

NOVEMBER 2020



BOLDEST NEWS

VOL. 1 ISSUE 1



PICTURED ABOVE: ON SEPTEMBER 3, 2020, COBA DELEGATES, EXECUTIVE BOARD MEMBERS AND PRESIDENT BENNY BOSCIO JR. JOINED HUNDREDS OF NYC UNION MEMBERS AT A RALLY IN LOWER MANHATTAN TO PROTEST MAYOR DE BLASIO'S THREAT OF 22,000 LAYOFFS

A NEW ERA BEGINS!

- NEW COBA EXECUTIVE BOARD • CONTRACT • LEGISLATION • CLOSING JAILS
- JAIL SAFETY • COVID-19 • NEW LEGAL TEAM



COBA EXECUTIVE BOARD MEMBERS



**CORRECTION OFFICERS'
BENEVOLENT ASSOCIATION, INC.**
"PATROLLING THE TOUGHEST PRECINCTS IN NEW YORK"



COBA HEADQUARTERS
77-10 21ST AVENUE, EAST ELMHURST, N.Y. 11370
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www.cobanyc.org

FOLLOW YOUR UNION!



THE BOLDEST UNION

Message from **COBA PRESIDENT**

Benny Boscio Jr.



“Now
more
than
ever, let's
stay
**Boldest
United**”

Dear Brother/Sister Officer,

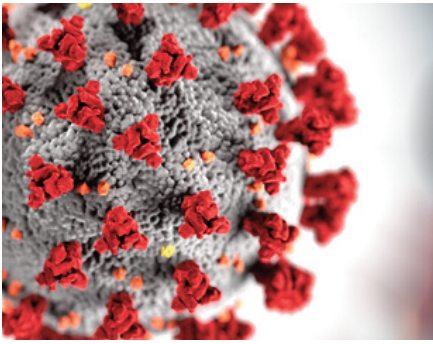
First and foremost, with all the challenges we continue to face, I hope this message finds you and your family safe and healthy. I wanted to take this opportunity to update you on our most pressing priorities, as well as a number of significant achievements we've already made on behalf of you and your families.

AN UPDATE ON COBA'S LEGAL FIGHT TO COMPEL MAYOR DE BLASIO TO PAY US OUR RETRO PAY AND ABIDE BY OUR CONTRACT

As I indicated in a letter to you a few weeks ago, the City of New York violated their contractual obligation to our union, by failing to payout the retroactive monies owed to us on October 30, 2020. This egregious violation of our contract came after a week of numerous attempts by the City to persuade us to give back or greatly delay the benefits we are entitled to, including a delay of our final 3% raise into

the next fiscal year, or later, using the threat of potential layoffs, as a bargaining chip to force us to make an ad hoc decision that would be detrimental to you and your families.

With each conversation I had with the Commissioner of Labor Relations, I made our position unequivocally clear- we will not willingly agree to any deal that further delays the monies the city owes us, nor will we divide our membership by agreeing to a provision that prevents layoffs only until June, 2021. The no layoff clause, offered by the City, is not unconditional either. It is contingent in the short term on no further decline in the City's financial condition. Additionally, the City will only agree on a longer no layoff clause, until June 2022, on the condition that the City receives a bailout from the Federal Government. Frankly, the City's short-term and long-term conditions are too tenuous for COBA members to rely on.



The reality is the City of New York still owes us a \$9.45 million contribution to our Active and Retired Health and Welfare Funds that was supposed to be paid on February 1, 2020. These Funds pay for your optical, dental, and prescription drug benefits, as well as for your Legal Services Plan. Given their failure to make this payment and their failure to honor our retro payout, how could we possibly agree to a no layoff clause with a realistic expectation that the City would honor it if present circumstances persist or worsen? This is unacceptable! I have instructed our attorneys to request an expedited arbitration, where we will make our arguments before an Arbitrator and seek to compel the City to honor its contractual commitments, including the retro payout and our final 3% raise owed to us on June 1, 2021— while awarding us full credit for the delays in all monies owed to our members. We are scheduled to proceed to arbitration before Arbitrator Marty Scheinman on November 24, 2020.

We will continue to keep you updated as our expedited arbitration process develops and we will continue to fight vigorously for our money. We will not relent until we prevail.

COBA'S CLASS ACTION GRIEVANCE ON BEHALF OF 400 CORRECTION OFFICERS DESIGNATED WITH CHRONIC ABSENCES RELATED TO COVID-19 DIAGNOSES

Hundreds of Correction Officers who worked in the jails during the pandemic and missed work after contracting coronavirus are now considered chronically absent by the city's Correction Department — a stain



on their personnel records that can prevent them from rising up the ranks and could even jeopardize their jobs. As a result, COBA filed a Class Action Grievance on September 2, 2020 on behalf of all affected officers, seeking to get these chronic absences overturned.

NEW LEGISLATION

Recognizing the injustice of slapping Correction Officers who quarantined because of COVID-19, with Chronic Absences, State Senator Diane Savino and Assemblyman Peter Abbate— both longtime champions of labor unions, introduced legislation that would prevent local government workers from being punished for coronavirus-related absences. The bill says government employers cannot dismiss or take “other adverse disciplinary (or) personnel actions against a public employee related to (COVID-19) absences.” Moving forward, COBA will vigorously lobby our state legislators to pass this bill and Governor Cuomo to sign it into law.

RETAINED A NEW LEGAL TEAM TO PROTECT AND DEFEND YOUR RIGHTS!

As part of my pledge to you during the campaign to re-shape our legal team and improve your legal representation, the Executive Board and I retained several exceptional law firms who are uniquely prepared to meet the legal needs of COBA Members. Our new legal team will be led by attorneys who have an exceptional track record in defending law enforcement officers. More information about our new law firms is included in this edition of Boldest News.



LAWSUIT FILED WITH ALL NYC LAW ENFORCEMENT UNIONS TO PROTECT OUR DISCIPLINARY RECORDS FROM THE PUBLIC

In September, a three-judge panel of the Second Circuit Court of Appeals ruled 2-1 to reissue a stay that blocks the disciplinary records of Correction Officers, and other law enforcement officers, from being released to the public.

COBA'S PRELIMINARY INJUNCTION PREVENTING THE DOC FROM FORCING CORRECTION OFFICERS TO WORK TRIPLE TOURS

In July, COBA won a preliminary injunction issued by State Supreme Court Judge Pamela Jackman-Brown that prevents the DOC from forcing Correction Officers to work Triple Tours of Duty. Please contact your Executive Board Member if you have been forced to work a triple tour so the union can address it.

TESTIMONY DELIVERED BEFORE THE NEW YORK CITY COUNCIL AND THE NEW YORK STATE SENATE CONCERNING THE DEPARTMENT OF CORRECTION'S MANAGEMENT OF COVID-19 IN THE CITY'S JAILS

On September 21, 2020 and September 22, 2020, I testified about the DOC'S management of COVID-19 in the City's jails. In my testimony before both government bodies, I asked city and state legislators to join me in holding the City of New York fully accountable for protecting the thousands of lives in our jail facilities, including my members. To start, the DOC can immediately prepare for the



next wave of COVID-19 by taking advantage of the low inmate population, which currently hovers around 4,700 inmates. Instead of consolidating the jails and piling inmates on top of inmates, where we are already outnumbered 50-1 in most housing areas, the DOC can spread the inmates out throughout the jails lowering the officer to inmate ratio to 15-1. This would allow us to practice better social distancing, while also increasing the safety of officers and inmates alike. As part of this redistribution of housing areas, the DOC should break up the gangs in our facilities that are housed according to their gang affiliation. This practice has created little armies within the jails where inmates who weren't part of a gang initially, are now forced to join a gang just to stay safe. Breaking up the gangs would immediately help us mitigate a potential second wave of COVID-19 and make our facilities safer for everyone.

LEGISLATIVE ADVOCACY

In an effort to prevent layoffs, the Executive Board and I held multiple meetings with leaders throughout every level of government including Mayor de Blasio, Senate Majority Leader Andrea Stewart-Cousins, Senator Luis Sepulveda, Assemblyman David Weprin, Assemblyman Peter Abbate, Senator Andrew Gounardes, and Councilman Keith Powers just to name a few.

BENEFITS UPGRADE FOR RETIREES

As part of our continued efforts to enhance your benefits, we are pleased to announce that effective January 1, 2021, there will be a \$2,500 increase on the life insurance benefit for retirees, raising it by 50% from \$5,000 to \$7,500.

NEW DIGITAL MARKETING

COBA has retained a new digital marketing firm to influence public opinion on social media concerning key issues affecting COBA members.

ENHANCED VISIBILITY IN THE MEDIA

In addition to an OP-ED I published in July in the New York Daily News titled "Stop Dumping on Correction Officers," I advanced a new narrative for Correction officers in over a dozen news stories in media outlets including the NY Post, the NY Daily News, the NY Times, the Cats Round Table, City & State Magazine, WPIX Ch. 11, WABC Ch. 7, "Inside City Hall" on New York 1, News Radio 880AM and The Chief Leader.

Issues addressed include the prevention of layoffs, re-investing in and enhancing our current jails instead of building new jails, maintaining punitive segregation for violent offenders, sounding the alarm on the rise in inmate assaults on Correction Officers, breaking up the gangs housed by their affiliations, and preparing the jails for a second wave of COVID-19.

We also launched a five-day radio campaign on 1010 WINS, WBLS, POWER 105, LA MEGA, WFAN, and WKTU to urge New Yorkers to tell Mayor de Blasio to stop closing jails and to instead, allow us to maintain proper social distancing in the jails to stop the spread of COVID-19.

DELEGATE SEMINAR

We hosted an intensive four-day Delegate Training Seminar to equip all COBA Delegates with everything they need to know in order to provide COBA Members with excellent union representation.

MEMBERSHIP ENGAGEMENT

The Executive Board and I continue to make regular visits at various facilities, including on midnight tours, to speak with you and your fellow officers and answer your work-related questions. We will continue this effort to stay connected with you.

FORENSIC AUDIT

We conducted a forensic audit to examine areas where the union can cut costs and streamline operations for greater efficiency.

As evidenced above, the Executive Board and I have been working vigorously around the clock to chart a new course for COBA and to make impactful changes, benefiting you and your families. And we are achieving this with the utmost transparency.

While we are undoubtedly facing unprecedented challenges, we are fully prepared to go to war to protect our jobs and benefits and improve our working conditions. But with any battle we engage in, our success will be contingent on your continued support and solidarity.

Now more than ever, let's stay Boldest United!

In Solidarity,

Benny Boscio Jr.
President

COMING UP IN COBA MEDIA OUTLETS

NEWSLETTER | FACEBOOK | INSTAGRAM | TWITTER | YOUTUBE | COBA WEBSITE | COBA APP

THE FIVE WORST MANAGERS AT THE NEW YORK CITY DEPARTMENT OF CORRECTION

YOUR PICTURE MAY SOON BE HERE!



SHERMA DUNBAR
GRVC WARDEN



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DAILY NEWS

NYC INMATE AT RIKERS ISLAND STABS CITY CORRECTION OFFICER IN THE HAND DURING GANG FIGHT AMID RISING TENSIONS AMONG THE CRIPS

By CHELSIA ROSE MARCIUS | OCT 22, 2020

A Rikers Island inmate stabbed a city correction officer through the back of her hand during a gang fight on Thursday — just two days after jail leadership was warned about rising tensions among members of the Crips, the Daily News has learned. The melee broke out Thursday just after 11 a.m. at the George R. Vierno Center between about 15 alleged gang members, sources said.

The correction officer — whose name has not been released — leapt into the fray to break up the fight. That’s when one inmate stuck a silver blade at least 5 inches long into the back of her hand. The weapon pierced through her hand and came out the other side, according to gruesome pictures of the wound.

The officer was sent to Mount Sinai Hospital in Queens, where she was treated for her injuries. It was unclear on Thursday which inmate stabbed the officer. Bad blood between opposing Crip sets in the jails already resulted in several bouts of violence this summer, according to an internal email obtained by The News.

A warden and deputy warden were notified earlier this week that members of the gang would be transferred from the Otis Bantam Correctional Center at Rikers to the George R. Vierno Center due to an ongoing beef between the groups, the email said. “Over the course of the last few months there has been an ongoing internal feud amongst the Rollin’ and 280 Crip sets against the 8 Trey Crip sets,” read the email sent Wednesday to jail Warden Sherma Dunbar and Dep. Warden Jonelle Shivraj. The feud has resulted at four slashings between June 19 and Aug. 26 in two other jails at Rikers — the Anna M. Kross Center and the Robert N. Davoren Complex — documented by the agency’s intelligence bureau, the email said. Correction Officers’ Benevolent Association President Benny Boscio said Thursday’s stabbing was further proof the city needs to preserve punitive segregation — commonly referred to as solitary confinement, a practice Mayor Bill de Blasio said in June he wanted to end. “This horrific inmate stabbing of our correction officer who was attempting to break up an inmate fight involving 15 members of the Crips gang is yet another reason why ending punitive segregation entirely is completely reckless, and is only going to jeopardize the lives of my members,” Boscio said. “Slashings and stabbings are up 16% this

years,” he continued, citing a recent surge in jail violence documented in the Mayor’s Management Report. “How many more of our correction officers have to be stabbed or assaulted until this city starts putting safety and security first?”

Correction Deputy Commissioner of Public Information Peter Thorne said the agency is looking into the incident. “Our officers work tirelessly to keep all those who live in our facilities safe and we will not tolerate any violent behavior towards anyone who works for the department,” he said. “We are investigating and will pursue rearrests as necessary.”



A city Correction Officer was stabbed in the back of the hand by an inmate on Thursday at Rikers Island while trying to break up a gang fight (Obtained by Daily News)

Joseph Bracco

1st Vice President

Joseph Bracco is the 1st Vice President of the COBA. Recognized as a veteran, he has worked for the New York City Department of Corrections for 36 years and counting.

Since being appointed to the COBA Executive Board in October of 1998, he has been elected and re-elected countless times. From June of 1999 to 2003, 2007, 2008, 2012, 2016, and 2020. Holding this position for over the past 22 years says a great deal about his consistency, hard work and dedication to his members. His responsibilities in the past have included but were not limited to EMTC, AMKC, OBCC/CPSU, JATC, NIC, BXDC, BKDC, MDC, QDC, VCBC, BHPW, EHPW, SSD, SOD, IU, ESU and Headquarters.

Joseph is also in charge of the Carl Rachlin Scholarship. Every year, the money raised at the COBA Golf Outing is used to provide a \$1000 scholarship to the children of Correction Officers who are currently attending school. This has recently been extended to active Correction Officers who are continuing their studies as well. Since its inception in 1996, the COBA Scholarship Fund has provided over \$770,000 in scholarships.

Mr. Bracco is Assigned to:

- COBA Chief of Staff
- Membership Benefits
- COBA Golf Outing & Carl Rachlin Scholarship
- 1st Deputy Commissioner's Office (Dealing with Probationary Officers)
- Chief of Administration's Office



Joseph Bracco
1st Vice President
jbracco@cobanyc.org



WHAT CORRECTION OFFICERS NEED TO KNOW ABOUT HOLIDAY PAY AND UNIFORM ALLOWANCES

By: Joseph Bracco, 1st Vice President

The City of New York pays each uniform employee a Uniform Allowance and Holiday check in accordance with existing standard procedures.

THE PROCEDURES ARE AS FOLLOWS:

HOLIDAY PAY

Uniform employees are entitled to partial holiday checks. When Holiday Pay is calculated, both Base Pay and Longevity are utilized. Each year we receive two holiday checks: the first one is in January for 6 days and the second one is in July for 5 days. A uniform employee is paid for each holiday that he/she is on the payroll. For example, if you came off the payroll

on December 21, 2020, you would receive a partial holiday check in January 2021. You would not be entitled to holiday pay for Christmas Day or New Year's Day due to the fact that you were not on the payroll for these holidays.

UNIFORM HOLIDAYS:

New Year's Day
Lincoln's Birthday
President's Day
Memorial Day
Independence Day (4th of July)
Labor Day
Columbus Day
Election Day
Veteran's Day
Thanksgiving Day
Christmas Day

UNIFORM ALLOWANCE (\$1,100)

- The member must be on the payroll for a full six (6) months during the fiscal year. The fiscal year runs from July 1- June 30. This check is received annually in December. If for any reason you are off the payroll during the first 6 months of the fiscal year (July 1- Dec 31) for more than 5 days, a uniform allowance check would not be issued until the time off the payroll was made up in the second half of the fiscal year (Jan 1- June 30).
- There is no such thing as a partial or pro-rated uniform allowance.



Glenn Morgan
2nd Vice President
gmorgan@cobanyc.org



Mr. Morgan is Assigned to:

Chief of Department
Chief of Facility Ops
Chief of Security
OBCC
RNDC

Glenn Morgan

2nd Vice President

Glenn Morgan joined the Department of Correction in 2002 and was assigned to OBCC, where he served as an officer for 18 years. During his time at OBCC, He worked in CPSU, Security, and in the Storehouse. While working in the Storehouse, Glenn sought to become a Union Delegate for the building. He attained the position in 2015 and continued to serve as a Delegate until his election in 2020 as 2nd Vice President for the Correction Officers' Benevolent Association.

As an officer, Glenn experienced and witnessed the day to day struggles of Rikers Island Correctional Officers. As a Delegate, he was not only a sounding board and mediator but also fought for the safety and rights of his fellow officers.

The rise in safety concerns amongst the officers prompted Glenn to run for a position within the Correction Officers' Benevolent Association. He felt COBA needed a fresh new voice who has experience within the jails. A voice to represent New York City Correctional Officers whose concerns and safety deserve to be addressed.

Glenn has identified the most pressing issues facing Correction Officers today: the Department failed to respond to the risk assessment plaguing officers working within any housing areas inside NYC jails.

- For example, gang affiliation housing is problematic and puts the officers at risk due to a lack of control within that environment.
- Another example is limited resources and inoperable equipment; most helmets provided are broken, and riot vests are soiled with unknown substances and have not been cleaned nor removed from circulation.
- The Department penalizes its Correction Officers for every procedure violation. However, DOC fails to follow its protocol. This injustice has resulted in low morale amongst the members and a lack of faith within this Department.

Work alongside the board members and Delegates assigned to your facility to ensure that all security matters and issues are addressed. Glenn's goals are to hold the Department of Correction to the same standard they have for its service members.

"CORRECTION OFFICERS' SAFETY SHOULD NEVER BE COMPROMISED; WE DEMAND THE SAME CONCERN FOR OUR SECURITY AS GIVEN TO THE INMATE POPULATION."

Call to Action Fight for Your Own Safety



By: Glenn Morgan, 2nd Vice President

NUNEZ V. NEW YORK

Five years ago, the most restrictive jail-reform Consent Decree in US history was enacted between Mayor de Blasio and Legal Aid. That Social Experiment is a failure. Neither it nor any follow up ever involved or considered Officers' safety and unsurprisingly none of the "reforms" reduced violence for anyone. As a result, Correction Officers have been injured more every year with less and less attention paid to safety in the jails by the powers that be – Mayor, Judges, City Council, Board of Correction, etc.

WORKPLACE VIOLENCE LAW & YOUR SAFETY

When no one cares for Officers it is up to COBA to step it up and go it alone. We have one pending lawsuit on jail safety. To step up the pressure we hope to file many more charges with the New York State Department of Labor under the State Workplace Violence Law to pressure the DOC to stem this flow of blood, but we need your help to keep the pressure on.

WHAT CAN YOU DO? HERE ARE THREE THINGS:

1 If you see something, say something!

When an area is understaffed, or a cell door needs to be fixed, file the Repair Request and send a copy to COBA directly or through your Delegates. Keep good records and in your memo books!

2 The Workplace Violence Program states

"In the event of imminent danger, a staff member may inform PESH without first notifying their supervisor." Please do so and you may keep your name anonymous by going through the Union.

3 Report each and every incident that the law considers "workplace violence" internally and send a copy to the email below. It is defined much more broadly than what the Department might like:

WORKPLACE VIOLENCE (WPV): Any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including, but not limited to: a) an **attempt or threat**, whether verbal or physical, to inflict physical injury upon an employee; b) any **intentional display of force** which would give an employee **reason to fear or expect bodily harm**; c) **intentional and wrongful physical contact** with a person without his or her consent that entails some injury; and d) **stalking** an employee with the intent of causing fear or material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Just as we have kept the pressure up to get our members what they need to stay safe, we also need you to keep that pressure up internally.

DO IT, and let us know at WVPL@cobanyc.org



Keisha Williams
3rd Vice President
kwilliams@cobanyc.org



Ms. Williams is Assigned to:
Senior Deputy Commissioner
Chief of Staff/Office of the
Commissioner
RMSC

Keisha Williams

3rd Vice President

My name is Keisha Williams and I am the 3rd Vice President of COBA.

I started with the New York City Department of Corrections on June 1, 2000. Upon completing the Academy, I was assigned to EMTC. For 14 years of my career, I've worked in housing area posts, which included mental health observation, and work detail housing areas. I truly understand the challenges officers have behind the gate. Having worked behind the gate, we are the individuals that are always forgotten. I was awarded my first post Civilian Clothes Box in 2015. Following that in 2016 I was awarded the movement escort post. In 2018 I was elected as a delegate at EMTC.

During my time as a Delegate, I demanded that the administration give officers the opportunity to be awarded posts. As your 3rd Vice President, I've been assigned to Rose M. Singer along with Board Member Antionette Anderson. I also deal directly with Brenda Cooke who is the DOC Chief of Staff. Brenda Cooke answers to

Commissioner Cynthia Brann, and the Mayor of New York City. I also deal directly with Timothy Farrell who is the Senior Deputy Commissioner. He is responsible for the oversight of Custody Management. As a board member, I've noticed that when members of service are receiving Command Discipline (CD), the member should start to help themselves by researching the policy in reference to their write up. That leads to one of my goals. What I hope to accomplish is to help ensure that officers start to become proactive, and educate themselves by knowing what governs them in order to effectively do their job.

I am also a wife and a mother with two children, one with special needs. By having a child with special needs, I understand the plight of officers needing special accommodations in order to do their jobs.

I will definitely ensure all of your voices are heard.

COBA DELEGATE SEMINAR



Michael Maiello

Treasurer

Michael is a 22 year veteran of the New York City Department of Correction. He began his career at GMDC, followed by assignments at VCBC, Central Storehouse and most recently, the Intelligence Unit where in 2008, he was elected as the COBA Delegate.

For a short period of time, Michael followed in his father's footsteps and was a New York City Sanitation Officer. While working as a Sanitation Officer, he was honored and awarded with a medal from the City of New York for obtaining \$8,000,000 worth of illegal narcotics in a couch that was discarded on a New York City street.

Prior to his appointment as a COBA Executive Board Member, Michael was the President of the Correction Department's Columbia Association. As a result of his appointment to the COBA Executive Board in January 2010, Michael has since resigned the Presidency of the Columbia Association, but he remains a strong

supporter of all the fraternal groups within the Department.

Respected by his peers, supervisors and the Department's Executive Staff, Michael is devoted to New York City Correction Officers and is committed to giving his undivided attention to all COBA Members.

As COBA Treasurer, Michael is responsible for managing over \$100 million dollars of the Union's Funds. He is responsible for the overall budget and financial strategy of the **General Fund**, the **Active and Retired Security Benefit Funds**, the **Annuity Fund**, the **Civil Legal Fund**, **COBA's Widows' and Children Fund** and the **Scholarship Fund**.

Michael also oversees the Anna M. Kross Center (AMKC), the Correction Intelligence Bureau (CIB), the Investigation Division (ID), the Chief of Facility Operations, the Chief of Department, and he oversees suspended and modified Officers.



Michael Maiello
Treasurer
mmaiello@cobanyc.org



Mr. Maiello is Assigned to:

Anna M. Kross Center (AMKC)
Correction Intelligence Bureau (CIB)
Investigation Division (ID)
Chief of Facility Operations
Chief of Department
Deputy Commissioner of Investigation Division
Assistant Commissioner of Investigation Division

Follow Your Union!

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- @cobanyc1
- @cobanyc1
- @cobatv
- @cobanyc

TREASURER'S REPORT**CORRECTION OFFICERS' BENEVOLENT ASSOCIATION
SECURITY BENEFITS FUND - ACTIVES****STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR
BENEFITS FOR THE YEARS ENDED DECEMBER 31, 2019 AND 2018**

	2019	2018
ADDITIONS TO PLAN ASSETS ATTRIBUTED TO:		
Investment income:		
Interest	\$ 115,709	\$ 76,630
EMPLOYER CONTRIBUTIONS:		
Health	19,631,930	19,682,860
Civil legal representation	543,572	
COBRA participants	77,039	79,496
Total contributions	20,252,541	19,762,356
Prescription rebate income	263,538	325,590
Total additions	20,631,788	20,164,576
DEDUCTIONS FROM PLAN ASSETS ATTRIBUTED TO:		
Benefits paid to or on behalf of participants, beneficiaries and dependents:		
Group insurance premiums	5,022,180	5,323,451
Health and welfare benefits paid	12,467,665	12,736,120
Service fees	51,438	45,314
Total benefits paid to or on behalf of participants, beneficiaries and dependents	17,541,283	18,104,885
Administrative expenses	872,570	967,305
Total deductions	18,413,853	19,072,190
Net increase	2,217,935	1,092,386
NET ASSETS AVAILABLE FOR BENEFITS:		
Beginning of year	15,138,531	14,046,145
End of year	\$ 17,356,466	\$ 15,138,531
<p>The COBA Fund has been audited by an independent accounting firm in accordance with its annual reporting obligation. The independent auditor has audited the above Statements of Changes in Net Assets Available for Benefits of the Correction Officers' Benevolent Association Security Benefit Fund-Actives for the years ended December 31, 2019 and 2018.</p>		

TREASURER'S REPORT (CONTINUED...)**CORRECTION OFFICERS' BENEVOLENT ASSOCIATION
SECURITY BENEFITS FUND - RETIREES****STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
FOR THE YEARS ENDED DECEMBER 31, 2019 AND 2018**

	2019	2018
ADDITIONS TO PLAN ASSETS ATTRIBUTED TO:		
Investment income:		
Interest	\$ 104,552	\$ 65,401
Contributions:		
Employer	17,877,084	16,467,315
Prescription rebate income	1,159,958	1,216,354
Total additions	19,141,594	17,749,070
DEDUCTIONS FROM PLAN ASSETS ATTRIBUTED TO:		
Benefits paid to or on behalf of participants, beneficiaries and dependents:		
Group insurance premiums paid	3,801,516	3,741,429
Health and welfare benefits paid	13,709,770	13,566,654
Service fees	46,940	43,474
Total benefits paid to or on behalf of participants, beneficiaries and dependents	17,558,226	17,351,557
Administrative expenses	787,472	834,489
Total deductions	18,345,698	18,186,046
Net increase (decrease)	795,896	(436,976)
NET ASSETS AVAILABLE FOR BENEFITS:		
Beginning of year	11,459,861	11,896,837
End of year	\$ 12,255,757	\$ 11,459,861

The COBA Fund has been audited by an independent accounting firm in accordance with its annual reporting obligation. The independent auditor has audited the above Statements of Changes in Net Assets Available for Benefits of the Correction Officers' Benevolent Association Security Benefit Fund-Retirees for the years ended December 31, 2019 and 2018.

TREASURER'S REPORT (CONTINUED...)**CORRECTION OFFICERS' BENEVOLENT ASSOCIATION
ANNUITY FUND**STATEMENTS OF CHANGES IN NET ASSETS AVAILABLE FOR
BENEFITS FOR THE YEARS ENDED DECEMBER 31, 2019 AND 2018

ADDITIONS TO PLAN ASSETS ATTRIBUTED TO:	2019	2018
Investment income:		
Net appreciation (depreciation) in fair value of investments	\$ 10,585,066	\$ (1,661,748)
Interest and dividends	2,490,125	2,258,396
	13,075,191	596,648
Less: investment expenses	609,412	592,799
Net investment income	12,465,779	3,849
Employer contributions	10,312,483	10,889,076
Rollovers	29,327	53,311
Other	48,397	5,951
Settlement recovery	4,000,000	-
Total additions	26,855,986	10,952,187
Deductions from plan assets attributed to:	9,887,863	7,949,079
Benefits paid to participants	778,980	5,604
Transfers to other plans	10,666,843	7,954,683
Administrative expenses:	428,577	449,918
Total deductions	11,095,420	8,404,601
Net increase	15,760,566	2,547,586
Net assets available for benefits:		
Beginning of year	90,729,391	88,181,805
End of year	\$ 106,489,957	\$ 90,729,391

The COBA Fund has been audited by an independent accounting firm in accordance with its annual reporting obligation. The independent auditor has audited the above Statements of Changes in Net Assets Available for Benefits of the Correction Officers' Benevolent Association Annuity Fund for the years ended December 31, 2019 and 2018.

TREASURER'S REPORT (CONTINUED...)

CORRECTION OFFICERS' BENEVOLENT ASSOCIATION, INC.

STATEMENTS OF ACTIVITIES FOR THE YEARS ENDED JUNE 30, 2019 AND 2018

REVENUE:	2019	2018
Dues	\$ 10,854,087	\$ 11,159,492
Interest	55	44
(Loss) gain on disposal of property assets	(7,843)	12,541
Other	85,836	69,075
TOTAL REVENUE	10,932,135	11,241,152
EXPENSES:		
Program services:		
Membership	7,235,898	8,207,022
Supporting activities:		
Administrative	2,315,107	2,616,447
Total expenses	9,551,005	10,823,469
Change in net assets	1,381,130	417,683
Net assets without donor restrictions:		
Beginning of year	4,923,011	4,505,328
End of year	\$ 6,304,141	\$ 4,923,011

The COBA, Inc. has been audited by an independent accounting firm in accordance with its annual reporting obligation. The independent auditor has audited the above Statements of Activities of the Correction Officers' Benevolent Association, Inc. for the years ended June 30, 2019 and 2018.



Lionel Cumberbatch
 Financial Secretary
 lcumberbatch@cobanyc.org



Mr. Cumberbatch is Assigned to:
 VCBC
 Bronx Court
 DCJC
 Horizon

Lionel Cumberbatch

Financial Secretary

Officer Cumberbatch started his career as a New York City Correction Officer in August 1987, earning him 33 years of service. During that time, he has prided himself in having the backs of his brother and sister officers by standing shoulder to shoulder with them in the toughest situations. He is a dedicated front-line officer who has nothing but respect for his fellow officers standing next to him at roll call.

Officer Cumberbatch spent 20 years as an Intake Officer at EMTC, where he earned the admiration of his peers for his professionalism, courtesy and effective approach to resolving difficult problems. He strongly believes that Correction Officers are the unsung heroes of law enforcement who get the job done every day under very stressful, intense, and dangerous conditions.

After giving so much of himself over the last three decades to his fellow officers as far as guidance, time, advice and support, Officer Cumberbatch is just getting started. He spent the past seven years serving as a Delegate, which confirmed for him that he can improve the lives of his fellow officers in the Department.

This includes enhancing officer safety, eliminating unfair discipline and ending the attacks officers face, not only by inmates, but by the very Department he and his fellow officers work for. The years Officer Cumberbatch has spent on the frontlines have ingrained in him a heightened sense of family and community.

He understands what it means to leave the facility safely every day to get home to his family, after working with his extended family on the job. He also has gained a vast knowledge of the judicial system, and knows what it takes to play an effective role in that system.

Officer Cumberbatch has never stopped learning, developing or looking for ways to improve the lives of his brother and sister officers, with whom he proudly serves. He understands the plight of those who wear the uniform, and is committed to using his talents, skills, and communication abilities to make life better for the rank and file. He looks forward to serving as your next Financial Secretary, and is beyond ready for the challenges that lie ahead.

WE SUPPORT OUR NYC DOC BASEBALL TEAM



Herman Jiminian Legislative Chairman

Officer Jiminian began his Law Enforcement career in February 2004 with a background in Liberal Arts from CUNY at BMCC & Forensic Psychology from John Jay College while working as a Paralegal within the private sector. Upon completion of the Correction Academy he commenced his journey at the Anna M Kross Center (AMKC). During the first seven years, he volunteered for the worst of housing areas Quad Upper 9/11. During that time, he saw the swinging pendulum trap and realized he needed to develop his craft by learning and finding the intricate loopholes within DOC policies and procedures.

In 2006, he got involved with the New York City Department of Correction's Pistol Team where he acquired another skill, Marksmanship. During the summer of 2007, under the guidance of Pistol Team icons Edward Shanley, John Hernandez, Joseph Marchione, Roger Chappelle, and Wanda Guzman from NYPD, he led his Team to First Place (TOP GUN STATUS) with three Gold, two Bronze, and two

Silver medals against the common rivals NYPD and TBTA and consequently was given the TOP GUN Award.

In 2010, he transferred to Vernon C Bain Center (VCBC/MTF3) where he further enhanced his craft on policy and procedures. In 2018, he decided to fight on a broader spectrum, to address poor treatment against Correction Officers by running for COBA Delegate at VCBC. His confidence and support resulted with a landslide victory. As a COBA Delegate, he placed the Administration on Notice for numerous violations and consistently held them accountable to Policies & Procedures. When confronted with obstacles, he sought outside remedies for immediate redress which made him a force to be reckoned with. Noticing the limitations of wanting to do more within a limited capacity, he decided to run for the Legislative Chairman position to have a greater impact for Correction Officers department-wide.



Herman Jiminian
Legislative Chairman
hjinimian@cobanyc.org

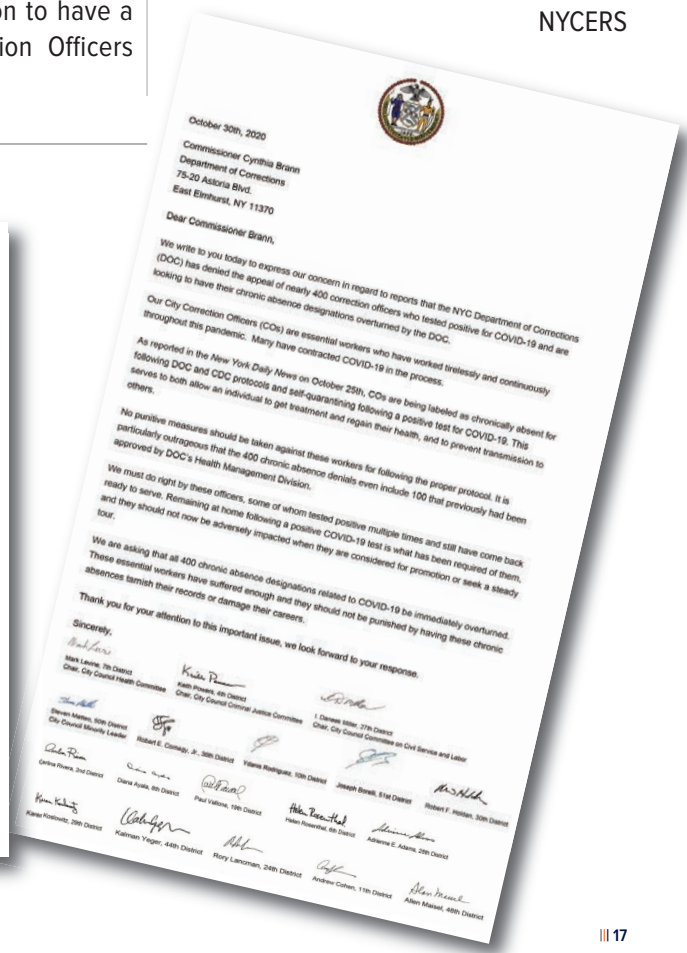


Mr. Jiminian is Assigned to:
HMD
Firearms Review Board
30 Day Suspension Review
Committee
NYCERS

LEGISLATIVE ADVOCACY

As a result of COBA's vigorous legislative advocacy, we secured the signatures of over a dozen City Council Members, who wrote a letter to Commissioner Brann, demanding she immediately overturn the chronic absence designations for 400 Correction Officers who were out sick because of COVID-19.

Additionally, we secured a letter from the NYS Senate and Assembly Chairmen of the Committees on Corrections asking Mayor de Blasio to have the DOC provide a written detailed plan on how it intends to stop the spread of COVID-19 in the city's jails.





Antoinette Anderson
Corresponding Secretary
aanderson@cobanyc.org



Ms. Anderson is Assigned to:
RNDC
RMSC
Dinner Dance

Antoinette Anderson

Corresponding Secretary

My name is Antoinette Anderson. I have been a Correction Officer for 14 years. I am the Corresponding Secretary of the COBA thanks to the support from the members. My duties include ensuring the members' information is correct in the COBA system. I oversee RMSC along with Keisha Williams and RNDC along with Glenn Morgan.

I started my career in 2006 as a Correction Officer at Anna M Cross Center. While working in AMKC, I worked steady in quad lower 6/8 in administrative segregation which was eventually turned into a punitive segregation housing area for eight years.

From 2014- 2019, I was a Board Member of the NYC Correction Guardians Association. I started out as a second business manager assisting Sean Jones. I ended my term as the Treasurer in 2019.

From 2016-2020, I was an elected Delegate in AMKC. I assisted many officers with various issues. I have visited officers while they were sick in the hospital, as well as sat with officers while they were arrested and arraigned in court. I have also assisted officers in several traumatic situations.

I have conducted hearings with various administrative Deputy Wardens. I have fought for officers to have days off that were not being granted for them. I have enforced rules and regulations to be followed properly for officers. I have also fought for officers not to be heavily disciplined for minor infractions. I have fought always for the safety of the officers.

My goal is to fight for officers' rights on a higher level with the administration and to hold them accountable for their actions.

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"COBA TAKES CARE OF ITS OWN"

Angel Castro

Recording Secretary

Angel Castro is a 23 year veteran of the New York City Department of Correction holding the rank of Correction Officer and currently serving as the Recording Secretary for the Correction Officers Benevolent Association (COBA). His goals as Recording Secretary are to ensure that our meetings run smoothly and that all meetings have accurate, clear and permanent record keeping.

Angel's hard work, along with his track record, combined with his work ethic speaks to his dedication to the union and its members. With twenty-three (23) years of service in his rear view mirror, he has always dedicated his time to help and assist others and plans to do the same in his new position. While assigned to the Otis Bantum Correction Center/Central Punitive Segregation Unit (O.B.C.C. / C.P.S.U.), he helped to mentor others. He spent seventeen (17) years of his career at O.B.C.C. Angel then moved on to the Ceremonial Unit, the Special Search Team, and then in the role of Manhattan Borough Trustee for the Correction Officer's Benevolent Association.

The vast majority of the work that Angel does as a Board Member is centered around protecting Officers from harsh and needless discipline. The heavy handedness of this Department concerns Angel greatly, and he is

working very closely with COBA's new Law Firm, JOEY JACKSON LAW, to push back against it.

Angel is at OATH every Wednesday fighting for officers, who are facing the loss of vacation days, suspensions and terminations. We as Correction Officers work much too hard to give up anything we earned, or to let the Department take our members' jobs. We won't be lying down and accepting unfair settlements and resolutions. We brought in a legal team that's ready to fight for us and has a track record of success in doing so.

The Monitor looks at everything our Officers do and tells us it's not good enough. And in order to satisfy the Monitor, the Department is doing whatever they're told. The more negative a picture that the Monitor paints of us, the longer he and his staff get to stick around. That sounds like a conflict to me. What's right is right and what's wrong is wrong. It's time to fight back!

There is a quote by the great Mohammed Ali, that I try my best to live by, it states, "Service to others is the rent you pay on earth." That's how I live my life, I truly feel that what you do for others makes you feel more fulfilled as a person. So together, let's truly try to make this Department a place where we can all be of service.



Angel Castro
Recording Chairman
acastro@cobanyc.org



Mr. Castro is Assigned to:

- OBCC
- FMRD/CID
- HEADQUARTERS
- RAPID RESPONSE DELEGATES
- OATH

COBA CELEBRATES RMSC HISPANIC HERITAGE MONTH





Felix Sanchez
Sergeant-At-Arms
fsanchez@cobanyc.org



Felix Sanchez

Sergeant-At-Arms

In the summer of 1999, Felix became a New York City Department of Correction Officer. Since the beginning of his career he has tried to stay focused on his duties and responsibilities, including the safety and well-being of those around him.

Being a Correction Officer comes with risks and consequences. Risks meaning the obvious dangers Correction Officers face every second of every tour. The consequences of not being able to attend most family functions from birthdays to holidays and everything in between. All these factors affect the morale of officers everywhere.

Since being elected to Sergeant-At-Arms of the COBA his responsibility is to provide a secure environment while attending our meetings. Safety and security are vital. In addition to this, He would like to improve the morale of his fellow officers.

Whether it be helping with a facility's celebration or to just lend a listening ear, Felix has never forgotten what it is to be a "B Post Officer." His career started in CPSU, OBCC, QDC, KCHPW, BHPW. Felix extends his sincerest best wishes to all those officers who wear this uniform daily and had a horrible day the day before. Stay safe stay strong!

Mr. Sanchez is Assigned to:

- Transportation
- BKDC
- MDC
- BHPW/EHPW

WE SUPPORT OUR NYC DOC SOCCER TEAM



Ashaki Antoine

First City Wide Trustee

In August 2004, Ashaki started her distinguished career with the New York City Department of Correction, assigned to the Anna M. Kross Center and the Brooklyn Detention Complex.

As the Correction Officers' Benevolent Association First City-Wide Trustee, Ashaki is the Executive Board Member assigned to the Manhattan Detention Complex, Anna M. Kross Center, and Brooklyn Detention Complex, which includes Brooklyn Supreme Court, Brooklyn Criminal Court, and Queens Court. Ashaki is also tasked with making sure our voices and concerns are heard at the Board of Correction's Monthly meetings.

Although, we have a long road ahead of us within these next four years, Ashaki is committed to bringing forth more respect for all Correction Officers. Respect from the officials in City Hall, to the Board of Correction Committee Members, to all ranks of leadership within the Department of Correction. Every day we patrol the toughest precincts in New York City and it's time we are recognized and respected for our hard work. Safety and security within the facilities will continue to be a focal point of her daily agenda.

Fair and equal treatment mixed with the best representation for all Correction Officers is also a priority.

Health and wellness for Correction Officers is a priority. As a breast cancer survivor and a true advocate of community service, Ashaki can attest to the importance of mental, physical, and emotional health. It's Ashaki's goal to meet the need of every officer who is in need of these services. Silence is never the answer, education is!

Prior to Ashaki's election as COBA's First City-Wide Trustee, she was the Vice President of the Association of Caribbean American in Correction. She has since resigned from the Vice President position of the Caribbean Association, but remains a strong advocate and supporter of all fraternal organizations within the Department of Correction.

In closing, Ashaki wants to remind you all that: "It's not one giant step that gets the job done, it's the little steps taken in between. Progress is the ultimate goal and we can achieve it together."



Ashaki Antoine
First City Wide Trustee
aantoine@cobanyc.org



Ms. Antoine is Assigned to:
AMKC
BKDC
MDC
Board of Correction

**“I see you!
I hear you!
I’m here for you!
I am YOU!”**

COBA JOINS TRANSPORTATION FAMILY DAY





Charles J. Wingate
Manhattan Borough Trustee
cwingate@cobanyc.org



Mr. Wingate is Assigned to:
GRVC
NIC
West Facility

Charles J. Wingate

Manhattan Borough Trustee

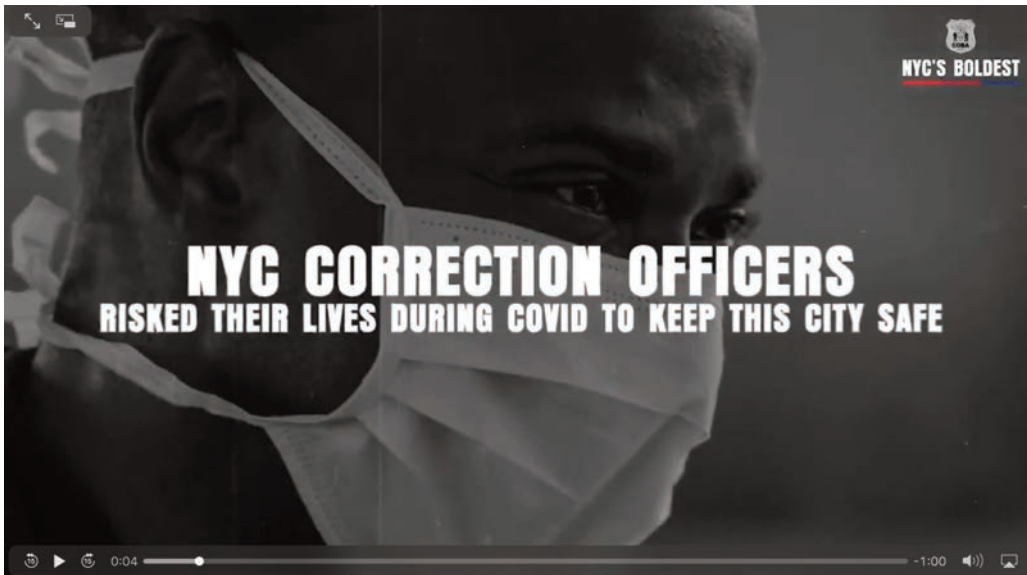
Charles J. Wingate began his career as a dedicated Correction Officer in 2004 after making a major decision to leave his then-promising career on Wall Street as a Series 7 Broker. Upon entry into this new career, Wingate was assigned to the Eric M. Taylor Center (EMTC), where his easy-going spirit and calm demeanor immediately invited both the senior staff and new members of the department to endear him.

During Wingate's tenure he has always excelled when assigned to the Intake "A" post and other high-volume areas. In particular, his assignment to the General Office is where Wingate earned the respect of his fellow colleagues who noticed the inequalities in the treatment towards Correction Officers. It was their confidence in Wingate that inspired them to nominate Wingate for the position of Union Delegate in the Correction Officers' Benevolent Association (COBA). His welcoming personality, strong character, and tenacious willingness to advocate on behalf of others made it an easy win. Hence, he served as a Union Delegate at the Eric M. Taylor Center (EMTC) prior to its recent closure.

Through his understanding of the rights and obligations of Correction Officers within the workplace, Wingate was able to secure fair and equitable treatment in his negotiations with the Department. This marked only the beginning of Wingate's success in representing his fellow colleagues. He considers it an honor to serve Correction Officers within the COBA.

In his spare time, Wingate also has the honor of working as a volunteer coach with the Department's Basketball team. Being immersed with coaching and communicating with his peers, he realized his fellow brothers and sisters needed a knowledgeable and trust-worthy representative to advocate for them. This sparked his decision to run for the position of Manhattan Borough Trustee.

As Manhattan Borough Trustee, Wingate will be entrusted to oversee union operations in GRVC and NIC. In addition, he will act as a liaison with the Board of Corrections. His dedication to his officers is nothing short of noble and will be vital in the years to come as a Manhattan Borough Trustee.



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Edward Yates

Brooklyn Borough Trustee

Edward R. Yates began his distinguished career with the New York City Department of Correction on February 11, 1999. After receiving great knowledge and training while in the Correction Academy, he started behind the gates of GRVC, known as the Beacon. In 2002, Edward decided to advance his career by joining the Emergency Services Unit support team.

In 2005, his hard work, dedication, and reliability paid off and the Emergency Services Unit offered him a full-time position. His interest in the COBA began to grow after he joined ESU, believing he could be of great help to the membership. In 2011, he was appointed to the position of a COBA trustee, which is now known as the Rapid Response Unit.

In this role, he responded to hospitals, precincts, jails, and assisted with parades, funerals, and COBA functions, just to name a few of the many things done while being part of the COBA Rapid Response Unit. As of July 1, 2020, he was elected to the position of Brooklyn Borough Trustee, and now oversees GRVC, QDC, K-9, SOD, and ESU.

He will continue to strive for the betterment of his fellow brothers and sisters in blue. He has been, and will continue to be the caring, good hearted, helping hand professional he's been throughout his tenured career. Fighting for the rights and assisting in the needs of the members is and always will be his number one priority.



Edward Yates
Brooklyn Borough Trustee
eyates@cobanyc.org



Mr. Yates is Assigned to:
GRVC
QDC
SOD
ESU/K9



Visit cobanyc.org

Please visit our website to stay informed of all the latest information regarding your UNION. News, Benefits, Contract, and much more Information that affect You and Your Family.



Matthew Romano
Bronx Borough Trustee
mromano@cobanyc.org



Mr. Romano is Assigned to:

- NIC
- VCBC
- Bronx Courts
- West Facility
- CA/Range
- Horizon

Matthew Romano

Bronx Borough Trustee

Matt started with the Department of Correction in 2007, where he was assigned to the North Infirmary Command. In February 2009, he was given the opportunity to attend the Instructor Development course and after a few years, he was transferred to the George R. Vierno Center.

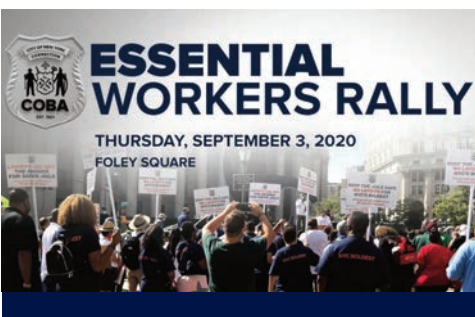
In November 2010, he was transferred to the Firearms and Tactics Unit where he became a Firearms Instructor. While assigned to FTU, Matt trained the members of this agency from recruits to the most senior members in firearms safety and proficiency. He developed a passion to help and teach the members on a daily basis, where the goal is to go home the same way they came to work.

In 2013, he proudly joined the NYCD Pipe Band, where he honored the members in the Department in countless ceremonies, funerals and memorial services.

In October 2014, Matt was elected Delegate of the Firearms and Tactics Unit, and held that position for six years. He applied his passion and knowledge to benefit members throughout the department. In June 2020, Matt was elected to the COBA Executive Board, holding the position of Bronx Borough Trustee. The areas Matt covers are as follows: VCBC, Bronx Courts, Horizon, NIC/WF, and the Correction Academy and Firearms and Tactics Unit.

Matt's goal along with the Delegates in the commands, is to help provide a safe working environment, improve communication and to build comradery. What is most important is that the officers have the knowledge, equipment, and backing of the union so they can perform their jobs to the best of their abilities. He is dedicated to providing the best possible representation for his fellow brother and sister officers.

ESSENTIAL WORKER'S RALLY



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Neil Renois

Queens Borough Trustee

It's my pleasure to introduce myself as the newly elected Queens Borough Trustee. I would first like to thank you for your continued support and dedicated hard work. This challenging moment for our membership is a distinct reminder of how important it is for this administration to stand strong in defense of you, the essential worker. I've met many of you over the years, in particular during my time as a Delegate at AMKC. I look forward to working for you.

During this pandemic, COBA Members needed time off either because of exposure to COVID-19 symptoms or a positive test. However, the Department attempted to designate some members in this category as chronically sick. Over the last few months we helped a substantial majority of those members avoid that designation.

In addition, on September 2, 2020, we filed a class action grievance against the Department because it refused to relent on designating other members as chronically sick. We filed that grievance at Step III. This grievance asserts that under the Department's own rules, you cannot come to work when you experience COVID-19 symptoms, and may not return until cleared by HMD.

We believe that the members at issue in this grievance satisfies that criteria.

Please rest assured that we will not rest until the Department complies with its own rules. We will not rest until the Department respects your health.



Neil Renois
Queens Borough Trustee
nrenois@cobanyc.org



Mr. Renois is Assigned to:
TRANS
QDC
OATH
GRIEVANCES
OSHA/PESH

WE SUPPORT OUR NYC DOC FOOTBALL TEAM



COBA DELEGATES

ANNA M. KROSS CENTER

[AMKC] T. 718.546.3520

Reginald Fisher
Mishame Hines
Ian Feinstein
Kevin Ohlenschlager

BELLEVUE HOSPITAL PRISON WARD

[BHPW] T. 212.562.4331

Joann Coutourier
Eddie Pinckney

BROOKLYN DETENTION COMPLEX

[BKDC] T. 718.797.8347

Aisha Batts
Andre Watson

BRONX COURTS

[BXCTS] T. 718.590.2980

Jamar McMorris
Melinda Martinez

CORRECTION ACADEMY

[CA] T. 718.707.2300

Cynthia Green
Christopher Cruz

CORRECTION ACADEMY/RANGE

[CA/RANGE] T. 718.707.2300

Phillip Greene
Maurice Smith

CORRECTION INTELLIGENCE BUREAU

[CIB] T. 718.546.3520

Anthony Scoma
Daniel Monaco

CORRECTION INDUSTRIES DIVISION

[CID] T. 718.546.1418

Amado Rico Jr.

DONALD CRANSTON JUDICIAL CENTER

[DCJC] T. 718.546.8111

Darren Brown
Raymond Lastra

EMERGENCY SERVICE UNIT

[ESU] T. 718.546.1525

Alason Henry
Roddy Richardson

EMERGENCY SERVICE CANINE UNIT

[ESU/K9] T. 718.546.1525

Julio Gomez
Raquel Rosario

FACILITY MAINTENANCE REPAIR DIVISION

[FMRD] T. 718.546.1413

Michael Jones

GEORGE R. VIERNO CENTER

[GRVC] T. 718.546.2020

Ngozi Akua
Linda Noel
Mauricio Peterson
Giovanna Velez

HEADQUARTERS

[HDQTRS] T. 718.546.0300

Bridget Jones
Lisa D'Agostino

HEALTH MANAGEMENT DIVISION

[HMD] T. 718.595.2500

Marilyn Calleja

HORIZON JUVENILE CENTER

[HOJC] T. 718.533.4600

Shaun Hardy

INVESTIGATION DIVISION

[ID] T. 718.546.0300

Kareem Claxton
Shaukat Shah

MANHATTAN DETENTION COMPLEX

[MDC] T. 212-225-1540

Keith Frazier
Kenneth Harrison
Octavio Perez
Yesenia L. Santiago

NORTH INFIRMARY COMMAND/WEST FACILITY

[NIC/WF] T. 718.546.1120

Tricia Bazzey
Terrence Bogle
Edward McCauley
Rommel Parris

OTIS BANTUM CORRECTIONAL CENTER

[OBCC] T. 718.546.6420

Patrice Nathan
Konain Rasheed
Sean Sampson
Shane Sterling

QUEENS DETENTION COMPLEX

[QDC] T. 718.575.5387

Nilda Molina
Donna Schnirring

ROSE M. SINGER CENTER

[RMSC] T. 718.546.7420

Latoya Coley
Laron McKoy
Stephanie Oyola
Vanessa Quiñones

ROBERT N. DAVOREN CENTER

[RNDC] T. 718.546.6920

Steven Bell
Jeffrey Warren
Gloria Richardson
Alan Schmalacker

SECURITY OPERATIONS DIVISION

[SOD] T. 718.546.1525

William Rodriguez
Lamont Banton
Mark Beharry

TRANSPORTATION DIVISION

[TD] T. 718.546.1360

Gabriel Chery
Derrick Lascko
Anthony Ring

VERNON C. BAIN CENTER

[VCBC] T. 718.579.8341

Joseph Hehl
Kamaal Moore
Joseph Travalino

RAPID RESPONSE DELEGATES

Stephanie Taibi (GRVC)
Kathee Coger (DCJC)
Angel Resto
James Stanton (RNDC)



J JOEY JACKSON LAW PLLC

Introduction

JOEY JACKSON LAW PLLC

Every member of this outstanding union is important, and no one will be left behind.

For more than two decades, I have spent my career fighting to protect the rights and freedoms of Correction Officers, private citizens, and families. It is a great pleasure and privilege for my Team and myself at **JOEY JACKSON LAW**, the J. Jackson Firm, to represent every member of the New York City Correction Officers Benevolent Association (COBA) in Criminal & Disciplinary matters.

Every member of this outstanding union is important, and no one will be left behind. We will listen to you, value you, respect you, and go above and beyond to fight for you. Please know that every member of my Team understands how hard you work, the difficult nature of your job, the

unfairness that you often face, and the stress that you endure. It is with this in mind that every lawyer in this Firm is committed to protecting your job, your benefits, your money, your liberty and your family. We take that job very seriously, and those opposing us in that effort will become very well aware of our persistence and tenacity.

Please stay safe, stay secure, stay healthy, and stay aware. The Time for Change is NOW, and here we are. We are grateful to Benny Boscio and his new Executive Board for having the courage to make this important change, and to put their members first. Thank you ALL.

JOEY JACKSON LAW PLLC Legal Team



Joey Jackson, Esq.
Principal

Joey Jackson is a Nationally recognized attorney who has for two decades represented individuals and labor unions in state and federal court. Mr. Jackson and his associates have represented a diverse group of clients under the glare of cameras as well as those who have never attracted public attention. He has built an outstanding career as a trial lawyer representing clients who have fallen into high-stakes personal and professional crises, as well as those who are average citizens in need of his fierce and benevolent counsel.

Mr. Jackson has been a member of the New York Bar since 1995. After graduating from Hofstra Law School, Mr. Jackson was appointed Assistant District Attorney under Robert Morgenthau. Following a successful career as a prosecutor where he received the Distinguished Public Service Award, Mr. Jackson joined the firm of Koehler & Isaacs LLP where he served as Senior Trial Counsel specializing in criminal defense. Mr. Jackson has tried cases and received favorable verdicts in Manhattan, Brooklyn, Queens, and the Bronx, as well as Nassau, Rockland, Suffolk, and Westchester Counties. At the Federal level, he handles cases in both the Eastern and Southern Districts. Mr. Jackson's straight-talking legal expertise is held in high regard by media outlets, as he has frequently appeared on various cable news programs over the last decade. He is currently employed by CNN/HLN as a Legal Analyst. Mr. Jackson attended Hofstra Law School. While in law school, he served as editor for the Hofstra Labor & Employment Law Journal and a member of the National Moot Court and National Trial teams. Prior to Law School, he earned his M.P.A. from SUNY Albany's Rockefeller College of Public Affairs and Policy. While earning his Master's Degree,

he worked for the N.Y.S. Assembly Speaker as a Legislative Analyst. He also holds a B.A. from SUNY Brockport, where he participated in the honors program, directed the student-run Legal Information Service, served as student body president, and interned with the N.Y.S. Education Department as well as Congressman Charles B. Rangel (D-NY) in Washington, D.C. He also worked for the N.Y.C. Mayor's Office in the Division of Special Projects. Mr. Jackson is a former professor at Monroe College where he taught Business and Civil Rights Law.

EDUCATION:

- J.D., Hofstra Law School, 1995
- M.P.A., SUNY Albany, 1992
- B.A., SUNY Brockport, 1988

ADMITTED TO PRACTICE:

- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- Supreme Court



Daniel I. Walters, Esq.
Attorney Counselor at Law

Dan is a talented attorney who was born in Brooklyn, NY and raised in Levittown, NY.

Growing up on Long Island, Dan spent most of his time playing sports which afforded him an opportunity to play Football at Iona College, where he was named to the Dean's List and became an All-American Award recipient. Dan took his competitive spirit to Touro Law School where he concentrated his legal studies on Criminal Law as he wanted to be a voice for the voiceless. Dan began his legal career as a Criminal Defense Attorney representing clients in State and Federal Court. Dan has successfully conducted and won trials in all of the five New York boroughs and in Nassau County and Suffolk County. Dan believes in following your dreams and being a positive example. When he isn't winning trials, Dan is a Youth Mentor as well as a Football Coach for young children in his hometown.

BAR ADMISSIONS:

- New York State Bar, 2014
- U.S. District Court Eastern District of New York
- U.S. District Court Southern District of New York

EDUCATION:

- Touro Law School, Juris Doctor, 2012
- Iona College, B.A., Mass Communications

ACTIVITIES & AFFILIATIONS:

- New York Criminal Bar Association, Member
- New York State Association of Criminal Defense Lawyers, Member
- Nassau County Bar Association, Member



Raoul Zaltberg, ESQ

Managing Attorney

Raoul has handled thousands of cases throughout New York in both state and

federal courts. He has successfully represented his clients in discipline, criminal, civil, and federal litigation for over a decade. Through his passionate representation, extensive experience and hard work, Raoul has consistently earned outstanding results for his clients. He has recovered millions of dollars in settlements and judgments for his clients. He has helped keep and fought for the jobs of many union members. He is also an accomplished trial attorney who has secured acquittals in numerous cases, ranging from murder to traffic infractions.

Raoul was born and raised in Chicago. His family is from Russia and he speaks Russian fluently. He now resides in New Jersey with his lovely wife, Jaqueline and their three dogs, Roscoe, Maya and Dixie.

BAR ADMISSIONS:

- New York State Bar, 2008
- U.S. District Court Eastern District of New York
- U.S. District Court Southern District of New York

EDUCATION:

- New York Law School
Juris Doctor, 2007
- University of Illinois B.A.,
Political Science & English
- Activities & Affiliations:
- New York Criminal Bar
Association, Member
- Kings County Bar
Association, Member
- New York State Association of Criminal
Defense Lawyers, Member



Ken DeStefano, Esq.

Attorney Counselor at Law

Ken has focused on Labor and Employment Law since he became Counsel for the Rockland County Sheriff in 2003. While there, he oversaw all labor and personnel matters for the Rockland County Sheriff, focusing on the disciplinary investigations and hearings.

Ken maintained strong and respectful relationships with union leaders during his time representing the Sheriff. COBA Rockland County President Brian Costello, who dealt with Ken daily, described him as “One of those people who always sought to do the right thing, without ever thinking about himself.”

In 2009, Ken was recruited by union representatives to join NYSUT, where he represented members of New York’s teachers’ union. He continued in that position—adding certified expertise in the field of health insurance until joining Joey Jackson Law. Ken has litigated numerous just cause arbitrations, Section 75 hearings and contract grievances. Ken was also an adjunct professor at St. Thomas Aquinas College in Sparkill.

While many attorneys represent

corrections officers, Ken is one of the very few that has “Escaped From Alcatraz,” making the 1.5 mile swim from the prison to the San Francisco marina in just over 45 minutes.

BAR ADMISSIONS:

- New York State Bar, 1998
- U.S. District Court Eastern District of New York
- U.S. District Court Southern District of New York

EDUCATION:

- New York University Law School
Juris Doctor, 1997
- Boston College
B.A., Economics, Philosophy



Bernadra Villalona, Esq.

Senior Trial Counsel

Bernarda is a seasoned trial attorney with 16 years of experience in using the law to fight for others. Her courtroom instincts made her one of the top attorneys in the country, having completed well over 100 trials. With her courtroom acumen and her first-hand understanding of the criminal justice system, Bernarda has become a

familiar face, providing legal commentary on cases from around the country, on various media outlets including Court TV, Law & Crime Trial Network, and Univision. Bernarda began her career with the Philadelphia District Attorney's Office before returning to Brooklyn where for the last decade, she furthered her experience by trying over 40 violent felony cases including numerous homicides. She also has extensive experience in evaluating legal issues related to criminal investigations, wire taps, and search warrants. Bernarda's experience has made her a dynamic lawyer who possesses strong insight into the criminal justice system. Given her knowledge of the law, she can effectively analyze issues within cases and construct solid defense strategies in service to her clients. Bernarda is the proud daughter of Dominican immigrants and is first generation American born and raised in Brooklyn. She is fluent in Spanish.

BAR ADMISSIONS:

- New York State Bar
- Pennsylvania State Bar
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York

EDUCATION:

- Boston College Law School
Juris Doctor, 2004
- B.A., State University of New York,
University at Albany

ACTIVITIES & AFFILIATIONS:

- Alpha Kappa Alpha Sorority, Inc., Delta Rho Omega Chapter, Treasurer
- Dominican Bar Association, Board of Directors
- New York City Bar Association, Judiciary Committee
- Federal Bar Council, Civil Rights Committee
- National Bar Association, Police Brutality & Reform Task Force Committee



Larry Carter, Esq.

Attorney Counselor at Law

Larry was born and raised in the East New York section of Brooklyn. He attended Brooklyn College, where he developed a passion for social justice and law. Mr. Carter then attended Pace Law School. While there, Larry interned at a civil rights firm to hone his skill in dealing with cases alleging police brutality and retaliatory workplace termination.

After graduating law school in 2016, Larry began his legal career working at the

Bronx District Attorney's Office. Larry has conducted numerous hearings and trials and acted as a mentor to junior attorneys. Larry joined Joey Jackson Law to pursue his passion for criminal defense work and civil service defense. Larry's work ethic, together with his deep understanding of the criminal justice system set him apart from other attorneys. He is committed to giving each case the particularized attention it deserves and to protecting the rights and jobs of each client at every stage of the case process.

BAR ADMISSIONS:

- New York State Bar, 2017

EDUCATION:

- Pace Law School, Juris Doctor, 2016
- Brooklyn College, B.A., Sociology and Social Welfare

ACTIVITIES & AFFILIATIONS:

- New York Criminal Bar Association, Member
- New York State Association of Criminal Defense Lawyers, Member



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- **Joey Jackson Law**

1. WHAT TO DO IF YOU ARE ARRESTED?

Simply because you are arrested does not mean that you are guilty of any crime. An arrest simply requires probable cause to believe that a crime was committed. That is a far cry from the proof of guilt beyond a reasonable doubt which is required for any prosecutor to prove their case.

Very few Officers ever envision or imagine that they will be arrested. As it relates to on-duty conduct, for example, an arrest may come about through a legitimate use of force. The Department may attempt to criminalize your behavior by suggesting that there was no justification for your actions. They may further try to suggest that your report does not match the video tape — which they have the benefit of reviewing multiple times behind closed doors.

Similarly, for off duty conduct, you may have to display your firearm to protect yourself, or even use it during a life or death encounter. In doing so, authorities may believe that your actions are not warranted, and are unreasonable. In other instances, you may find yourself being falsely accused of crimes, involved in a domestic disturbance, or being told that you drank too much before driving. While no one ever expects to be charged with a crime, it does happen. When it does, just know that forceful, competent and able representation from the J. Jackson Firm is ready to assist you. Once arrested, we will come to the police precinct to see and speak with you — so that we are involved early. As innocent as you are, please refrain from making any statements to police. Your words will be used against you.

Rest assured that we will advise you and guide you through every step of the process. You will also need to ensure that you write a report to DOC, informing your command of the date, time and place of your arrest. It should also include the charges you face and your next Court date. The Department will generally suspend you, and take away your firearm, shield and Department ID. As to felony cases, you will be suspended until the charges are reduced to misdemeanors or otherwise resolved. The J. Jackson Firm understands the significance of an arrest to your job, career, life, liberty and future. While we will negotiate with prosecutors for a just and appropriate resolution, we are also skilled in trial advocacy, and will take the matter before a jury — if that's what justice demands.

2. WHAT IS NUNEZ?

The City of New York and the Department of Correction (DOC) were sued in 2011 by a class of inmates. The suit was subsequently amended twice in 2012. In essence, it alleged inmate abuse, unfair treatment, excessive force and unduly harsh confinement. The lead Plaintiff in the class was an inmate by the name of Mark Nunez, hence the name "Nunez". In the lawsuit, the City of New York and DOC were accused, amongst other things, of engaging in a pattern and practice of using excessive force against inmates. Particular emphasis was placed upon inmates between the ages of 16 to 18 with regard to their treatment, alleged inadequate protection against violence, and the accusation that punitive segregation was being improperly imposed. Instead of fighting the lawsuit, the City and DOC decided to settle the matter. In doing so, they entered into a "Consent Decree", which

permits the Federal Court to oversee the DOC's compliance with various mandates. A "Monitor" was appointed to ensure that DOC carries out all of the requirements imposed in the agreement and that they are in compliance. This compliance is tracked in a number of reports that are issued periodically. The first such report covered the period of October 22, 2015 to February 29, 2016, with the 9th (and most recent) report covering between July 1, 2019 to December 31, 2019. These reports, which have not been favorable, are arguably misleading, inaccurate, and not necessarily objective.

The Monitor cannot be removed until the Department is found to be in "substantial compliance" with various mandates for two years. To the extent that a finding of "substantial compliance" would mean that the Monitor and

his staff would lose their jobs, it calls into question who is monitoring the Monitor. It also calls into question how likely the Monitor is to notice how well Correction Officers are doing their jobs. The mandates imposed upon the DOC are significant, and include: investigations of all uses of force; strict reporting and tracking requirements of all use of force instances; adequate staffing to investigate these occurrences; the installation of proper cameras within the facilities; guidelines for punishment and accountability; procedures to limit promotions and job assignments based upon an Officer's history; limiting punitive segregation; and a host of other measures. Based upon past Monitor's reports, it is likely to conclude that the Monitor will be around for a while.

3. HOW DO I AVOID BEING DISCIPLINED?

Unfortunately, there is no way to actually avoid discipline. Every Officer wearing a uniform and working inside of a facility is subject to the whim of a supervisor or investigator who believes that an action they did, or did not take, is improper. Cameras are everywhere to observe, scrutinize and dissect Officers' actions. Additionally, those in positions of authority often play Monday

morning quarterback with regard to what an Officer could have or should have done. What's more, false allegations may be leveled against you by an inmate. And finally, a supervisor may see things differently from you. While all of these things may lead to baseless discipline, fear not. The J. Jackson Firm understands that "accusations" of wrongdoing does not equal

guilt. We will fight for your interests and rights, and do all within our ability to protect you, your job, and your future. So if you are charged with violations of rules, policies and directives, Not to worry— help is on the way.

4. WHAT SHOULD I DO IF I'M FACING SUSPENSION OR TERMINATION?

As a result of being disciplined, the Department may be looking to exact harsh penalties against you. Just because DOC is seeking severe discipline doesn't automatically mean they will get what they want. This depends upon what happened, when it happened, how it

happened, and what the facts and circumstances are surrounding the incident. The J. Jackson Firm will work with you to assess the facts, review the reports, documents, video, statements, and other evidence to prepare your case. We will discuss

your defense, give you a fair and objective view of what to expect, and provide you with our expert advise. Most importantly, we will stand up for you, fight for you, and work to protect you from harsh discipline.



5. HOW CAN I PROTECT MY JOB?

Continue to show up everyday and be the best Officer you can be. Act reasonably and responsibly to protect yourself and your fellow officers. The easiest way to encounter a problem is to be involved in an excessive force case. A monitor has been appointed to micro-manage everything that officers do, and to find fault in the actions that you've taken.

If you must use force, make sure you do so because you are in immediate fear of serious physical injury, or worse. Also make sure that the force you use is proportionate to the threat being posed. And finally, use your interpersonal communication skills first— if you can't. In short, you have a right to defend and protect yourself and your brother and

sister Officers. Just make sure you don't over do it, as that's exactly what they're looking for. If you have to act, and interpersonal skills don't work, just act reasonably. The J. Jackson Firm will vigorously defend your interests by pointing out that you followed these criteria.

6. HOW SHOULD I WRITE ANY REPORT?

When writing any report, indicate what happened by giving a general and accurate description to the best of your ability. The DOC examines reports for false and misleading information. It's usually pretty difficult to have a photographic memory of what happened, so just be careful. With the stress, anxiety and adrenaline resulting from a Use of Force for example, it may be quite difficult to get

everything in your report correct. For this reason, just provide general information to the best of your recollection. So just be careful and use your best judgment. But avoid being overly specific about the amount of blows, where they landed or the exact sequence of events. Humans are not built to recount and recreate every detail of an event, particularly right after the incident occurs.

We at the J. Jackson Firm understand this, and make it our business to make sure that Judges deciding these cases understand it as well.

7. WHAT IS OATH & WHAT HAPPENS THERE?

OATH is the Office of Administrative Trials & Hearings. It is the tribunal which resolves disciplinary disputes involving Officers and the Department. Upon being served with Disciplinary Charges, which allege violations of Departmental Rules, Regulations & Directives, Officers are ultimately provided with a date to appear for a Pre-Trial Conference. Prior to appearing for this Conference, an experienced attorney from the J. Jackson Firm will review the charges with you, learn your side of the story, familiar themselves with the facts and circumstances, and be prepared to defend you. We will also

confer with the DOC lawyers to learn the Department's position on the case, including the recommended penalty. In doing so, we will clarify our views on the case and inform them of our position. When you appear at OATH, an Administrative Law Judge (ALJ) will preside over the pre-trial conference. What the Judge does is provide their point of view as to the strength and weakness of DOC's case and the Officers case in an effort to settle the matter. Nothing the Judge says is binding or required to be followed. They are merely providing thoughts and perspective. You are free to reject whatever they say and go to trial as the

judge at the pre-trial conference will not be the one overseeing the Trial. If a trial is scheduled, your lawyer will prepare you. In addition, your lawyer will examine records, reports, video tape(s), documents and analyze all of the evidence. In short, our Firm will be ready to vigorously defend and protect your interests. Ultimately, in order to be found guilty, DOC must prove that "it is more likely than not" that you committed the offenses charged. This is called a "preponderance of evidence" standard. Our lawyers are very familiar with it, and will do within our ability to stand up and fight for you.

8. WHAT IS AN NPA? (NEGOTIATED PLEA AGREEMENT)

An NPA is an agreement entered into by the Department and an Officer which reflects a resolution and settlement of the Disciplinary charges that are pending. As a general matter, it ends the case and imposes a penalty that has been negotiated and agreed upon by the Parties. This Agreement, if reached, is usually signed at OATH by the Parties, and usually results in the conclusion of the case. It is important to note that the Agreement (NPA) is later reviewed by supervisory personnel in the

Department and must ultimately be approved by the Commissioner. If the Commissioner does not agree with the penalty imposed, the Agreement can get returned and otherwise "kicked back" to OATH for renegotiation of a stiffer penalty. If the Officer disagrees with taking an enhanced penalty, as is often the case, then all bets are off. The NPA, or any modification of it, is then deemed void, and the matter is scheduled for Trial. An OATH Judge will then resolve the dispute after hearing all of

the facts and evidence. Even after an OATH Judge decides the case, it is subject to the Commissioner's review. As a general matter, the Commissioner does afford deference to an OATH Judge's determination. There are those instances, however, where the OATH Judge is overruled by the Commissioner. In that case, the Officer can take the case to the Civil Service Commission. The J. Jackson Firm is here to guide you through that process.

9. WHAT IS THE CIVIL SERVICE COMMISSION? (CSC)

The Civil Service Commission (CSC) is an administrative body that, amongst other things, hears appeals of disciplinary cases brought to it by Officers. It is composed of five (5) Commissioners who are appointed by the Mayor for six (6) year terms. In the event that an Officer wishes to appeal an unfavorable

disciplinary determination, you may do so by filing an appeal with the CSC. The J. Jackson Firm will do so for you, of course, when given your permission and authority to do so. The very reason this entity exists is to make sure that Civil Service Rules are uniformly applied, and that DOC regulations, directives and policies are

similarly applied fairly and properly. The J. Jackson Firm attorneys are aware of the intricacies of the CSC, as well as its protocols and procedures. As such, we will fight your appeal and otherwise ensure that every avenue is explored to pursue justice on your behalf.

10. WHAT IS AN MEO-16 INTERVIEW?

An MEO 16 interview is an interview conducted by DOC investigators under the authority of Mayoral Executive Order #16. The interview can pertain to a variety of subjects and issues for which the Department is seeking additional information and/or clarification from an Officer. The interviews are taped by Investigators, and counsel is present to ensure that your rights and interests are fully protected. Prior to any questioning, you will sit down with a skilled attorney from the J. Jackson Firm who will discuss how you should handle the questions.

There are a few important ground rules to keep in mind. First, limit your answer to the questions being posed. Second, if you don't understand any aspect of the question(s) being asked, request that the investigator clarify, repeat or rephrase the question.

Your lawyer can certainly do this — if necessary. Third, understand that you are sitting next to your lawyer, who is present to assist you in every way. In that regard, if you need to speak to your lawyer at any time, just say so. The

interview will be halted, and you will be given ample time to confer with counsel.

Keep in mind that the Department will not hesitate to level disciplinary charges against you if your answers to questions are in any way false or misleading. As such, it's important to be mindful of that before going into the interview. Your attorney will confer with you beforehand, and advise you accordingly. Just know that we have your back at all times



KARASYK & MOSCHELLA, LLP
COUNSELLORS AT LAW



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Partner



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We are experienced in resolving disputes through negotiation and in handling litigation in both state and federal courts for our clients. Highly regarded for our work, Karasyk & Moschella provides unsurpassed legal services in the areas of union representation, criminal defense, domestic relations, general civil litigation, real estate, probate, wills and trusts. While a large proportion of our clients are members of New York City's law enforcement and civil service community, we represent a wide array of civilians and non-union members as well.

Karasyk & Moschella combines the collective diverse experience of our attorneys to deliver timely and effective resolution of your legal matters, whatever they might be.

Dear COBA Members,

Having represented the men and women of law enforcement for over 30 years as well as having grown up in a family where both my father and maternal grandfather were members of the NYPD, I have been a witness with a front row seat to the trials and tribulations that members of the law enforcement community experience.

Watching my mother standing in front of the door to our apartment in Kew Gardens, trying to stop my father from going to work when the streets were on fire during the days of social unrest in the early 60's to the pain we in the law enforcement family experience each time a member is killed in the line of duty and even off duty, I have never felt the concern and disgust I have experienced in the last few months. The scape goating of the men and women in law enforcement for the miserable failures of our political "leaders" to deal with the real and severe societal problems of inequality, racism, housing, hunger and drug addiction is nothing short of breathtaking for the depth of their amoral cowardly conduct.

Those in law enforcement today face an existential threat not only to their lives, but to their livelihoods as well. As I have learned repeatedly during my 30 years as a union attorney the only thing standing between law enforcement officers and the abyss when it hits the fan is the Union.

The two-faced double dealing politicians would throw five officers into the fire to prevent themselves from getting 5 lines of bad press. Without the Union, a member caught up in a publicity intensive case does not stand a chance. It is only with a strong and supportive union that the member survives. And yet as I survey the horizon I see the men and women of law enforcement and their Unions under attack from multiple sources as never before. Beside a hostile, biased press and political class, members of COBA are under the gun from a Federal monitor who, if his 9th Interim report is to be taken at face value seems intent on blaming the Correction Officer for all the ills besetting our jails and the inmate population.

It is only the Union that stands between our members and the pit. It is in this environment that I believe our attorneys who will be representing you going forward are a team of professionals who stand ready and able to assist you in this formidable struggle. We have all been tested in the crucible of public and media scrutiny. We have all handled high profile cases with the white hot light of the media constantly upon us.

We can promise you that every decision we make and every step we take in representing you will be guided by our desire to do what is in your best interest. We may not always agree or win every battle, but I can assure you it will not be for lack of care or interest in your case. On behalf of all of us at Karasyk & Moschella, LLP, we look forward to working for you and protecting your back 24/7.



QUELLER • FISHER • WASHOR • FUCHS & KOOL
AND THE LAW FIRM OF WILLIAM A. GALLINA, LLP

Introduction

QUELLER, FISHER, WASHOR, FUCHS & KOOL AND THE LAW FIRM OF WILLIAM A. GALLINA, LLP

For over 60 years, Queller, Fisher, Washor, Fuchs & Kool and The Law Firm of William A. Gallina, LLP, has served injury victims in New York City, the Bronx and the surrounding area.

We focus our practice on complex cases involving catastrophic accidents and injuries, worker injuries, construction accidents, vehicle accidents, medical malpractice, premises liability and wrongful death. Today we are recognized as one of the premier personal

injury and medical malpractice firms in the city. Our experience, skills and core values allow us to faithfully address the full magnitude of our client's physical, mental and emotional injuries so that their struggles are forcefully and poignantly communicated to a jury.

Our advocacy skills and resources enable us to touch the lives of our clients to ensure they are compensated fully for their injuries/losses.

All lawyers at the firm have at least twenty (20) years of experience and are members of the New York State Trial Lawyers Association (NYSTLA).

Over the years, our firm has recovered nearly one billion dollars (\$1,000,000,000.00) on behalf of victims who have sustained personal injury as a result of negligence. Barry Washor, Dallin Fuchs and Jonny Kool, all senior partners at the firm, have been designated with the prestigious ranking of Super Lawyer since 2009, and all members of the firm are also members of the Million Dollar and Multi-Million Dollar Forum. Senior Partner, Barry Washor, has obtained verdicts and/or settlements in over two hundred separate personal injury or medical malpractice matter. Barry has been on

the Board of Directors of New York State Trial Lawyers for the last fifteen years and is heavily involved in lobbying efforts on behalf of the rights of victims. He has also authored texts in the field of medical malpractice and each year teaches a course in trial advocacy at Cardoza Law School. Over the years we have represented literally thousands of members in the law enforcement community who have sustained injuries, both on and off the job. We have represented hundreds of Correction Officers and guided them through the process from the inception. We obtain all benefits required under the law and, due to our expertise in dealing with members of law enforcement, we are totally familiar with disability, and three-quarter (¾) pension rights.

We will provide access to our firm to all Correction Officers, their families and friends on a twenty-four (24) hour/day basis, 365 days a year. This blanket service is available to all Correction Officers at no cost. Any fees will be paid to us only if there is a recovery and will be based on a percentage of the recovery. We have access to the finest physicians in the tri-state area for all officers' and their families' medical needs.

By going to the Queller Fisher Washor Fuchs & Kool and the Law Office of William A. Gallina, LLP website at quellerfisher.com, you can learn more about our firm, and meet our lawyers.

THE FOLLOWING HIGHLIGHTS THE SERVICES WE ARE PREPARED TO OFFER TO ALL COBA MEMBERS:

- Free consultations regarding any personal injury or medical malpractice matter involving any Correction Officer or their family member who sustains an injury on or off duty
- Creation of an injury hotline available for Correction Officers for any inquiry regarding on or off duty injury
- Coordination of all Workers' Compensation matters
- Access to a network of orthopedics, neurologists

and physical therapists for treatment of any injury in all five (5) boroughs as well as Nassau, Suffolk, Westchester, Rockland and Orange Counties

- Setting up Cancer screening programs
- Access and referral to the finest medical specialists in the Tri-State region for any medical need
- No legal fee unless there is a successful recovery
- Total familiarity and protection of disability

pension rights associated with any and all injuries sustained by a Correction Officer whether from an on or off duty injury

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FREQUENTLY ASKED QUESTIONS

1. WHAT SHOULD YOU DO IF YOU OR A FAMILY MEMBER ARE INVOLVED IN A MOTOR VEHICLE ACCIDENT?

Motor vehicle accidents are certainly unplanned and can occur at any time. The first thing that should be done is to assess whether you or anyone in your vehicle has sustained any injury or is feeling any discomfort. With motor vehicle accidents, one can certainly expect feeling great anxiety, but it is important to stay calm, check on your passengers and not to leave the scene of the accident. Police should be contacted so that the happening of the accident can be properly documented. It is essential to exchange driver's license, driver registration, insurance information, names, address and phone numbers with the driver of the other vehicle, as well as names of any possible witnesses. If possible and practical, take photographs of the vehicles, including areas of physical damage and the license plate number of the other vehicle. If there is any question or concern of any possible injury, or you and your passengers are feeling any discomfort whatsoever, go the emergency room. You should contact our firm Queller, Fisher, Washor, Fuchs & Kool and The Law Firm of William A. Gallina, LLP at our injury hotline number as expeditiously as possible. Finally, the accident should be reported to your own insurance company as soon as practical.

2. WHAT TO DO IF I SUSTAIN A COMPLICATION FROM MEDICAL TREATMENT OR FEEL THAT I, OR A FAMILY MEMBER, HAVE BEEN A VICTIM OF MEDICAL MALPRACTICE?

It was recently reported in a study conducted by Harvard University that over ninety-eight thousand (98,000) deaths occur in hospitals every year as a result of

the negligence of healthcare providers. If you feel that you sustained injury or permanent damage as a result of the negligence of a medical professional it is imperative that you contact Queller, Fisher, Washor, Fuchs & Kool and The Law Firm of William A. Gallina, LLP as expeditiously as possible. We have an entire unit at our law firm dedicated solely to the investigation and prosecution of medical malpractice lawsuits. It is only through a careful review of the records by trained professionals that a determination can be made whether the injury and damages sustained was a result of medical negligence, also known as medical malpractice.

3. WHAT SHOULD I DO IF I AM INJURED AT WORK?

You must immediately report your injury to your supervisor and delegate. Immediately request emergency medical care for the injury sustained. Ultimately, it will be necessary for you to fill out line of duty injury reports and to retain a lawyer to represent you in a workers' compensation claim and perhaps with any disability or $\frac{3}{4}$ applications. We are prepared to make all proper recommendations and referrals to you 24 hours/day, 365 days/year, so we strongly recommend that you contact Queller, Fisher, Washor, Fuchs & Kool and The Law Firm of William A. Gallina, LLP as soon as feasible following the occurrence of any injury at work.

4. WHAT IS UNDERINSURANCE AND IS IT SOMETHING THAT I SHOULD OBTAIN FOR MY AUTO INSURANCE COVERAGE?

Underinsurance is one of the best kept secrets in the insurance industry. Casualty insurance companies have strongly lobbied Albany to keep the minimum insurance requirements down in New York. As such, the minimum insurance any driver must

maintain in order to register and drive a motor vehicle in New York State is twenty-five thousand dollars (\$25,000). This amount of insurance is nearly always inadequate to compensate an individual who sustained injury in a motor vehicle accident. Underinsurance is a concept where you can obtain additional auto coverage for you, your family members, and anyone in your motor vehicle when injured as a result of the negligent operation of another vehicle which caused the damage. Thus, if injuries are the result of a collision with a motor vehicle with only twenty-five thousand dollars (\$25,000) of insurance, by having additional coverage on your own policy, you will have significantly more compensation for you and "your" people, meaning our family members and those passengers in your motor vehicle. By law, the premiums must be minimal as the carriers are not permitted to make profit on this aspect of insurance coverage. Making a claim under the underinsurance provision of your insurance policy will not in any way increase your rates since payment will only be apportioned based upon the actions of the other driver. This coverage also applies to you and members of your family who may be struck by a motor vehicle as a pedestrian.

5. WHAT IF I'M INVOLVED IN ANOTHER TYPE OF ACCIDENT OUTSIDE OF WORK (I.E., SLIP OR TRIP AND FALL, PREMISES ACCIDENT, ETC.)?

If you are involved in an accident outside of work, contact Queller, Fisher, Washor, Fuchs & Kool and The Law Firm of William A. Gallina, LLP as soon as possible so that one of our attorneys specializing in your type of accident and injury can give you the best immediate advice.

MAKING A DIFFERENCE!

COBA SPOTLIGHT ON CORRECTION OFFICER JOSE ARROYO (OBCC)

OFF DUTY CORRECTION OFFICER HELPS ARREST GUN-WIELDING MAN



In each edition of **Boldest News**, **COBA will proudly spotlight Correction Officers** who go above the call of duty in service to our city.

In this edition, we are proud to spotlight Correction Officer Jose Arroyo from OBCC.

On October 22, 2020, at approximately 1330 hours at 75th Street and 13th Avenue in Brooklyn, Correction Officer Jose Arroyo was sitting in his parked vehicle when he observed a male approach two females sitting in front of a salon. The man stopped to speak to them and immediately pulled out what appeared to be a gun. Officer Arroyo could see the magazine well of the gun, which was empty. He then witnessed the man motion to load the firearm with a magazine. Officer Arroyo then immediately exited his vehicle, watching the subject place the firearm back into his jacket and walk away.

Officer Arroyo approached the man from behind, identifying himself as a Peace Officer with his hand on his holstered weapon. The man then turned and reached for the weapon.

Officer Arroyo unholstered his weapon, making the man freeze, then instructed him to take his weapon out and drop it on the ground, which he did. Officer Arroyo then instructed the man to drop to the ground and had bystanders call the police. The police came and arrested the man. COBA is proud to salute Correction Officer Arroyo for his bravery and quick-thinking in effectuating an off-duty arrest.

If you would like to nominate a Correction Officer to be spotlighted in our news magazine, please email a story with any related pictures to:

Michael Skelly
Communications Director
michael@skellystrategicsolutions.com

COBA IN THE NEWS

DAILY NEWS NEW BILL WOULD PREVENT NY GOVERNMENT WORKERS FROM BEING PUNISHED FOR CORONAVIRUS-RELATED ABSENCES FOLLOWING DAILY NEWS REPORT

BY CHELSIA ROSE MARCUS / NEW YORK DAILY NEWS | NOV. 07, 2020

A new state bill would prevent local government workers from being punished for coronavirus-related absences following a Daily News report on how hundreds of New York City correction officers with COVID-19 now have tarnished records for calling out sick. The bill, introduced by N.Y. Sen. Diane Savino (D-Staten Island) and co-sponsored by Assemblyman Peter Abbate Jr. (D-Bronx), says government employers cannot dismiss or take "other adverse disciplinary (or) personnel actions against a public employee related to (COVID-19) absences." The proposed legislation introduced last week comes after the News reported last month that nearly 900 City correction officers tested positive for the virus had to appeal the Department of Correction's "chronic absence" designation for days missed due to the disease.

"People put their lives on the line, we call them heroes — and then behind the scenes they do this. It's unbelievable," he said. "No matter what's in (their) contracts, or whatever policies (the Correction Department has) in place, this is unacceptable." Correction Officers' Benevolent Association President Benny Boscio, who has pushed for repealing the chronic absence designation, praised state politicians for putting forth the bill. "New York City correction officers risked their lives to keep our city safe during the COVID-19 pandemic, particularly in an essential have happened, particularly in an essential workforce comprised of first responders."

City Hall spokeswoman Laura Feyrer said the city would review the bill, adding "our top employees' health and safety is our top priority." For Correction Officer Antonio Saltalamacchia — who was deemed chronically absent by the department for missing 98 days of work after testing positive for the virus three times between March and June — the proposed legislation would be a welcome relief.

"I'm relieved that a spotlight has been put on this very serious issue," he said. "It's a major first step and I hope that this bill gets passed... We desperately need some sort of protection."

Gov. Cuomo signed emergency legislation March 18 that guaranteed job protection and pay for New Yorkers who had to quarantine due to COVID-19. But the new bill seeks to go even further by prohibiting employers from imposing other administrative penalties. "You're sick with Covid and you're chronically absent? It makes no sense to me," Abbate, who also chairs the Assembly's Committee on Governmental Employees.

DAILY NEWS STOP DUMPING ON CORRECTION OFFICERS

BY BENNY BOSCIO JR. / NEW YORK DAILY NEWS | JUL. 11, 2020



Recently, Mayor de Blasio announced that the City of New York would end punitive segregation in the nation's second-largest municipal jail system, naming that of former inmate Layleen Polanco, who died from a seizure last year, as the catalyst for change.

While the death of any inmate in our custody is a tragedy, it's disingenuous to name that of former inmate Layleen Polanco, who was placed in punitive segregation for fighting with another inmate and assaulting a correction officer.

The hard-working officers of the New York City Department of Correction do not want the laws or create the policies that place inmates in our custody, but we do want to protect them. We don't carry firearms in the jails and we are locked in with the most violent members of society, many of whom belong to gangs. Many of these inmates are skilled at manufacturing deadly weapons which they regularly use on one another and

The fact that people are not regularly dying on officers is a testament to the professionalism of our officers. However, our officers are routinely blamed for the violence that exists without being given credit for the lives we are saving. When correction officers must use physical force to intervene in an inmate on inmate incident or to defend ourselves from an assaultive inmate, we're routinely come under scrutiny from politicians and advocates.

Politicians cite an increase in use of force by correction officers to make the case that we are intentionally abusing inmates. This narrative is patently false. If violent incidents increase inside jails, it's inevitable that we will use force more frequently as well.

The most recent Mayor's Management Report revealed that 4.6% from 2018 to 2019, and episodes in which force was used with no injury to either officer or inmate, increased to nearly 67% of all use-of-force incidents, meaning that in the vast majority of these incidents, correction officers responded appropriately.

It is true that despite a striking jail population, inmate violence has risen steadily in each of the past four years. Most recently, from 2018-2019, the rate of violent incidents among inmates rose by 24.5% and the rate of serious injuries to individuals as a result of these incidents rose by nearly 24%. During that same period inmate stabbings and slashings rose 10%. That's bad for inmates and it's bad for the correction officers who protect them.

What accounts for the recent spike in jail violence over the past several years? In October 2016, without consultation from COBA, Mayor de Blasio eliminated punitive segregation for all inmates 21 and under. These were very "at risk" or "vulnerable populations," these were repeat, violent offenders, who preyed on vulnerable inmates and our officers.

De Blasio took away an important tool we had to tamp down jail violence, and the violence got worse. Now we're going through a fresh round of handcuffing about levels of violence in our jails, including the use of force by correction officers. I will participate in a panel the mayor has formed to address his new plans to end punitive segregation entirely. Instead, I should not be taken as our approval for ending this policy entirely. Instead, this policy change poses to the safety and welfare of everyone in our jails. It should rigorously lobby the administration to evaluate the serious dangers plans need to be made, then policy changes that directly impact human lives must be driven by data, not by political ideology. Our lives and the lives of everyone in our jail facilities depend on it.

Boscio is president of the New York City Correction Officers' Benevolent Association.

NEW YORK POST Assaults on NYC correction officers surges over past year

BY BERNADETTE HOGAN SEPTEMBER 17, 2020 10:38PM



The city's correctional officers took a serious beating last year from inmates, as new data shows a dramatic increase — and a five-year high — in serious injuries sustained as the result of an assault.

Serious staff injuries by an inmate jumped to 65 percent on a monthly average this year compared to 49 percent in 2019, according to the Mayor's Management report released Thursday.

The same statistics were just a recorded 20 percent in 2016, 24 percent in 2017 and 42 percent in 2018.

Meanwhile, correctional department use of force incidents resulting in serious injuries to those in custody increased by one percent compared to last year. Those one percent increase in minor injury incidents resulting in minor injury those declined by two percent and those resulting in no injury jumped nearly 20 percent — from 49.03 percent in 2019 to 79.95 percent this year.

"As legislation diverting low-level, nonviolent offenders has gone into effect and the Department's overall population has declined, to historic levels due to intentional efforts by the City and others in response to COVID-19, the Department has found itself managing a particularly challenging population made up of individuals charged with more serious offenses, who are more frequently affiliated with gangs, and who are more violent while incarcerated," according to the report, pointing to legislative changes at the beginning of 2020 related to newly implemented bail reform policies. "The growth in the rate of violent incidents among people in custody was 16.3 percent, and the number of slashing and stabbings incidents increased 16 percent, from 106 to 123." Overall jail population growth was recorded at 7.36% at the start of the 2020 fiscal year last July, and decreased to 3.92% at the end of June of this year.

Other new statistics include: assault on staff by individuals in custody jumped to 15.8 percent, from 12.5

percent violent incidents among individuals in custody rose to 80.1 percent from 68.9 percent serious injury to individuals in custody as a result of violent incidents among individuals in custody increased 9.6 percent from 2.5 percent — a 284 percent increase between 2019 and 2020 Correction Officers' Benevolent Association President Benny Boscio Jr. blasted the numbers in a statement. "With assaults on correction officers up significantly and having nearly doubled over the past four years, coupled with a 16% increase in stabbings and slashings and a near 300% increase in inmate on inmate attacks since just this past year, how can anyone possibly justify eliminating punitive segregation?"

"These numbers should wake up every elected official in this city and redirect their focus on making our current jails safer right now instead of looking to build safe right years from now. How many more lives must be threatened by these asinine policies?" he added.

The Chief THE CIVIL EMPLOYEES' WEEKLY COBA's Boscio Rips Correction Plan to Close Pair of Jails

BY RICHARD KHAVINE
Oct 16, 2020
Updated Oct 19, 2020



The city's plan to close the Manhattan Detention Center downtown and a Rikers Island facility by the end of November is "a recipe for disaster" and "a threat to the safety of the city," the head of the Correction Officers' Benevolent Association, Benny Boscio Jr., said.

His counterpart at the Correction Captains' Association, Patrick Ferrante, agreed, saying that despite the reduction in the prison population, any consolidation "poses real danger to staff as well as inmates." Mr. Boscio said that by consolidating the centers, the city and the unionizing the centers, the city and the Board of Correction had disregarded union officials' counsel, including through testimony before the City Council and even the State Senate. "The best way to prevent the virus from exacerbating the jail was to spread out the inmate population."

"Now is the time to leverage our low inmate population to decrease the density in our facilities," he said in a statement.

INMATE NUMBERS PLUMMETED
In an Oct. 9 letter to DOC employees, Correction Commissioner Cynthia Brannan and Chief of Department Maxine Jennings said "containing" inmates within the city's seven other jails "will result in more carefully populated housing units." They said that "bed utilization" aligned with the

managed to contain the virus's spread within environments conducive to the spread of contagious illness. Inmate confirmed cases climbed to a high of 381 on April 27 before leveling off and then declining. As of Oct. 2, 242 inmates were confirmed as COVID-positive. New admissions, symptomatic and confirmed-positive inmates have been kept separate and quarantined from the general population. As of that same date, 1,433 DOC staff had contracted the virus, slightly up from a cumulative 1,415 in mid-June. The DOC said it had not recorded an "in-custody transmission" since May. Mayor de Blasio said the jail closings indicated the city's aim to continue reducing the jail population, even with the number of inmates at its lowest level since the 1940s and despite a severe rise in violent crimes.

"So, we've driven down mass incarceration intensity and purposefully," he said during his weekly "Inside City Hall" interview Oct. 12. "These things are not mutually exclusive. There's something that may be a situation in the near term, but the overall pattern is clear." Mr. Ferrante said the overall pattern is clear. "The fact is, declining in inmates reduces tensions in the streets, meaning that engenders responses. The fact is, unfortunately, there are many people in the streets who are angry. They're angry because they're angry about the borough facilities while they're waiting to go to trial," he said, adding that criminal-justice reform, particularly laws that loosened bail obligations, amount to "failures."

'NOW IS NOT THE TIME'
On "Inside City Hall" two days later, Mr. Boscio, citing virus spikes in Brooklyn and Queens, reiterated his objections to the closing. "The concern is mass" with DOC and city officials about the consolidation. "Now is not the time to be taking about closing facilities. Now is the time to allow for social distancing and to spread out the staff locations with employees to discuss the population," primarily including staff in other facilities and command centers and management. "Commissioner Brannan and Chief Jennings said, adding that they would be working with union representatives regarding such matters.

The DOC said it had thousands of vacant beds, including within other housing units, and that closing would therefore not increase population density. Although plans to close Rikers in favor of four borough facilities, the jail population has plummeted since the start of this year. As of mid-October, about 4,000 detainees were in custody on nearly 24 hours of detention in 5,728 inmates on nearly 24 hours of detention in 5,728 inmates on the release of hundreds of non-violent inmates as the result of a landmark New York City law, including what gained a foothold in New York City, including when jails.

LIMITED VISITORS
Overall, however, it supports the DOC and its partner agency, Correctional Health Services,

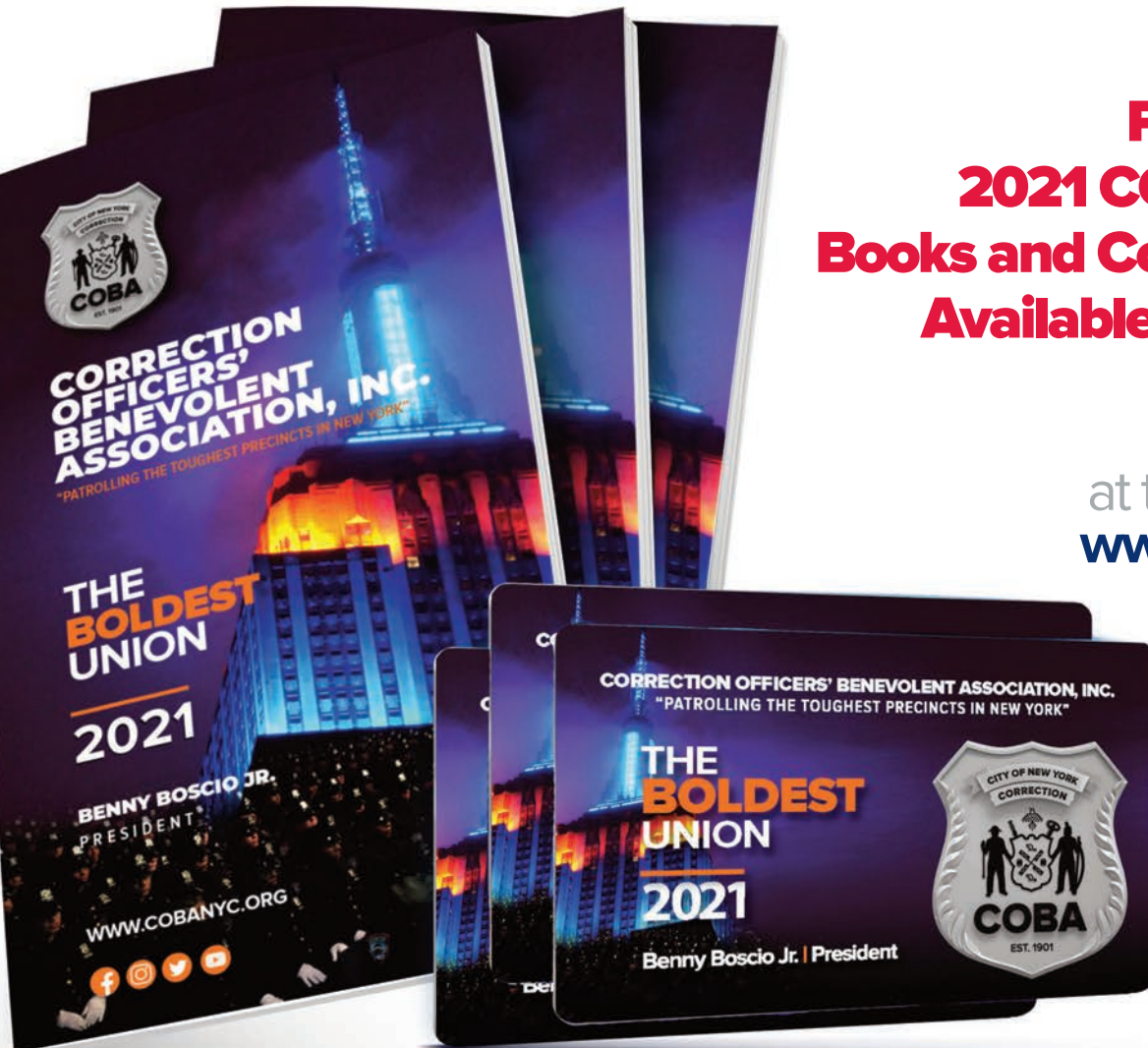


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