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Probation Association of New Jersey

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An affiliate of the American Probation and Parole Association

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PROBATION, LAW ENFORCEMENT OFFICERS CALL ON JUDICIARY TO RESCIND RULES FOR COMMUNITY SUPERVISION

Groups Claim Directive Threatens Probation System, Safety of Officers

Trenton, NJ -- The state's probation and law enforcement officer associations today teamed with leading legislators to call on the Judiciary to rescind rules that fail to provide adequate guidance or training for probation officers supervising offenders in their communities. Despite being titled the "Probation Field Supervision and Safety Standards," the officers believe the directive would be a detriment to these officers and an impediment to public safety in our communities.

Under the Judiciary's Directive #14-06, 13 standards are set forth ranging from preventing probation officers from arresting probationers with a pending warrants to requiring a greater law enforcement role in community supervision to setting standards for home visits and training needed to carry-out these responsibilities.

George Christie, president of the Probation Association of New Jersey (PANJ), sent a detailed letter to New Jersey Chief Justice Deborah Poritz to explain the probation officers' concerns with Directive #14-06 that requires all probation vicinages to submit a plan of implementation by Monday, September 18.

"This Directive will not make a probation officer any safer than they are today," wrote Christie. "In fact, a vast majority of states across America have recognized that minimizing probation officers as strictly social workers is an inadequate approach for protecting communities and citizens. Probation officers would be safer through improved self-defense training as well as having the proper equipment necessary to protect themselves and the public."

The probation union commented on the training aspects of the plan by stating that "more needs to be explained as to how probation officers will be trained in self-defense and provided with proper equipment. Self-defense training needs to be detailed and provided before sending officers into the field."

(More)

In his letter to Poritz, Christie call on the Chief Justice to appoint a special master to take testimony from probation and community correction experts from New Jersey and the nation to issue a comprehensive report on such services in the state.

Probation officers in thirty-four states are armed in the course of their work including in states where the judiciary is responsible for probation. Training probation officers and properly equipping them is currently a strong and consistent trend throughout the nation. Trained probation officers who are able to meet all threats is a major plus for public safety.

Chief among PANJ's criticisms with the Directive is the lack of a statewide plan to provide adequate training and proper equipment necessary to carry-out the proposed standards. Moreover, it does not provide a detailed description of the probation-police partnership that will be necessary to ensure that probationers are arrested, if necessary, and overseen appropriately.

The Directive explicitly strips probation officers of any authority to arrest probationers who have a pending warrant for their arrest. In relying solely on the state's police force to search and arrest probationers as well as seize contraband in their possession, the Directive does not take into consideration the real world scenarios that probation officers face daily.

"Now, the Judiciary says we must call police officers to make arrests and searches. The net effect is a disincentive to act whether to impractically tie up limited police resources or avoid threatening situations and give criminals free reign," said Daniel Bergin, president of the Passaic County Probation Association, who has assisted in nearly 1,000 arrests of criminals in his 11-year career as an officer. "The result of this Directive is a disservice to the public in both instances."

"While some say that probationers are not violent offenders, the statistics prove otherwise," said Christie. "In fact, according to the U.S. Department of Justice, 45 percent of all state prison inmates are either on probation or parole when they commit the acts for which they are incarcerated.

"Given these alarming statistics, we are even more alarmed by the recent actions of the Judiciary which seems to ignore the real world situations that probation and police officers face daily – from gang members to criminals who are habitual offenders," Christie added.

Hundreds of probationers have been arrested in New Jersey for new offenses during the past several years. As such, PANJ has compiled data on 124 recent New Jersey probation cases that found that these individuals were subsequently charged with the following offenses: murder (45), attempted murder (10), murder of police officer (4), attempted murder of police (2), assault on a police officer (3), robberies (9), aggravated assault (11), kidnapping (5), arson (1). These are not first-time minor offenders by any reasonable standards.

The press conference also was attended by Assembly Judiciary Committee Chairwoman Linda Greenstein (D-Middlesex), Assemblyman Richard Merkt (R-Morris), Mr. Michael Madonna, president of the state's Policeman's Benevolent Association (P.B.A), and Mr. David Jones, president of the State Troopers Association of New Jersey.