



**New York State  
PUBLIC EMPLOYEES  
FEDERATION AFL-CIO**

1168-70 Troy-Schenectady Road  
P.O. Box 12414  
Albany, NY 12212-2414

(518) 785-1900  
(800) 342-4306  
Fax (518) 785-1814

May 30, 2008

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Commissioner Gladys Carrión  
Capital View Office Park  
52 Washington Street  
Rensselaer, New York 12144-2796

Dear Commissioner Carrión:

When we last met at your office in late March to discuss issues related to the budget you indicated your willingness to meet with the Public Employees Federation at any time. I believe it is imperative that an emergency meeting be scheduled with you and Division of Juvenile Justice Opportunities for Youth (DJJOY) officials to discuss actions that may be taken to prevent the violence at the Tryon Centers and other Office of Children and Family Services (OCFS) facilities. I am also requesting that the Directors of DJJOY and the Office of the Ombudsman, participate so that we can have dialogue about the impact the activities of the Ombudsmen are having on the current crisis. Pursuant to Labor Law §27-b (6) a, this communication is notice of a situation of imminent danger.

There is a disturbing trend of violence escalating in both frequency and severity in many OCFS facilities. It has become routine for employees to be defied, verbally abused, and physically assaulted. The situation at Tryon has reached crisis proportions. Currently, 42 staff at Tryon are disabled and on workers' compensation leave due to being assaulted by Tryon youth. This is a large percentage of the workforce. This cannot be permitted to continue.

The State has an obligation to provide a safe environment for youth committed to its care for treatment. This must include providing a structured environment with established, enforced consequences for unacceptable behavior. It is apparent that there has been a deterioration of this environment at Tryon and other facilities resulting in near chaotic conditions that not only are unsafe and for both residents and staff but also obstruct the provision of treatment. Those youth who want to learn and advance are frustrated by the violence of the youth who are attacking staff and other youth.

Adding to this chaotic environment is the perceived presumption of staff abuse of residents. We fully respect the need for the protection of residents' rights and safety through the Ombudsman Program. However, this process can and has created an atmosphere of suspicion which intimidates staff from intervening in youth misbehavior. The break down in discipline has led to increased restraints, rather than achieving the goal, which we share with you, of reducing them. Management needs to provide staff with the overt support and resources necessary to perform their jobs in a safe and effective manner.

It is clear from the successful operation of other OCFS facilities that it is possible to provide effective treatment in a non-punitive, supportive environment. We wish to discuss the steps necessary to make this the norm at all facilities. My office will be contacting you to arrange a meeting date.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth Brynien".

Kenneth Brynien  
President