



**New York State Correctional Officers  
& Police Benevolent Association, Inc.**

***“Keeping New York Safe”***

## **NYSCOPBA Renews Call for Legislative Action After Inmate Sentenced for Brutal, Unprovoked Assault of Officer**

*Repeat offender brutally assaulted female officer in Fall 2021 at Mid-State Correctional Facility*

*Sentencing Judge Echoes Union’s Concerns to Provide Staff Proper Tools to Prevent Future Violence*

*Recently Released State Data Shows Prison Violence at Historic Levels*

**Albany, NY** – The New York State Correctional Officers & Police Benevolent Association, Inc., (NYSCOPBA) continues to call for immediate action by the New York State Legislature to address the dangerous conditions within New York’s correctional facilities in the wake of scolding remarks by an Oneida County Court judge on current prison conditions at an inmate’s sentencing for assaulting a female correction officer in Fall of 2021.

On January 6<sup>th</sup>, 2023, Oneida County Court Judge Robert Bauer, of the Fifth Judicial District, sentenced inmate Altereak Witherspoon to an additional 6 years in prison after Witherspoon pleaded guilty to 2 counts of assault for his unprovoked actions when he violently assaulted, Officer Adrea Adamczyk, a female correction officer at Mid-State Correctional Facility in November 2021. Inmate Witherspoon was also sentenced to 1 year in county jail, along with 5 years of post-release supervision and was issued an order of protection from contacting Officer Adamczyk once released.

During the sentencing, Judge Bauer not only reprimanded inmate Witherspoon for his reprehensible actions towards the officer, but also admonished state leaders, including the New York State Legislature, for creating an environment that allowed this assault to happen in the first place.

According to the court [transcript](#), **Oneida County Court Judge Hon. Robert L. Bauer said:** “You (Witherspoon) hold the blame. You did what you did. But there’s people over and above everyone’s head here, above my head, people in administration at DOCCS, our Legislature, the executive branch . . . that put you in this facility behind Concertina wire and some fences, short staffed, a couple of people to a ridiculous ratio of inmates, and they’re expected to keep all of you under control, healthy, safe, and staffed not injured. . . . Our Legislature owes it to both the inmates and the good people that work in our correctional facilities . . . to provide adequate staffing so situations like this do not happen . . . . The people in our Legislature ought to provide better mental health services to keep people like you (Witherspoon) from hurting themselves and the good people that work in corrections. *This situation disgusts me, it disturbs me, and I see it too often, I’m hopeful these words travel beyond this courtroom, and the folks that have some power to do something about it, do something about it.*”

The attack happened on November 18, 2021, at Mid-State Correctional Facility after Officer Adamczyk approached inmate Witherspoon upon receiving complaints about his hygiene. Inmate Witherspoon attacked Officer Adamczyk, punching her repeatedly in the face and head and after he knocked her to the ground, continued to kick her in the face while wearing boots. Other inmates intervened on behalf of Officer Adamczyk, pulling inmate Witherspoon away until responding officers could arrive. Officer Adamczyk suffered serious injuries, including a large gash on her forehead that required 70 stitches, a concussion, and a broken nose which required reconstructive surgery. Officer Adamczyk has been unable to return to work. Officer Adamczyk was allowed to read a statement during the inmate’s sentencing that detailed the exhausting, daily struggles she endures even to this day because of the unprovoked attack.

**NYSCOPBA Vice President of the Central Region Bryan Hluska said:** “I would first like to commend Officer Adamczyk for her bravery, not only for her years of state service as an officer, but also for addressing her attacker in court to show the irreparable harm he inflicted upon her during that fateful encounter. Officer Adamczyk was simply doing her job and for this inmate to do what he did to her is unforgivable. Not only does this officer have to live with physical injuries suffered during this attack but endure the mental trauma for the rest of her life. Meanwhile this inmate, who clearly shows no remorse for his heinous actions, will one day get out of prison and go about living his life like this never happened. I applaud Judge Bauer for his candor and hope that our state leaders are listening. Certain

individuals in the incarcerated community are now more emboldened than ever due to lenient policies like HALT which were championed by the New York State Legislature. Predators like this inmate are taking full advantage of the lack of consequences and are creating chaos and unprecedented levels of violence. Yes, he was sentenced to additional prison time, but we know that he can still do significant harm because we cannot separate people like him from staff and the rest of the population. It needs to be stopped before we lose another officer to a vicious attack.”

According to data maintained by the NYS Department of Corrections and Community Supervision (DOCCS), since the HALT Act was implemented in New York on April 1, 2022, overall violence in prisons has increased 31%. Separately, inmate-on-staff assaults jumped 33% while inmate-on-inmate assaults were up 28%. The data further reveals that single-year records for both inmate-on-staff assaults and inmate-on-inmate assaults were set in 2022, with 1489 and 1486 recorded incidents, respectively.

**NYSCOPBA President Michael Powers said:** “For the past 2 years, NYSCOPBA has been calling on the New York State Legislature to acknowledge the state-tracked data, take measures to address the rise in violence, and improve safety within New York’s jails and prisons. This year, our elected leaders must put facts and common sense ahead of media headlines and political agendas by repealing the HALT Act and restoring our ability to separate dangerous individuals who attack not only staff, but the incarcerated community alike.”