have remained on the Legal Committee, a precedent established when over a year ago Anne Dutton was promoted and was asked to remain on board. Thus far the transition to Supervisor has been smooth. Another Supervisor, Neil Elsasser, has recently accepted the position of Vice Chair of the Legal Committee. I welcome him on board and look forward to his

consists of four line officers and five supervisors along with the President. We are a cost conscious group as well. To advocate better communications is a means of avoiding unnecessary duplication of our work, keeps down the legal costs, and most importantly strengthens our ability to represent our members. Joint decision-making is a sound policy and can only further bridge any real or imagined differences.

The challenges PANJ faces within and without the organization are not totally unique to PANJ. Other Unions, PBA's, and AFL's face similar and sometimes identical problems as PANJ does. What is unique to PANJ is that we are committed to the advancement of our Profession and Professional development.

As PANJ promotes better communications in both units and from vicinage to vicinage we can gather information to help us negotiate workload standards that are manageable for vicinage employees. I look forward to

professional involvement and insight.
The Legal Committee of PANJ currently

working with the Legal Committee
to defend the rights and privileges of
PANJ members.

**PURPOSE AND PROCEDURE
TO THE PROBATION
INCIDENT REPORT**

by Donald DeHart, Regional Representative, Passaic
County

Officer victimization ranges from facing mortality to any situation that forces an officer to consider their vulnerability and potentially overwhelms their ability to cope. Every incident which involves verbal abuse or threats (including bribery and extortion), intimidation (verbal and/or non-verbal) or actual harm to probation staff shall be written up by the employees involved and reported to management. Reports shall be made on a standard form promulgated by the Administrative Office of the Courts. An investigation shall be made into the circumstances leading up to and surrounding the event. Management shall recommend any changes which could be reasonably be expected to prevent a similar occurrence in the future or lessen

its impact. When a Probation Officer files the Probation Incident Report (AOC), the officer is requested by the Probation Association of New Jersey to submit a PANJ Incident Report (verification that an incident was filed). The PANJ report enables our union to independently track these events and management's response.

The local Safety Committee should review these reports periodically as well as responses by management. Each Chief Probation Officer shall appoint a Safety Committee with the responsibility for developing a comprehensive plan addressing the safety needs of probation division staff in all areas of operation. The plan shall be submitted through the Trial Court Administrator to the Assignment Judge for approval. It shall be the responsibility of probation management to see that the elements of the plan are implemented. The Committee shall review policies, procedures, and practices as needed but at least on a bi-annual basis and recommend changes as needed. The Elements of the comprehensive plan developed by the local Safety Committee shall include at least the following areas: A) Pre-Employment, B) Caseload Supervision, C) Office Safety, D) Field Safety, E) Incident Reporting, F) Training, and G) Policies and Procedures Manual.

IT MUST BE ABUNDANTLY CLEAR THAT THE GOAL OF REPORTING IS TO DOCUMENT WHAT HAPPENED AND LEARN FROM THE EXPERIENCE, NOT TO FIND FAULT WITH STAFF

A. MUST be sent to Ernest Comer, Chief of AOC Court Access Services within two (2) working days after being signed by the Vicinage Workplace Violence Liaison.

B. Fax number for Court Access Services is 609-633-7142.

C. Copies should also be provided to the Trial Court Administrator (TCA) at this time.

D. Second part of the NJJSIRD form is entitled Follow-up Incident Report Form.

E. This section is completed by the TCA's designee wherever there is an investigation into a workplace violence incident.

2) Probation Division also utilizes the NJJSIRD form

A. but more information is needed by Probation to determine if staff are following the NOVA staff safety procedures, to accomplish this,

B. the report was made two (2) sided to allow for the supervisor, Assistant Chief, and Chief Probation Officer to comment on the action taken by the employee,

C. careful review of these reports by these individuals is essential to ensure that proper safety standards, where they exist, are followed and to identify issues for possible policy development,

D. copies of these reports MUST BE sent to the Assistant Director for

**BEHAVIOR OR PROVIDE
AMMUNITION FOR TAKING
DISCIPLINARY ACTION.**

The protocol for reporting incidents which threaten Probation staff was adopted by the Conference of Chief Probation Officers on October 3, 1995. The goals of the Probation Division's incident report are to identify staff safety policy and training needs and to motivate corrective action which will help to minimize future risk to Probation staff. Information received on this staff safety incident report form will be recorded and maintained in a central file at the AOC Probation Services Division.

The New Jersey Judiciary Security Incident Report/Database was developed with the adoption of the Judiciary Workplace Violence Act in 1999. This form is to be filed out any time an employee is A VICTIM OF, OR WITNESS TO, A WORKPLACE SAFETY INCIDENT. All incidents involving workplace violence or security incidents should be reported to the individual's supervisor immediately and recorded on the New Jersey Judiciary Security Incident Report Database.

Form submissions and completions are as follows:

1) New Jersey Judiciary Security Incident Report/Database (NJJSIRD) form.

Probation Services to enable the AOC Probation Services Incident Report Review Committee to review the reports and identify any substantive, critical staff safety incidents.

E. Also attached to the NJJSIRD is a FORCE ACTION form to assist Probation managers to determine if force used against a perpetrator was necessary,

1. FORCE ACTION form is to be filled out by the reported whenever that employee uses force against another person or animal (in self-defense), or when OC spray is discharged.

F. For Probation Division safety incidents, the employee's supervisor, VACPO, VCPO, etc. should be verbally notified immediately after the incident occurs,

1. A staff safety incident report should be submitted to the employee's supervisor within 24 hours of the incident occurring;

A) The Probation Association of New Jersey requests that a PANJ Incident Report be completed at the same time and sent directly to the PANJ Office (fax number 732-223-8363) for back-up verification of incident submissions;

2. The employee should be given the opportunity to request participation in a debriefing session;

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3. Within two (2) working days following the incident (excluding any extenuating circumstances), the completed report, along with the signature and comments of the VCPO, VACPO, and Workplace Violence Liaison must be sent to AOC Probation Services Assistant Director (fax number 609-984-0138);

4. Copies of the completed incident report, with all responses and actions should also be sent to the

the incident(s) in terms of prevention and/or more efficient handling of future occurrences. In addition, proposals for the development and/or revision of policies, procedures, and training will be discussed by the Task Force on Staff Safety.

The AOC Probation Services Division will continue to issue an annual summary of the incident reports, providing statistics, as well as an analysis regarding implication for policy and training.

employee, supervisor, and chair of the local staff safety committee.

G. If the incident is determined by the Chief to be a serious breach of safety (i.e., assault, threat, etc.), or it involves "employee on employee" violence which may result in disciplinary action against an employee;

1. Section II of the report (Follow Up Report Form) shall be completed by the investigator designated by the Trial Court Administrator,

2. And submitted to the vicinage Human Resources;

3. Please assure that copies of the Follow Up Report Form are also sent to the Vicinage Workplace Violence Liaison, the Chief of AOC Court Access Services, and the Assistant Director of Probation Services within ten (10) days of the incident.

H. Originals of the Follow Up Report Form shall be maintained by the local Human Resources Manager as they apply to employees in that jurisdiction.

3) Explanation of Sections of the NJJSIRD

A. COURT/AGENCY/VICINAGE section identifies the vicinage where the incident occurred,

1. COURT/AGENCY refers to the area where the incident occurred,

B. LOCATION/ADDRESS is the specific area in which the incident

Welcome to the 2002 PANJ Conference and Everything You Need to Know about Security

by Dorothy Robinson & Stephanie Hennessey

This year at the Conference we will be endeavoring to see that everyone has a great time of course but also that everyone is where they should be. As everyone knows at Registration we are all given Identification name badges and of course the lovely lanyards to make them convenient to hang around your neck.

Registration will close at 7:30 p.m. on Sunday night so if you are going to be late please try and have someone pick up your Registration package before hand. This is necessary as this year all participants will have to be wearing them at all times in order to enter the events.

There will be Staff members at the entrances to the Cocktail Parties on both Sunday and Monday night, also at the Luncheon on Monday. They are or will be readily identifiable by the Staff ribbons they will be wearing. No one, no one will be admitted without their name badge, so please, please make this easy for all and wear it or keep it with you at all times. Of course, you will also need your Luncheon Tickets to present at the door too. We want to insure that only members and guests that are entitled to be at these events are there.

We have become such a large group that Staff can't possibly recognize all so we need to check the tags. I thank you and look forward to seeing all our members having a great time and racking up those training credits in the wonderful workshops we have lined up.

The Program Committee has made numerous changes to make your attendance an enjoyable experience. As in the past, sign-in sheets, evaluations and certificates of attendance will continue. New to the Institute will be Moderators for each workshop. These moderators will oversee our existing functions. They will also monitor class size, close a class at capacity, and hand out certificates. This year's Program format provides a wide variety of classes: multi-part, duplicate and single workshops. This change is expected to allow a wider availability of attendance at any particular workshop.

So, review your Program Booklet to make your workshop selections, plan to arrive early, and have a back-up workshop just in case!

occurred i.e.

C. STATE LEASED/OWNED if the incident occurred in the Probation Division,

D. OTHER and note FIELD if the incident occurred during a home contact,

E. Under INDIVIDUALS INVOLVED, it is important to note who is the Victim (V) and who is the Subject (S), or perpetrator, of the incident.

The Probation Association of New Jersey's Health and Safety Committee along with the Probation Association of New Jersey's Executive Board review the logged in incident reports for the purposes of staff safety (number and severity of incidents reported).

Periodically, the AOC Probation Services Division will submit a summary of the Probation Division incident reports for discussion at the Task Force on Staff Safety. The Task Force will analyze and evaluate

Sleeping with the Enemy

Michael Morton PANJ President, Local 100

In the midst of achievement, we must reflect on our journey to success. The dynamics of accomplishment are many fold. In fact, as the story unfolds, we all impatiently speculate about how the story will end. However, we may never truly know how we will arrive at our destination. Of course, the battle is never over. Instead it evolves. And we watch! Dare we participate?

Everyday, as Probation Officers, we must navigate the whim of the judge; be cautious of our clients who usually have malice for us; and, most precariously, be aware of management's spite. This is because, as we all have varying roles in our pursuits for the judiciary, our tasks are unique to our departments, job responsibilities, and management's expectations. Although individually we may never have to face a judge, or we may not have on-going contact with our clients, we may always fall victim to management.

A real-life game of chess... where we must anticipate the moves of our opponent. At worst, we may settle for a stalemate. But never for a checkmate. However, the rules are ever-evolving. If you've ever played the game Othello, you know that you must be on guard to your opponent who will attempt to turn your own against you. We all know that things are not always as they appear. Furthermore, we are aware that management will turn our own against us. How do you guard against such strategy?

Here's a theory that we all must consider. There is little harm in publishing this theory. In fact, the essence may serve as a catalyst to up the stakes. You see, if we have a plan, then management, too, will be cautious. Caution makes for a more interesting result. It also eliminates hasty foolery. Management has known for some time that our union is strong. Recent attempts by management to whittle away at our unity will soon cause us to reevaluate our mission. A distraction at best.

This theory is to avoid distraction. We may do this not by ignoring the issue. Instead, we should focus on this issue, come to a consensus, and make changes as necessary. But by no means do we allow management to detonate an idea that will divide us. We should not be so bold to overlook the power of management, for it is the single entity in which we share a common thread.

We are targets. Because control appears to be management's aphrodisiac, is it probable that management plans to make each employee submissive?

It's the culmination of threats by management to dictate dress code or scrutinize work time that serves as proof they are distracted... that even

their aim is less than efficient. Scrutiny hurts morale and takes the focus off effectively serving the community. Instead, management strives to serve itself.

Have you noticed how pleasant management can be to the employee that offers the least resistance? How about when management rewards an employee for making management look good? It is natural for those not recognized to resent both management and the employee who appears to be "sleeping with the enemy." Have you ever watched a tank of crabs at the local seafood retailer. They work as a team by climbing on top of one another to reach their ultimate goal of escaping the tank. If you watch close enough, though, you'll observe that when one of the crabs barely reaches the top of the tank, the others pull it back in! Sometimes we prevent our biggest advocates from advocating for us. We are so afraid that we will be forgotten in the struggle. The solution? We must remind our selves constantly of our goal. We must remind our advocates. We must remind our adversaries. We must keep our eye on the prize!

To be successful, we must keep our enemies close. That's not to suggest that we let our guard down. This is how we continue to be professional, without being labeled as a traitor. We all know our mission. I'm confident that we will not forget. But just in case we are distracted, we should be in communication with our union and our local shop stewards. And we should check out

the PANJ web site.

For those of us who have made or plan to make a career of what we do, isn't it worth the effort? It's been said, that the best defense is a good offense!

Legislative Update

by Rob Nixon, Princeton Public
Affairs Group

With the 210th Legislative Session well under way, the Probation Association of New Jersey is actively engaged in its most aggressive legislative activity to date. We are currently monitoring, supporting or seeking amendments to over 80 bills in the Senate and General Assembly. This number is expected to grow as the Session continues into 2003 meaning that PANJ will be very busy in Trenton for the next few months.

The passage of "The Probation Officer Community Safety Unit Act" in January 2002 is still viewed by Trenton observers and key staff as a significant victory over the Judiciary. While the Court will ultimately decide the fate of the law, its passage

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was a credit to the determined action of PANJ President George Christie and PANJ members.

Unfortunately, it appears that the Administrative Office of the Courts is inclined to continue to ignore the will of the Legislative and Executive Branch of State government and PANJ needs to look to other ways to address the issues critical to the safety of Probation Officers in New Jersey. We have been directed by PANJ President George Christie to provide suggestions and legislative initiatives to relieve the Judiciary of the management of probation in New Jersey. This project has begun and will be a major priority of PANJ.

While the issues raised by the Judiciary's attempts to ignore State law continue, PANJ is actively working with legislators on a variety of initiatives. For example, Assembly Bill 1172, sponsored by Assemblywoman Previte, makes throwing bodily fluid on a Probation Officer an aggravated assault has passed the General Assembly and is awaiting consideration by the Senate Law and Public Safety Committee. The bill has been a PANJ initiative.

PANJ also annually participates in the Budget process to seek additional funding and manpower for probation services in the State. The 2003 Budget process will be no different as PANJ is currently reviewing areas of concern, including rising caseloads and line item dedication that we will address with legislators.

guidance and direction in those critical early years she has given back so much for so long.

Each Labor Day weekend since 1971 she has volunteered at the Order's annual retreat. For the past four years she has chaperoned a half dozen teenagers (that's right six!) during Byzan-Teen Youth rallies. She is a member of the Altar Rosary Society and serves as Cantor for the St. Mary of the Assumption Parish. To this day Stephanie helps landscape the grounds of the St. Basil Order as well as providing domestic and laborer assistance.

From her parents Stephanie has inherited a strong belief in the lifetime benefits of Unionism and effective collective bargaining. Her father was a member of Carpenters Local 31 in Hamilton Township, Mercer County, for 38 years and her brother is a union member at his job with AT&T. Stephanie's mother worked for the State of New Jersey and was a union member for 11 years. Patrick Hennessey, Stephanie's husband, has been a member of the United Food Commercial Workers Union since 1976.

Stephanie states that it was due to her father's Union wages that enabled him to give his daughter the gift of a college education. When family members experienced contract struggles Stephanie always rallied to their cause, and always offering encouragement and

PORTRAIT OF A PROFESSIONAL

by Bradley J. Fairchild, President, Cumberland County

PANJ Local 200

This article is the second of a series dedicated to local and state PANJ leaders who consistently demonstrate the highest levels of commitment and dedication to this organization and to the Probation profession.

Devotion to faith, family, and community. Such values combine to be a potent driving force for good in our troubled world. Fortunately for the New Jersey Judiciary such values are also the driving force for our PANJ Second Vice President, Stephanie Hennessey.

Growing up in Trenton, Stephanie's natural inclination for helping and reaching out was formulated early in life and is rooted in her religious faith. She has maintained a thirty-year relationship with the Sisters of St. Basil the Great, which is the Order that educated Stephanie through her grade school years. Instilled with a deep sense of gratitude for the Order's

support!!

Once Unionism is in the blood it's hard to reverse the natural order of the universe. Stephanie was elected statewide Treasurer of PANJ in 1991. She was elected as PANJ Second Vice President in 1995 and reelected to the same post in 1998 and 2001. During the last year Ms. Hennessey was elected as President of Mercer County PANJ Local 103.

Stephanie became involved with the Training Conference in 1991 and became Program Chairperson in 1996. In speaking of her early Conference days she fondly recalls the leadership and inspiration generated by the late Ethan Janowitz who served as Conference Chair in the early 1990's.

After graduating from Trenton State College (that's College of New Jersey for you youngsters under 30) Stephanie was hired by the Mercer County Judiciary as a Case Supervisor in 1985 in the Criminal Case Management Unit. In 1987 she became a Probation Officer in CCMO. In 1991 Ms. Hennessey transferred to Adult Probation. Within the next year she was faced with a case that would change not only her career but also the way she looked at life itself.

In December 1992 Stephanie was assigned to supervise a deaf client. This began "an Odyssey of learning and understanding" that shows no signs of extinguishing. Struggling to locate essential services for her client she searched around the country for an inpatient program that

was willing and able to treat a

(From page 5) deaf client. Once services were secured getting her client to the program was the next challenge. Determined to get her help she desperately needed, Stephanie took her probationer to the Philadelphia International Airport and strapped her into a seat on the plane.

Since that first deaf client arrived at her desk a decade ago Ms. Hennessey has made herself an expert and advocate in the field of supervising the deaf and hard of

As a professional who is concerned about current trends in Probation Stephanie voices disappointment regarding the "over reliance" on technology. She feels our system appears to be more interested in "counting events" than intervening in the lives of our probationers in a meaningful and positive manner.

Unable to stray for too long from her relentless advocacy for the deaf and hard of hearing Stephanie believes that far too often, the Courts dismiss charges against deaf defendants because it is easier to "sweep their

hearing. In 1998 she was selected through a Federal Program to attend a 2-week Training Curriculum sponsored by the University of Minnesota where she obtained a Certification for "Treating Chemical Dependency for the Deaf and Hard of Hearing." During the program she authored a paper, which served as the basis for a questionnaire that helped determine the needs of deaf and hard of hearing probationers. For her groundbreaking efforts Stephanie was nominated by Mercer Chief Mike Green for Probation Officer of the Year in 1993 by the American Probation and Parole Association.

At the present time Stephanie is active with "New Jersey Networkers" which is a Professional Group of Service Providers for the deaf and hard of hearing.

problems under the rug" than to attempt to address the underlying needs of these difficult cases. She believes we are making very slow progress toward treating deaf clients as "mainstream" clients with special needs.

Throughout all her activities on behalf of her fellow Probation Officers in Mercer County and across the state Stephanie exhibits tireless enthusiasm and devotion for her profession. She has set a high standard of excellence that few of us can equal.
