

Submitted Testimony

**Testimony of  
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**Former Council Leader Division 236 of the  
Public Employees Federation**

**To**

**The Legislative Public Hearing on 2016-2017**

**Executive Budget Proposal:**

**"Public Protection".**

**February 4, 2016**

Good Morning Honorable Members of the Legislature.

My name is Victor Antonio Perez and I am a Senior Parole Officer assigned to the New Rochelle Area Office. I am the former Council Leader of PEF Division 236. I've come here before you today to share my concerns on what seem to be a downward spiral in NYS DOCCS. More specifically how Community Supervision (formerly known as Parole) seems to be taken a back seat when it comes to protecting our community. First let me share with you that I have worked with DOCCS for 27 years. First as a Corrections Counselor/Pre-release Coordinator, and then as a New York State Parole Officer for 24 years. I spent approximately ½ of my career working inside the walls and the double razor wire fences of the NYS Prisons. As a facility parole

officer I have worked in Lakeview SICF, Bedford Hills, Sing Sing C.F., and have assisted my colleagues in Gowanda C.F. Collin C.F. Wende C.F., Elmira C.F. Monterey C.F., Fishkill C.F. Otisville C.F., and Downstate C.F. and the other half of my career working in the community as a field parole officer in the Binghamton, the Rochester and I was a parole officer in the Bronx for 10 years, before becoming a Parole Revocation Specialist. While in the Bronx as a parole officer I managed a caseload of approximately 50 parolees and held the position of Absconder Search Coordinator. In that capacity I served coordinating the execution of parole warrants and with a team of approximately 6-8 parole officers. We went to look for those who gave up on parole and sometimes on society. We even received a commendation for the fine work done by myself and my colleagues.

We did an effective job and we did this with the professionalism and foresight to know that as parole officers we had to be conscious of the fact that these are the same residences and families we will be dealing with again when the parolee returns to the community.

In 2011 I went out for about 3 months for surgery and when I came back this thing they called COMPAS came along and I was asked to manage a caseload of 220 parolees. I laughed and asked my supervisor what am I supposed to do? I was told that this new COMPAS system is divided into caseloads so that a parole officer could only have supervise a one certain level. He said do your best and that is what I did.

These were COMPAS Level 4's which a computer program decided that these parolees needed just minimal supervision. They were required to report to their parole officer just once every 4 months and there was a required home visit once every 4 months. Most had no curfews, no requirements to participate in any program, whether it was a substance abuse program, and employment program or a vocational training program and if they did there was no requirement to verify their program participation. I was told that these parolees were not contacted since I went out on medical leave. What followed was eye opening but not surprising. Most did not even live where their approved residences were, and when they did the many occupants of those residences that I visited shared many concerns of the parolee from relapsing into drug and or alcohol abuse; to being victims of assault; to concerns of some parolees returning to criminal behavior. A few were actually home and enjoying their new found freedom with little concern, but these were the minority. Most of them were lost souls with little direction or just literally got lost. After sorting out who was in jail, who absconded from parole and who were doing well, many warrant were issued. There were obvious problem with this system but DOCCS had already invested millions in the risk assessment system and was not going to back out. After constant complaints from parole officers. In 2014 a committee was finally formed when I was council leader and labor finally got a seat at the table. The assertion from Management was that this RISK assessment tool was accurate and that the

tool was an accurate predictor of who was more likely to reoffend and admittedly its accuracy was that it could tell you that a young single male in his 20's with a history of gang affiliation, no family support, no high school education and no employment history or skills is more likely to re-offend than a 50 year old married male with one felony conviction for Criminal Possession of a Forged Instrument with a 2 years of college and a 10 year employment history. REALLY do we need to spend millions to tell us that? Now the rationale is that we should put all our time into that High Risk Person at the cost of spending little to no time on the "Low Risk" Person. Well we did that and 4 years later DOCCS has admitted that after spending all these millions of tax payer dollars that spending all that time with the High Risk Person has not resulted in their reoffending any less than before. And in the meantime these so called "low risk" offenders are being all but ignored leading to making them reoffend. SO why are we still doing this. Let's move to something that has always worked. Investing in the human element. A Professional College Educated Parole Officers to handles these complex social and criminal justice issues. Restore parole office numbers to what it needs to be at.

In October of 2000 the Division of Parole employed 1,400 PEF members, 1,113 of whom were Parole Officers and Senior Parole Officers.

In December of 2010 PEF represented 1207 employees in the Division of Parole including 904 Parole Officers and Senior Parole Officers.

And today, February of 2016, PEF represents approx. 860 employees 650 of which are Parole Officers and Senior Parole Officers.

So while the Parolee Population has decreased somewhere around 25% in the past 15 years we have seen that the parole officer population decrease approximately 43%. So what are we saying? We hear a lot of commitment to keeping our community safe. We hear that community safety is of paramount importance. We constantly hear from DOCCS administrators that the safety of its employees are its number one priority, but is this the way they show it, depleting the very workforce that protects our community.

COMPAS has always been nothing but an employee reduction program in the guise of a risk assessment tool. Time to fix this and stop wasting tax payer money.

We are reminded that the cost of incarcerating an individual is approx. \$30,000 per inmate per year. DOCCS takes up 49% of the entire 2016-17 Public Protection/Criminal Justice proposed Budget \$2,944,414,000 and yet the portion allocated to community supervision is minuscule.

We hear that the Governor want to revamp the Criminal Justice System and I agree and applaud his verbal commitment and heading the words of Assembly Speaker Heastie when he said that this starts with addressing the educational needs of our impoverished communities, the need for parenting skills, for mentorship programs for employment opportunities and

vocational training programs and to treat addictions, gang interventions and confronting domestic violence. But they all seem to forget that it is the parole officer who is part of that fix and a key element in making this change. It is the parole officer who is the liaison between prison and the community and it is the parole officer that everyone comes to when all else has failed. Whether it's to get someone some help and counsel him to follow through on his program, job search, or his education or even if it's to get him off the street because he has become a danger to himself or others. It's the parole officer who is often called to resolve the issue.

I am reminded of an incident which happened in the 40<sup>th</sup> precinct in the Bronx about 6 years ago. It was late on a Friday afternoon and a call was received by NYPD. An individual was holding his immediate family hostage with weapons and threats to kill them all. A 911 call was made and the police had this individual on the phone. He was on parole and would only talk to his parole officer. Parole Officer Roper was in the office and he immediately put on his bullet proof vest and the office just about emptied out with all the remaining PO's following him to the location. When we arrived at the location the hostage negotiation team of NYPD was already on the scene and on the phone with the parolee. We all wanted to go with PO Roper but NYPD did not let us, so PO Roper went alone with the Hostage negotiation team. He went in spoke to the parolee for about 15 minutes (which I remember seemed like hours) He ultimately came out with the parolee holding his arm as the parolee released all his hostages. No one got hurt and the parolee got the help he needed. It was a good day for parole, but more important it was a better day for the parolee, the family and the community. We all walked a little taller that evening. Morale of the Story Invest in your Parole Officer.

Now I need to comment on what has been happening recently with the Office of Special Investigations of DOCCS and the recent decision by DOCCS administration to put that **problem plagued unit** of DOCCS in charge of executing our parole warrants. **BAD IDEA FOLKS.** My colleague Council Leader/Senior Parole Officer Rigby has already gave you the financial irresponsibility how much it is costing to do it their way. DOCCS has chosen to take these same group of Correction officers, made Investigators, the ones who have allegations of abuse of their authority within the our NYS prisons and unleash them on our community. The stories of these warrant sweeps are plagued with things gone wrong. In a recent sweep in Brooklyn an absconder jumping out the 2<sup>nd</sup> story window and OSI led team thought they were covering the window when in fact they were coving the wrong window of another building simply because they didn't know the area, specifically the housing projects. This could had been averted if simply the parole officer of record was at the scene or at the very least a parole officer who is familiar with that community. Other accounts have surfaced that it took some of the parole

officers from our BSS unit to take over the conversation at the front door, simply because these OSI Officers did not know how to talk to parolee families. As my colleague mentioned before executing a parole warrant is unlike executing any other warrant in that we, the parole officer in most cases are going to have to return to that same residence when that parolee is returned to the community. Whether it be in a year, or 90 days or sometimes as early as 4 weeks, it is the parole officer who has to come back to that same residence and interact with that same family and maintain a working relationship with that family. When these OSI officers execute our warrant they do not have to be concerned as they will probably never have to return to that residence but the parole officer is left to reconstruct a relationship with whatever wrath was left behind.

The potential millions of dollars that are projected to be spent in these onetime operations can be better and more responsibly spent by staffing each Bureau with a F/T Absconder Search Coordinator (Parole Officer L.G. 21) like we had before our depletion and enhancing the restoring the positions of parole officers assigned to warrants. This is what we do and no one does it better.

Let me conclude by saying that the Merger between DOCS and parole has been nothing but a continued **Hostile Take Over of Parole** and it continues to be plagued with mismanagement. It started with the elimination of our facility parole officers where I remind you that DOCS Superintendents authorized the commandeering of former facility parole officer's of desk, equipment and even getting thrown out of offices. The consolidation of Facility Parole Officers and Correction Counselors into the morphed Offender Rehabilitation Coordinator Position has been a continued disaster. More than 4 years later I still get calls from ORC's begging for information from parole as they continued to be given responsibilities that they do not understand. Although there has been some attempts to bridge the gaps and there has been much dialogue, DOCCS Administrators have shown when it comes to asserting and yes even abusing their authority they will not hesitate to do so. They have shown that even when confronted with reason, they will take a direction that is irresponsible just because they can. That was the essence of a recent Labor/Management meeting. They say power corrupts and absolute power corrupts absolutely and this is a classic example of this. We will not be intimidated, we are professionals and we are dedicated and educated. We are committed to a safer community and a safer work environment and will not rest until we achieve both.

When I was 1<sup>st</sup> sworn in as a parole officer in 1992 I did so with pride and distinction. I was proud to carry the badge of a New York State Parole Officer. Some 24 years later, I still am very proud to carry my Parole Officer Shield. I am down to my final years as a parole officer. I would like to believe that after I completing my 30 years of state service that it was not in vein. I would like to believe, like I suspect all parole officers want to believe, that I made a difference.

A difference in the lives of individuals returning to the community, a difference in the advocating and providing safer work conditions for my fellow parole officers and a difference in the way community supervision is viewed and funded. Please grant me that last piece so I may retire in peace. Thank you for your time.

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