

Testimony of

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Good morning, Chairman Dilan and the members of the Assembly Corrections committee. Thank you for the opportunity to provide testimony before you today. My name is Matt Keough, and I am currently in my 32nd year as a New York State Correction Officer. I also have the pleasure to serve as the Executive Vice President for the New York State Correctional Officers and Police Benevolent Association, commonly referred to as NYSCOPBA. NYSCOPBA represents over 14,000 active Correction Officers (CO's) and Correction Sergeants employed by the New York State Department of Corrections and Community Supervision (DOCCS). We also represent over 2000 state employees who provide safety and security services for a wide variety of state agencies including the Office of Mental Health, OPWDD, and SUNY; we also represent the Security Screening Technicians here at the Empire State Plaza, the LOB and the State Capitol Building who secure and patrol these grounds so that we can safely discuss the issues before us today. We appreciate the opportunity to testify today regarding the value and importance of prison programs and to provide a perspective from those who work directly with incarcerated individuals (I.I.'s) daily.

In the roles of Correction Officers and Sergeants, we interact daily with I.I.'s serving time in our facilities. Every shift our members are responsible for ensuring that those who are scheduled for a wide variety of programs and services are where they need to be, when they need to be there, and that they arrive safely and can effectively participate in their programs. I have seen firsthand how prison programs—whether educational, vocational, therapeutic, or recreational—can transform lives, improve safety within the institution, and contribute to better outcomes upon release. These programs are not just beneficial to the incarcerated population; they also enhance the working environment for staff, improve workplace safety and contribute to overall public safety.

Programs provide structure and purpose for incarcerated individuals. When I.I.'s are engaged in meaningful activities, there is a noticeable reduction in tension, conflicts, and incidents of violence within the facilities. Idle time is often a contributing factor to behavioral issues, but programs keep participants focused and invested in their personal development. These programs can create a sense of accomplishment and accountability, which translates to better behavior overall. For example, in our facilities, those involved in vocational training or enrolled in college programs are significantly less likely to be involved in disciplinary infractions. These individuals recognize that poor behavior can result in the loss of programs and jeopardize their educational pursuits or even delay their earliest possible release date.

NYSCOPBA members regularly witness the successful transformations that result from some of these programs. We have all seen individuals who entered prison with little hope or direction find a renewed sense of purpose through education, job training, or therapy. Most CO's can attest to I.I.'s who struggled with addiction and had multiple run-ins with the law. Through a substance abuse treatment program and vocational training, they gained control of their addictions but also learned a trade. They are now employed and contributing to society. These stories are not rare; they are the reason these programs matter.

However, even the most well-intended and effective programs cannot fulfill their missions of rehabilitation, treatment, and education if the prison facilities are not properly staffed. In recent years the DOCCS has experienced a severe staffing crisis for security and civilian personnel. NYSCOPBA members especially, are being severely overworked. Our members are regularly mandated to work excessive amounts of overtime and in many cases are required to work regularly

scheduled days off. Some members are being forced to work 24 consecutive hours because there are not enough bodies to staff each shift. Nearly every facility has a need for more correction officers, teachers, counselors, instructors and health service providers to properly administer the programs offered by DOCCS in a safe and secure manner.

Short-staffed prisons have a significant negative impact on the availability, quality, and effectiveness of prison programs. Short staffing can lead to delays in inmates' progress toward completing educational, vocational, or therapeutic programs required for parole or release eligibility. This prolongs incarceration, increases costs, and undermines the rehabilitative goals of the correctional system. Without consistent access to programs, inmates may be less prepared for reentry into society, and this can lead to higher rates of recidivism, perpetuating the cycle of incarceration and increasing the burden on taxpayers and the correctional system over time.

When a prison is understaffed, security and basic operational needs take priority, leaving fewer resources available to facilitate programs. Programs often require correctional staff to supervise or transport I.I.'s to designated areas. Without enough staff, these programs may be delayed, canceled, or reduced in frequency. When programs are reduced or canceled, inmates lose structured activities that keep them engaged and focused. This lack of engagement can lead to increased idle time, tension, and behavioral problems within the facility, creating additional challenges for already overburdened staff.

Overworked staff are less able to support rehabilitative efforts when they are stretched thin covering other essential duties. Staff burnout often results in higher employee turnover, creating a cycle that further reduces the capacity to support programming. Staff shortages also prevent officers from assisting program instructors, therapists, or educators. These professionals often rely on correction officers to manage logistics, security, and inmate behavior during sessions. Without this support, programs may not run efficiently or safely.

Now take all we have discussed into consideration and add in the most ill-advised program that New York State corrections have ever implemented – The HALT Law. HALT is a program that demands large portions of our limited resources to be directed to a small percentage of bad actors, where it seems that their only mission is to disrupt the normal operations of the facilities.

The HALT Law has impacted much of the incarcerated population who are just looking to do their time and go home on their earliest possible release date. HALT has incentivized bad behavior and misconduct to the detriment of everyone who works and lives in a facility. The general population knows where the services are being offered. They see the acts of violence being rewarded with a revolving door of instructors, counselors, nurses, executive staff and clergy going in and out of the SHU/RRU's to provide services to the most disruptive and violent. For them to get the same level of treatment and services, well-behaved inmates are now acting out through violence and other acts of misbehavior to be sent to segregated confinement to receive the services offered by HALT. These acts are a significant driver of the increase in violence we are experiencing. Those that do not act out are left to languish until the resources are made available for them to participate in the programs needed to satisfy the conditions of their release.

The violence that has resulted from the HALT Law is not to be ignored. The data is right there for you to see and review. Since the implementation of the HALT Act on April 1, 2022, violent assaults on

staff and the incarcerated population have exploded. 2024 is the most violent year in DOCCS history. Every metric that measures violence in New York State prisons has increased significantly from year to year since HALT has been in effect. We have already surpassed single year records in both inmate-on-staff assaults and inmate-on-inmate assaults. Inmate-on-inmate violence has doubled since 2022. At the same time, we are housing fewer incarcerated individuals in our prisons and jails after being emptied out following sentencing guideline reforms, Rockefeller Drugs Law reforms, and the COVID-19 pandemic. So, what gives? Make no mistake, HALT is the main contributing factor to escalating violence in state prisons. Amendments to the HALT law are desperately needed and we are looking for a partner in the Legislature to make the changes necessary to improve safety and security for all who live and work in our prisons.

Another program that has made the work of correctional staff more difficult is the implementation of the Medically Assisted Treatment program (MAT) aimed at assisting the incarcerated population from recovering from withdrawal symptoms associated with opioid and alcohol addiction. As a result of this program, the State has turned professional nurses into state-sanctioned drug dealers and a significant portion of the incarcerated population into addicts. The MAT program has been overrun to the point that it is impossible to ensure that every person is observed ingesting their medications and that they are not manipulating the program to disburse their medications to other I.I.'s in the form of contraband. Many facilities do not employ enough medical staff to properly vet MAT program candidates to obtain medically assisted treatments. All one must do is claim they are suffering from withdrawal symptoms, even if you have been incarcerated for many years, and you are entered into the program. In turn, the incarcerated population is being extorted by forcing others to obtain medically assisted treatments, which fuels the violence and contraband that we are witnessing.

At Marcy Correctional Facility in Oneida County, after initially being informed that approximately ten I.I.'s would qualify for the MAT program, this single facility currently has 130 individuals who receive MAT in prison. The program is creating addicts while they are housed in New York State prisons. It is an overwhelming strain on the medical and security staff and is costing tax-payers millions of dollars to support the drug habits of the incarcerated population. The violence fueled by the MAT program results in more trips to outside hospitals for drug overdoses and for staff members who have been assaulted and/or exposed to drugs.

Many programs are well intended. However, they are often underfunded, understaffed or limited in scope. For New York State to improve programming in prisons for the incarcerated population, the State must pledge to make significant investments in recruiting and retaining correction officers and civilian titles to efficiently and safely implement required programs. To recruit and retain correction officers, the State must consider increases in compensation for current and future NYSCOPBA members through various financial incentives. Increasing starting salaries through Department of Civil Service salary upgrades will go a long way towards attracting new employees to the Department. Geographic pay incentives, additional Tier 6 reforms, and signing NYSCOPBA's Death Gamble legislation into law will undoubtedly assist in retaining veteran corrections officers to continue to serve the people of New York State. These long sought after improvements can help reestablish the State's commitment to its correctional employees.

Addressing staff shortages is critical to maintaining the integrity of prison programs and ensuring their positive impact on rehabilitation and public safety. Investing in strategies to attract and retain correctional staff, including competitive pay, better working conditions, and professional development opportunities will go a long way towards ensuring that the programs offered to the incarcerated population are properly staffed and will provide the treatment and services necessary for successful rehabilitation and reentry into society.

Thank you for your time and for considering our perspective on this critical issue. I am happy to answer any questions you may have.