

PROBATION ASSOCIATION OF NEW JERSEY

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Election Committee Report

**BY: DWIGHT COVALESKIE,
CHAIRPERSON NOMINATION / ELECTION COMMITTEE
FIRST VICE PRESIDENT, LINE STAFF**

As per our PANJ Constitution nominations and elections will be held this year for all Executive Board positions. The terms will run from January 2011 until January 2014.

The criteria for Executive Board positions are as such; no member shall be eligible to be nominated or hold any office unless they are a current Active Member in good standing and have been an Active Member in good standing for a period of 3 years prior to the election.

In order to have your name submitted on the ballot you will need to submit at least 100 nomination signatures from PANJ members who are in good standing, either from the Line or Supervisor Units. The nominations must be received by the PANJ Office by August 25th; anything received after will not be counted.

The nominations will be counted by the committee on August 27th. After nominations are counted and certified, the committee will place the names on the ballot for each region and unit. Ballots will be mailed to all members around November 1st. Included in the ballot will be the deadline to return your vote.

Please remember if your name or address has changed to contact the PANJ office at 732-223-1799 so our records can be updated.

Lastly I would like to thank all of the members of the Nomination/Election Committee for their hard work; Kevin Farley, Dorothy Robinson, Gary Haase, Anne Dutton, Glen Moton, Linval Lewis and Ellen Cribbin.



INSIGHT



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THE BUDGET IS SIGNED, WHAT'S NEXT?

By: Chrissy Buteas, Capital Impact Group

In late June, the New Jersey Legislature debated, and ultimately approved, the \$28.4 billion State Budget for Fiscal Year 2011. The Governor was constitutionally mandated to sign this measure into law by the June 30 deadline, which he did this year ahead of schedule avoiding a government shutdown.

In an unusual move, the minority party, the Republicans, introduced the budget bill this year consequently requiring all Republican legislators to vote in favor of the Governor's budget. This move allowed the Democrats to provide only the few votes needed for the bill to pass and avoid a government shutdown. The Senate passed Governor Christie's budget following about 90 minutes of debate. The spending plan passed 21-19 with Democrats supplying only the minimum number of votes (four) need state to approve the budget. Those votes came from Senators Teresa Ruiz (D-29), Brian Stack (D-33), Sandra Cunningham (D-31), and Jeff Van Drew (D-1). The Assembly passed the budget 42-22-13 in the early morning hours of June 29th, again only supplying the minimum number of votes to avoid a government shutdown. Democrats that voted for the budget include: Assembly members Nelson Albano (D-1), Upendra Chivukula (D-17), Albert Coutinho (D-29), Joe Cryan (D-20), Matthew Milam (D-1), Sheila Oliver (D-34), Ruban Ramos (D-33), Caridad Rodriguez (D-33); Assemblywoman Pou did not vote.

Proponents of the budget are pleased that they closed an \$11 billion budget gap without broad tax increases, while making tough budget decisions. Meanwhile opponents say the cuts hurt the most vulnerable and claim the Governor and Republican members of the Legislature raised fees/taxes to balance the budget. The State also skipped a \$3 billion pension contribution.

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OFFICIALS

George P. Christie
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Dwight Covalleskie
First V.P., Line Staff

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First V.P., Supervisor's Unit

Stephanie Hennessey
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Southern Regional V.P.

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Gavin Cummings, Central
Regional V.P., Supervisor's Unit

Glen Moton, Southern
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Thea Condry
Parliamentarian

Ellen Cribbin
Sergeant-at-Arms / Business Manager

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Bridgett Patillo, Essex
Anthony Persico, Morris

Region 2

Edda Burry, AOC
Michael LaCosta, Hunterdon
Steve Wainwright, Middlesex

Region 3

A. Francis Nunan, Cape May
Roberta Scull, Atlantic
Debra Yeich, Salem

A Message From The President



Our organization has come a long way over the past 102 years. In 1908, twelve officers around the state came together to improve their standards and promote probation as a rehabilitative process in the administration of justice.

The Association has continually worked toward the betterment of the Probation profession. It has always supported higher education for its members in courses of study which would benefit those working in the field of crime and delinquency prevention.

Over time PANJ has seen many changes and an expansion of services. Probation officers and their supervisors are no longer strictly focused on the aspect of dealing with the supervision of offenders. Now Probation Officers are an integral part of child support, family and criminal divisions. Probation Officers work with drug courts, mental health and domestic violence cases.

Throughout the past 102 years the Probation Association of New Jersey has been a force for positive change and has worked toward the benefit of its members. PANJ has become the union representing all probation officers and supervisors. PANJ has negotiated contracts which have taken our professionals from the lowest paid in the nation to one of the highest paid. PANJ through its educational fund provides substantive training for over 500 probation officers and other professionals every year. PANJ also defends and represents its members who experience various difficulties.

The Probation Association of New Jersey has a great history and will no doubt be an advocate for the Probation profession for a long time to come.

George Christie

A Message From The Editor

Brothers and Sisters,

As the temperatures rise in the summer so does crime especially at shore towns, and urban centers of our state. Currently the NJ Attorney General's office is collecting data from police departments in every county to track summertime crime statistics. Once all the data is collected the AG's Office will share the information with county prosecutors so a plan can be developed to help local municipalities deal with managing the increase.

As we head out into the field or to interview potential or current probationers we should be mindful of our surrounds, stay alert and utilize the resources, no matter how little the AOC has given us, such as your vests and OC spray. On a personal note as we head out on vacation or day hopping to the beach remember to keep your valuables secure and doors and windows locked in both your home and car. I hope that you enjoy your summer and keep safe.

In Solidarity,

Ellen Cribbin

Business Manager
Editor

Contributing Authors



George P. Christie
President



Dwight Covalleskie
First V.P., Line Staff



Bradley J. Fairchild
First V.P., Supervisor's Unit



Susan Ormsby-Cuozzo
Financial Secretary



Ellen Cribbin
Business Manager & Editor



Stuart Martinsen
Health & Safety Representative

NEW JERSEY NJ AMERICAN CORRECTIONAL ASSOCIATION CHAPTER



2010 ANNUAL CONFERENCE

MASCA

MASCA Founder's Award IN MEMORIAM: DENNIS R. MARTIN 1942 – 2010

**Dennis R. Martin was a visionary.
His vision of criminal justice reflected his personal
values: professionalism, inclusiveness,
and integrity.**



Dennis began his correctional career in 1971 with the Philadelphia Adult Probation Department. In 1984, he joined the Probation Services Division of the Administrative Office of the New Jersey Courts, where he developed and led the Comprehensive Enforcement Program, a highly successful and innovative initiative that significantly increased collection of restitution, fines and fees. The CEP was recognized by the Council of State Governments with an **Innovations Award** in 1996.

Throughout his career, Dennis was committed to giving back to his profession. The **Middle Atlantic States Correctional Association** was one beneficiary of that commitment. Dennis served with distinction as President of MASCA from 1987 to 1989. During that two-year period, he presided over the 50th anniversary celebration of MASCA's founding in 1938 in New Jersey. He worked hard to organize this gala event at the Resorts International Hotel in Atlantic City and managed to get 25 agencies, colleges, and organizations to co-sponsor our golden anniversary conference. That was no small feat.

Under his leadership, MASCA secured its first and only Federal grant to study the hazards faced by probation and parole officers. Published by the National Institute of Corrections in 1990, **A Study of Probation and Parole Worker Safety in the Middle Atlantic Region** by co-authors William Parsonage and Joseph Miller was pioneering research that became the catalyst for probation and parole officer safety training programs in the United States. In 1992, Dennis was awarded the **Sam Houston State University Award** by the American Probation and Parole Association for an article he wrote about this ground-breaking staff safety research.

Dennis Martin remained active with MASCA, and in 1996, he was recognized with the **MASCA Outstanding Service Award**. In 2007, he assumed the position of Vice President. In that role, he was a strong advocate for MASCA-sponsored academic scholarships for undergraduates in criminal justice. He was passionate about ensuring that the next generation of criminal justice professionals received a supportive financial lift from those already working in the field. To honor that commitment, MASCA will begin to award the **Dennis R. Martin Memorial Scholarship** at our 2010 annual conference in Atlantic City.

Dennis Martin was more than our friend, more than our colleague, more than our mentor. Our profession is richer, our organization is stronger, our vision is clearer because of his life and career. **Thank you, Dennis!**

Toxic courthouse in Passaic to be closed

Adult and juvenile probation officers to be relocated

BY: PIPC STAFF

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The unhealthy conditions, which are decades old, became notable in March 2009 when a long-standing, hidden plumbing leak on the ground floor deposited an anti-freeze chemical behind an interior wall – a wall that essentially collapsed as a result. The ensuing chemical stench prompted the vicinage to remove all officers from the ground floor and relocate them on other floors throughout the building for a brief time.

In April 2009, the Passaic County local asked to bring its own environmental experts to assess damage in the building and the unhealthy conditions but the Judiciary denied the request. The local filed the request after a Passaic County analysis showed no contamination in the building, despite its long-standing disrepair and obvious problems. But Bergin circumvented the Judiciary's denial and personally collected the contaminated samples himself. He later took them to a laboratory for scientific analysis, which found them to be unhealthy.

"The county's testing, which came back showing no contamination, was absurd," said Bergin, who first started filing complaints with the New Jersey Public Employee Occupational and Safety Health (PEOSH) agency about the building four years ago. "The county was attempting to evade responsibility," Bergin added.

"PEOSH cited Passaic County for failing to maintain the Annex numerous times over the years but the problems were never fixed. That's why I filed the grievances. I had to get somebody's attention somewhere. The conditions in the Annex were and are disgraceful to this date," said Bergin.

After the initial grievance filed to allow the union's own experts to test the Annex for contamination in May of 2009, Bergin later filed two subsequent discovery-related grievances after vicinage officials refused to identify the Judiciary official who barred union experts from analyzing the building – citing the union contract language which requires the Judiciary to provide a "safe and healthful place of employment for all employees" and related discovery requirements for prosecuting grievances.

The County of Passaic, which is responsible for all courthouse maintenance, closed the ground floor of the Annex a second time from October 2009 to January 2010 to make repairs. However, the building is still unhealthy according to subsequent testing.

Unnaturally high levels of molds known as cladosporium and penicillium, among other species, have been identified as living in the Annex. These molds have been linked medically to pneumonia and pulmonary fibrosis. People with compromised immune systems and pre-existing respiratory conditions such as asthma are known to show increased sensitivity to these molds, which can lead to further respiratory injury.

The Passaic County environmental issues are part of larger problems in courthouses throughout the state, including numerous recent complaints about unsafe conditions in Warren, Monmouth, Essex and Cumberland counties.

"Nobody should standby and allow this type of neglect. The various counties and the Judiciary are obligated to protect our health and safety," said Bergin.

The Budget is Signed. What's Next?

BY: CRISSY BUTEAS, CAPITAL IMPACT GROUP

...Continued from page 1

There are several pieces of "stand alone" revenue bills that accompanied the Fiscal Year 2011 Annual Appropriations Act. All of these combined measures were passed to ensure a balanced budget for the upcoming year. Components of the Annual Appropriations Act and accompanying bills included revenue enhancers, for example, which would establish professional sports team specialty license plates and dedicates net proceeds to the General Fund. Additionally, a measure was passed which reduces benefits under State earned income credit program from 25 percent of federal credit amount to 20 percent beginning in Tax Year 2010.

Aside from the budget, the ongoing debate about property tax caps should prove to be interesting. Over the holiday weekend, Governor Christie and Senate President Sweeney reached consensus on a 2.0 percent statutory cap, opposed to the Governor's original 2.5 percent constitutional amendment and the Legislature's 2.9 percent cap. This cap allows four exemptions to the cap: rising health care costs, pension payments, debt service payments and capital expenditures, including new equipment and public works projects. This is a decrease from the 14 exemptions allowed under the current 4 percent property tax cap. If a government entity exceeds the 2 percent, it will need to hold a referendum seeking voter approval to go over the cap. Christie is touting this as a way for voters to control the future of property taxes. The Senate and Assembly have plans to conduct a special session of the Legislature, which began July 8th, to consider the 2.0 percent cap and other "toolkit" bills originally proposed by Governor Christie; these "toolkit" bills are necessary accompaniments to the cap legislation. At this point in time, these measures do not appear to impact state employees, but we will keep a close eye on any bills moving through the Legislature this summer.



Toxic courthouse in Passaic to be closed

Adult and juvenile probation officers to be relocated

BY: PIPC STAFF

Paterson, July 13 – Judiciary officials have hammered out an agreement with Passaic County leaders to close in September an environmentally contaminated courthouse that houses about half of the county's probation officers. The decision comes on the heels of a series of grievances filed by PANJ Passaic County Local 116 over the past year objecting to conditions in the building.

"This is a tremendous victory for the dozens of staff who have had to endure years of working in a sick building," said Daniel M. Bergin, president of Local 116. "That place should have been closed years ago," Bergin added.

The building, known as the Annex and built of stone and brick in 1899, has suffered from decades of maintenance neglect and is subject to ground level flooding and roof leaks. The leaks have caused mold growth in the building and a corroding ventilation system is circulating contaminated air.

Dangerous levels of mold and airborne toxins were found in the building in alarming concentrations following scientific testing done on debris samples collected by PANJ and the Judiciary earlier this year. In addition, the air conditioning system has been malfunctioning on one floor of the 4-story building since the cooling season began this year.

While the imminent closure of the building is being planned, a joint committee of Judiciary and Passaic County officials has been formed to find a new location for the staff. To date, no new location has been identified.

On March 30, Bergin filed a grievance to close the building as a result of the unhealthy findings. It was the fourth grievance he filed against the Judiciary concerning the unhealthful conditions. The building houses both adult and juvenile officers and the county grand jury offices and courtroom. Some 82 people, including support staff, work there.

The Judiciary heard the Step-Three grievance on May 26 in which Bergin presented the union's scientific experts' findings showing that the ventilation system on the ground floor was distributing potentially harmful metal oxides, minerals, salts, insect parts and "carbonaceous" debris onto probation officers' desks.

About half of the staff in the Annex has experienced respiratory problems. Two officers were recently ordered out of the building by their doctors after showing serious lung problems as a result of toxic air exposure, said Bergin, who also serves as state PANJ vice-president for the northern region.

A recent engineering report undertaken by the Judiciary also showed substantial deterioration of the building's masonry, rotting interior roof supports due to water leaks, as well as clogged gutters and leaders that are causing water damage to interior walls.

The interior walls of the Annex were manufactured with asbestos, a crystalline mineral that if damaged can become airborne. Asbestos, if breathed in, is a known carcinogen. Strict state and federal occupational health laws govern its maintenance and disposal.

Continued on page 10...

Don't Quit

**When things go wrong, as they sometimes will,
When the road you're trudging seems all uphill,
When funds are low and the debts are high,
And you want to smile but you have to sigh,
When care is pressing you down a bit,
Rest if you must, but don't you quit.
Life is queer with its twists and turns,
As every one of us sometimes learns,
And many a fellow turns about when he might,
Have won if he'd stuck it out.
Don't give up, though the pace seems slow -
You may succeed with another blow.
Often the goal is nearer than it seems,
To a faint and faltering man;
Often the struggler has given up
When he might have captured the victor's cup,
And he learned too late, when the night came down,
How close he was to the golden crown.
Success is failure turned inside out -
The silver tint of the clouds of doubt,
And you never can tell how close you are -
It may be near when it seems afar;
So stick to the fight when you're hardest hit -
It's when things seem worst that you mustn't quit.**

~ Author Unknown

This appeared in a book entitled "PROBATION AND THE LAW – A PROFILE",
by Lawrence J. Fitzhenry, published in 1969 by The Probation Association of New Jersey.

Submitted By President George Christie

Public Service IS a Noble Profession

**BY: BRAD FAIRCHILD, FIRST VICE PRESIDENT,
PROFESSIONAL SUPERVISORY UNIT**

This year we have sadly witnessed an unprecedented wide scale assault on the integrity of those who work in public sector. Lead by an aggressive campaign by the Governors office which has enjoyed a major assist by talk radio, state workers and teachers have been demonized and portrayed as greedy and overpaid slackers whose only purpose in life is to "feed at the public troth".

We know that sacrifices must be made in these difficult economic times. Acknowledging the economic crisis PANJ made wage deferrals, accepted furlough days, and agreed to pay toward health benefits for the last two years. PANJ members should be aware that because we made concessions over the last several years we ensured that we will receive raises this July and we also obtained an 18 month no layoff guarantee.

The demonizing of government workers cannot be ignored even in the face of the wrath directed at us by political leaders and their willing accomplices on radio and in the newspapers. To avoid confronting this sad alliance would be to abandon the field to our adversaries who make a mockery of the many who have dedicated their lives and careers to helping those in need and to causes greater than ourselves.

We all know of countless examples of public workers going "above and beyond the call of duty". We know that many co-workers put in many extra hours for no extra pay and who put themselves in harms way by supervising dangerous criminals with the minimum of protection and training. We all know of police officers and firefighters who face life threatening situations on a daily basis. We know that many school teachers who are committed to preparing our sons and daughters for the future work many hours at night and weekends and who often use their own resources to pay for materials that enhance their classroom presentations.

Many of us can recall specific examples of inspirational exemplary services offered by public employees we have been lucky enough to know during our lives. For me it was the career of a young lady in the Public Defenders office who for years worked with death penalty defendants. She devoted countless extra hours on weekends, holidays, and nights preparing clients for court who were despised by the rest of society. She was committed to this task not because it was popular, but because it was right. Her commitment was the creed of many government workers and teachers. This creed is the simple faith in doing what we can to help the suffering of others and to make the world and our state a better place.

During this season of blaming public workers we should not shrink of reminding everyone that government workers do not fit the political caricature portrayed by misinformed radio commentators and politicians. We know the honest reality is quite the opposite. Our colleagues and coworkers are dedicated souls who are more committed to the public good than private profit. They are committed to giving their state and communities the maximum benefit of their education, knowledge, and faith. Public service is a noble profession, even at a time when others may malign our motives and misplace the real responsibility for state's fiscal fiascos.

Supervisor Update

**BY: BRAD FAIRCHILD, FIRST VICE PRESIDENT,
PROFESSIONAL SUPERVISORY UNIT**

The Professional Supervisors have been continuing the fight against management's abuse of the notorious 9.8 provision of the Professional Supervisors contract. This article allows management to arbitrarily remove unclassified supervisors without being subject to any hearing or review process.

The increase in 9.8 removals during the last six months is notable in that the removals are from the same few vicinages. This pattern is of a major concern to PANJ because it's obvious that management utilizes 9.8 as a method to avoid utilizing discipline which is the appropriate response in most cases. The disciplinary process involves investigations, questioning, and hearings that are objective at least in theory. The blatant by-pass of discipline is a clear sign that management has pre-determined that anyone they wish to remove is always guilty of any wrongdoing and granting a fair and open review of such cases is a luxury that the Judiciary refuses to afford. It's tragic that management can arbitrarily end a career on any day and the 9.8 is the lethal weapon that is usually deployed.

The consequence of the abuse of 9.8 is that some of the most talented young Officers in the Judiciary will not apply for supervisory positions because they justifiably do not want to risk ending their careers by incurring the disapproval of a manager or, at the very least, taking a major salary reduction by going back to a previously held title.

Most vicinages apply this section of the Supervisory contract appropriately but the same few vicinages (the usual suspects) are abusing 9.8 by utilizing increasingly extreme methods and this is a scar upon the Judiciary's alleged national reputation for fairness and justice. It's a shame the Judiciary does not pursue justice for the supervisors who make our system operate on a daily basis with the same passion it pursues justice for those who commit some of most vicious crimes imaginable. PANJ will not retreat from this fight for fundamental fairness until the Supervisors contract is applied appropriately in all counties and in all vicinages.





Probation Association
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68th

Annual Training Conference

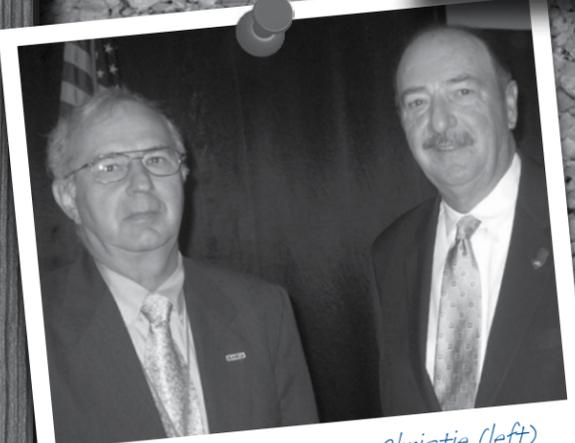
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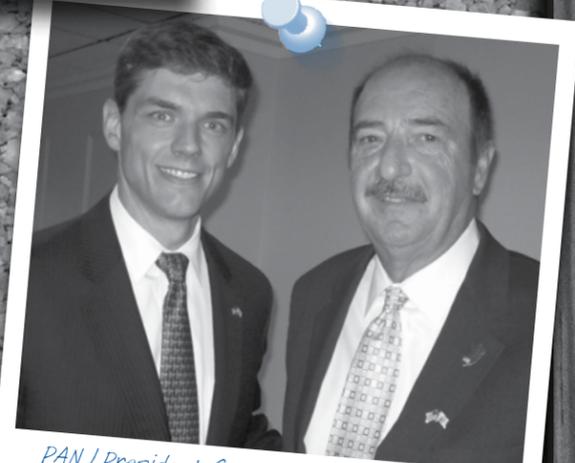
November 21 - 23, 2010

For details, see your local representative
or call Sue Ormsby Tuoze at (973) 656-3542

July 2010



PANJ President George Christie (left) with Middle Atlantic States Correctional Association President Henry Alexander at the MASCA conference on June 8th 2010.



PANJ President George Christie (right) with Assemblyman Jay Webber of the 26th District on June 23rd 2010. Assemblyman Webber is also the Chairman of the NJ Republican State Committee.



PANJ President George Christie swears in the four newly elected Ocean County Local 106 Officers on June 28th, 2010.



Middle Atlantic States Correctional Association conference attendees from PANJ on June 8th 2010. From left to right; PANJ State Representative Stuart Martinsen, PANJ President George Christie, Local PANJ Representative Deneen Hohman, PANJ Parliamentarian Thea Condry, PANJ Labor Consultant Dave Yennior.



Ocean County Line Staff Local 106 elected new officials on June 28th, 2010. Pictured from left to right are; Valerie Wallen, Caryn Nigro-Stavar, Kelly Boggiano, Stephen McMullen, Andrew Krutulius, and Joseph Heckendorn. Not pictured; Kara Colosi.