



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

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July 24, 2018

Mr. Anthony Annucci
Acting Commissioner, NYS DOCCS
1220 Washington Ave; Building 9
Albany, NY 12226

Dear Commissioner Annucci:

I write to convey my deep concern related to a pattern of denial for union official access to facilities statewide. Recent denials include NYSOPBA Mid-Hudson Vice President and Business Agent to Wallkill Correctional Facility July 23, 2018; Northern Region Vice President and Business Agent to Clinton Correctional Facility July 23, 2018; Central Region Vice President and Business Agent to Mid-State Correctional Facility July 23, 2018 (The Mid-State tour was postponed from the week prior and then denied a second time.)

The facility tour requests have been timely and in accordance with past practice. The reason given for the denials is Acting Executive Deputy Commissioner Martuscello's vacation schedule. This reason is a cause for great concern for all union officials. Am I to understand that the only person within the Department of Corrections and Community Supervision that can approve these requests is Daniel Martuscello? I count no less than 20 positions in authority including Commissioner, Deputy Commissioners, and Assistant Commissioners in the Department. It seems to me that, in the absence of Mr. Martuscello, one of the other Deputy or Assistant Commissioners would be able to approve such requests.

NYSOPBA representatives request facility access for a variety of reasons, including access to employees. Please provide me with the policy or procedure which governs union access to facilities. In the event that the Executive Deputy Commissioner is the sole approver of gate passes for union officials, I am hereby requesting a meeting to discuss Article 5 of the Security Services Unit contract and reasonable access to members by union officials.

I look forward to your reply.

Sincerely,

Tammy Sawchuk
Executive Vice President