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PUBLIC MEETING

before

**THE COMMISSION ON SEX DISCRIMINATION
IN THE STATUTES**

on

Sex Discrimination in Criminal Justice and Correctional Institutions
A Meeting With Department of Corrections Commissioner William Fauver

December 18, 1985
Room 316
State House Annex
Trenton, New Jersey

MEMBERS OF COMMISSION PRESENT:

Senator Wynona M. Lipman, Chair
Theodosia A. Tamborlane, Esquire; Vice-Chair
Joan M. Wright, Director, Division on Women
Phoebe Seham, Esquire
Greta Kiernan
Jacqueline M. Lefferts, Esquire

ALSO PRESENT:

Alma L. Saravia, Executive Director
The Commission on Sex Discrimination
In the Statutes
Leah C. Healey, Assistant Director
The Commission on Sex Discrimination
In the Statutes

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SENATOR WYNONA LIPMAN (Chair): Mr. Commissioner, we want to thank you for having this meeting with us. I am sure we will be more enlightened about our studies in criminal justice once we have held this session. Thank you very much.

The members of this Commission-- I'll start with the staff, since they are on my right here. This is Leah Healey, who is Alma's assistant. This is Alma Saravia, who is Executive Director of the Commission. This is Jackie Lefferts, who is our newest Commissioner -- she's the newest member here. This is Theo Tamborlane, one of the oldest members. Greta is coming in-- Greta Kiernan, and Joan Wright will be here. Phoebe is not coming, right?

MS. SARAVIA: No.

SENATOR LIPMAN: All right. I am sure that all these members of the Commission want to ask you questions.

Now, did you want to start off by speaking to us first?

COMMISSIONER WILLIAM H. FAUVER: Yes. First, Senator, I would like to introduce the people I brought in and explain why. In your letter to me in November, you asked, particularly, for specific areas to be addressed regarding issues in the corrections system. So, the people who are here -- myself or the ones who will try to address those questions -- they work in specific areas that were in question, and that's the rationale for their being here.

To my extreme left is Pat Christie, who is an Assistant Superintendent at Clinton. Next to her is LuEva Lewis, who is also an Assistant Superintendent at Clinton. Dr. Guirguis is the physician at Clinton, and, I may point out, full-time physician, which I will discuss later.

To my immediate left is Loretta O'Sullivan, who you all know. To my immediate right is Bob Walton, who is the Superintendent at Clinton. To his right is Sally Scheidemantel, who is Superintendent of the Avenel Diagnostic and Treatment Center. We are all here to try to respond to any questions that you may have.

Before getting to that, I would like to make a couple of comments from your letter and respond to some of the inquiries, and then just kind of take it from there. As I indicated, for example,

some of the issues were employment, education, vocational training for inmates -- I will defer to the people who deal with that directly, as part of their everyday work -- the prison health care, and the opportunities for advancement and for employment within the Department.

I want to just generally start out by saying that the New Jersey Department and the individual institutions are basically a well-run organization. I obviously have to say that, being the Commissioner. But I mean it because I think that by whatever standard we are measured against, we will come out well. There are national accreditation standards which the American Correctional Association, through the Federal government, has put out for states to try to meet. Most of our State institutions have met that accreditation; it's an ongoing type of thing. We're evaluated every three years, much like hospitals, schools or colleges would be accredited, and we have to meet certain standards.

I would point out that not all of our institutions have been accredited, but Clinton, as an example, has been. The male counterpart there in the same area, which is Annandale, has not yet been accredited. So, I think on that kind of a scale, New Jersey does well and Clinton, specifically, does well.

The employment of women in the Department as corrections officers began in 1973, as was discussed at your previous meeting. Women were employed in institutions, in professional roles other than as nurses and clericals, but as teachers and social workers, probably starting around the mid-60s in the youth institutions and later in the prisons. So, there has not been the same kind of time frame in all of the institutions.

That would not be true at Clinton, because that was specifically a female institution. So, I think that when we look at that in context, I don't think it is-- that I can sit here and tell you that it is equal, because there just has not been the background. There has not been the background of people in the system. All of the promotions to superintendent and assistant superintendent level within the Department, have been made from within the system, and I think as we see women in the assistant superintendent positions -- captains,

chief deputies, things like that -- they will then enter into the pool of people that are generally looked at when promotions are made that are appointment promotions by the Commissioner.

So, I think that has improved dramatically. And when I say, as an example, I know the Commission overall is looking at criminal justice, there are several large city police departments that just this year have hired their first women on the force, so that--

SENATOR LIPMAN: Essex County.

COMMISSIONER FAUVER: --when that is looked at in the general context, I think, again, we do well.

I think another way that the system overall can be judged is that right now, there are only about eight or 10 states in which the system or part of the system is not under some kind of Federal court order or Federal court master running that system. And I think it speaks well of the people in the Department as well as just government in general -- the Legislature and Governors have been supportive, and we have been able to keep ahead of that, not just with construction and not just with space for inmates, but also for providing treatment and educational programs that meet whatever the going standards are at the time.

I don't think the fact that New Jersey has been basically free of major disturbance within its institutions can be looked at, which, I am afraid, sometimes it is and it is just, like, "Well, we are just lucky because we are in that kind of cycle." We are lucky, but I think that it's because a lot of our work has gone into it, and as we said here today-- You probably have heard news reports this morning from Oklahoma of a takeover of part of a penitentiary by inmates, and the holding of hostages. And in hearing some of the demands of the inmates that were put forth on the radio, if they were accurate, there are issues that should be addressed, and I think that we have tried to address in the past, and we should be in front of these things happening, rather than reacting to them. Some of the people at this table deal with that on an everyday basis, and try to stay ahead.

We have inmate committees in every institution which are elected by the inmate population to meet with the staff, and the

superintendents, as part of their responsibility, are required to meet with the inmate committees. They are also required to meet with the unions and the union representatives at the institutions, so that we can get their side and we don't forget our employees.

Another thing we look at in the selection of superintendents -- and we tell them -- is that they are expected to be inside the institutions for a good portion of their workweek, and not just sitting in an office. They are picked for their ability to deal with people. They are "people" people, not paper-people. I think most of the systems in this country that run well have had that experience, where they have the top level people accessible to the inmates for complaints.

Now, with all of this, are the inmates happy? No, they are not, and they have a multitude of complaints. Acting almost as a judge would with cases, we try to make evaluations on which ones are legitimate and which ones we should deal with, and which ones really are just frivolous complaints. But I thought that in the specific areas, what I would like to do is turn to those areas and turn to the people who are here-- all of us are available to sit here, and you can direct questions at anybody.

But the last point I would like to make is, the reason that I asked the superintendents -- well, Bob -- because of the fact that it is Clinton, and Clinton is the direction at which most of those issues were aimed. I thought it would possibly be of interest to the Commission to talk to Sally, who, as I indicated, is the Superintendent at our Avenel facility, and started in the system as a social worker and moved on up. Actually, from her time in the system, she made superintendent in a faster time than I made superintendent when I entered the system, so in that sense, I did not realize that or I would not have promoted her that fast. (Laughter)

But I wanted to show that it is not a stereotyped issue that a woman should be in charge of a women's institution and a man in charge of a men's institution. And I think as people get the experience, and develop and become recognizable, that will happen. I think today, we have that example here in the sense that we do have the

male in charge of a women's institution. He will acknowledge, as will I, that without those women here with them, he would not make it. They get him through. But we also have the female in charge of the male institution, and with, I think, no different problems than a male superintendent would have at the same facility. I think if you are accepted for your competence and if you know what you are doing, both officers or staff, or the inmates, will respond. And if they don't think you know what you are doing, they will also respond, usually in destructive ways.

So, those are basically my opening comments, Senator. We will proceed however you like.

SENATOR LIPMAN: Well, I think I would like to proceed by opening the meeting to my Commissioners here, to allow them to ask questions. May I just ask the first one-- I don't want to monopolize this; I usually try not to. The question is, in other states, are the female institutions usually headed by women? I mean the institutions which house female inmates.

COMMISSIONER FAUVER: Usually, yes.

SENATOR LIPMAN: Headed by women?

COMMISSIONER FAUVER: Yes.

SENATOR LIPMAN: And so, New Jersey is odd, and Mr. Walton here--

COMMISSIONER FAUVER: Mr. Walton's odd. I am not sure that the State is, but he is. (Laughter)

SENATOR LIPMAN: All right.

COMMISSIONER FAUVER: Yes, that is somewhat different than it is generally.

SENATOR LIPMAN: All right. May I ask just one more question? Were you forced to elevate your female superintendent over here from the point of view of affirmative action? I know she deserved the promotion, but I'm just asking.

COMMISSIONER FAUVER: Well, no, I'll be glad to answer that.

I think that anybody that knows me very well, Senator, would know--

SENATOR LIPMAN: Oh, I do, I think I do.

COMMISSIONER FAUVER: --that I am not forced. My reaction to being forced to doing something like that when I did not think it would be appropriate would probably be to just not do it, and if-- until I had to resign, because my reputation is at stake also, in selection of people, and I am not going to put somebody in the job that I don't think can do the job. Plus, I think that whether we are talking about advancement for women-- I mean, the same basic issues surrounded black males 10 years ago, when there were no black males in the system. Although the times may be such that there was great pressure to appoint a black male at that time or, more recently, a woman as a superintendent, for the reasons I said, I personally wouldn't do it. Also, I think that it's unfair to that particular group as a class, because then if there is a failure, then there is just the reinforcement that says a woman or a black man or whatever the case might be, can't do the job. And the people who are opposed to that are reinforced.

SENATOR LIPMAN: Commissioner, I just asked you that question from-- Well, recently I was asked to come in and speak to some county jail wardens, and they were complaining to me that they had to fire 10 good men and hire 10 women who needed training, so they were asking for legislation to have the women trained. On Monday, Essex County Jail just integrated women corrections officers for the first time. That was a forced procedure they won in court. That's the reason I asked the question.

All right, now, we have some new Commissioners-- not new, but they arrived recently. This is Phoebe Seham, Esquire; Greta Kiernan; this is Joan Wright. Now, which one of the Commissioners wants to begin the questioning?

MS. SARA VIA: If I might make a suggestion, it might be most productive to go by the topic areas, and maybe we could deal with health because we had a number of questions in that area. And since the physician from Clinton is here today, and I know that at the public hearing we had a number of questions raised about the health issues, not only at Clinton but at the county facilities, and I know that the Public Advocate's office has raised some questions about access to

adequate health facilities in the county jails, particularly for medical screening procedures in terms of pregnancy -- whether that was routine -- and if an inmate is pregnant, then what kind of care is followed.

DR. SOAD GUIRGUIS: You would like to know what we do for a female inmate or if a male inmate comes to Clinton, right?

SENATOR LIPMAN: Yes.

DR. GUIRGUIS: For a new admission, we usually do a complete history and physical, done on admission, including asking about different things related to intravenous drug abuse, hepatitis, contact with AIDS and other things in the history. Then, we go into a physical exam and a plan of each admission, related to the history, of what we will do. If they have a previous medical illness, we will get the record. We put them on an appropriate diet, if indicated; we put them on medication according to their medical illness, and refer to different consultants, done on admission. We have different consultants come to the institute-- some, we go on outside trips for that, arranged by custody. If you would like the number of people that come to visit, other than myself-- we have a gynecologist who comes twice a month to see the female inmates; an orthopedic surgeon comes once a week; an optometrist comes to see them once a week; a podiatrist comes once a month, other than a consultant, Dr. Guerrero, to come for a consultation on AIDS-related cases.

We also have Dr. DelCastillo, who is a psychiatrist who I also refer them to, on admission, according to the case. We run blood tests that include a chemistry, a complete blood bank picture, a serology in each and every thing, including one for syphilis; a Pap smear, a gonorrhea culture, a PPT, tetanus and urine examination, a vision examination, checking vital signs, and if indicated, we run a pregnancy test, not on every single one-- When I go to my doctor, he doesn't run a pregnancy test, unless it is indicated. And for the pregnancy test, once it is done and if it is positive, we refer that to the gynecologist who comes to the institute on a regular basis.

For the women who need prenatal care, we have a complete blood picture, as I said; complete chemistry, gonorrhea culture, Pap

smear, blood typing, Rx and Coombs' test, sickle cell for the black ones, and a Rubella screen. All this is done at admission.

We have a blood phlebotomist who comes once a week to get all the blood work done. Most of the blood work -- the rest -- are, if indicated, sent to other labs to be done at Warren Hospital.

So, we do the physical, we do their history, we do the blood work, we do a referral to consultants, we do a follow-up and run a sick call on a daily basis.

I just went through very quickly the last physical year of 1984-85, which is July 1, '84 to '85. We have the following, seen by different consultants as outside patients. Ophthalmologists, we have three seen in Trenton and around the Phillipsburg area. We have a total of 94 seen for eye consultation. All these people are first seen by me and then referred to this consultant.

The ENT -- ear, nose and throat -- specialist is Dr. Hutchinson, and he saw 49 cases last year. For cardiology, we have Dr. Kinczel and Dr. Popkave; Dr. Troun used to come to the jail but he retired. And, we have a total of seven, 11, 13 and five for this.

We have an internist, Dr. Vieux, and 27 cases went to him. An oncologist, for treating cancers; and a hematologist, have eight, 19, 12 and six. A radiologist, Dr. Goldman, has seen six cases, and the endocrinologist, Dr. Cagan, has seen 12 cases. An allergist has seen three cases, and a surgeon in Trenton and at Warren Hospital-- we have about 182 cases seen in Trenton, 39 in Warren Hospital, and two in Middlesex for call on surgery done prior to them coming here to us.

An orthopedic surgeon, Dr. Mullen -- prior to his leaving us and our getting Dr. Rivas -- 18 cases; Dr. Capatosta in Trenton, 12 cases; and vascular-thoracic surgeon, in six cases; gynecologist -- Dr. Luz; this is an outside trip and an emergency trip and going to his office for different follow-ups on Pap smears-- 30 cases; second opinions on hysterectomies, Dr. Barad and another doctor at the medical center; a gastroenterologist in Warren Hospital, one case; podiatrist-- to his office, other than to his coming, 18 cases; plastic surgeon-- Dr. Babar in Trenton, nine cases; oral surgeon, 42 cases in our institute, we know of 25 cases.

We also have a dermatology consultant in the medical center, 107 cases; a urologist, 28 cases; the neurologist has seen something around 40 cases, and the nephrologist, Dr. Sudhakar, five cases.

SENATOR LIPMAN: Excuse me. What kind of budget are we talking about for health-- dollars?

DR. GUIRGUIS: A huge budget.

SENATOR LIPMAN: You see, I'm listening, that's why I asked the question.

DR. GUIRGUIS: As I said, all things that inmates need, we have the Department of Corrections to do it as long as they are having that problem indicating the need for treatment.

COMMISSIONER FAUVER: The expenditures on those this year, so far, are \$604,000 for Clinton on medical--

MS. LEFFERTS: Is that outside of the doctors' salaries?

COMMISSIONER FAUVER: Yes. That's including the consultants, but it's outside of the salary of the institution doctor.

If I may-- Just overall, there is at least a full-time physician at each institution, and generally more, and there is nursing coverage 24 hours a day at all the institutions, male and female.

SENATOR LIPMAN: Excuse me, to either one of you-- Did I hear you say you test for AIDS when they come in?

DR. GUIRGUIS: No, I didn't say so.

SENATOR LIPMAN: You do not.

DR. GUIRGUIS: No.

SENATOR LIPMAN: Okay.

DR. GUIRGUIS: What we do is run the complete blood picture and when I evaluate the results that come back to me--

SENATOR LIPMAN: You see if something--

DR. GUIRGUIS: Right. And if I have any suspicion according to protocol that was given by the center office, then I evaluate their symptoms, their history, and I run certain tests to be done and according to this test, if it is indicated, I refer them to see Dr. Guerrero. She comes and sees cases that have a history of contacting somebody on the outside who died of AIDS, injected with somebody else who has AIDS, and as I said, once we get any information about that, or the inmate herself, I refer her after my preliminary work.

SENATOR LIPMAN: Exactly how many cases of AIDS in Clinton have you discovered? Cases-- those who actually have AIDS. How many inmates?

DR. GUIRGUIS: You mean, seen by Dr. Guerrero?

SENATOR LIPMAN: Yes. I mean-- you know, you have--

DR. GUIRGUIS: I don't have the number in front of me here.

SENATOR LIPMAN: You don't have the number.

DR. GUIRGUIS: Right.

SENATOR LIPMAN: But you have had cases--

DR. GUIRGUIS: But the last time she came, she saw nine cases.

SENATOR LIPMAN: Nine?

DR. GUIRGUIS: Nine just for screening. Not all of them have AIDS, but people who said they injected with somebody at one time, and they are afraid something has happened. As I said, we run preliminary testing, and I refer them to her. And she has the ultimate-- to prescribe the test for the AIDS antibody, and the rest of the lymphocyte study on the immunity, according to protocol.

MS. LEFFERTS: So, if an inmate were to request a check for AIDS, she would automatically get it by coming in and just saying that she felt there was a problem?

DR. GUIRGUIS: That's right. Definitely.

MS. TAMBORLANE: If the inmate tests positive, what steps does the prison take?

DR. GUIRGUIS: What do you mean, tests positive?

MS. TAMBORLANE: She has AIDS.

DR. GUIRGUIS: The antibody? With a positive antibody, she doesn't need to be isolated, if that is what you meant, because there are a lot of people on the outside, also, who are subjected to AIDS and they have the antibody. If there is a case that sort of developed AIDS and needed to be hospitalized, they would go to St. Francis Medical Center and be followed up with the medical group there.

MS. SARAIVIA: Do you have any sense of how many inmates who come into Clinton might be pregnant, or how many--

DR. GUIRGUIS: I don't have the number in front of me, either. But, as I said, any cases that I suspect, or even if the patient says there is a possibility, we run a pregnancy test-- no problem at all.

MS. SARAIVA: What would be the procedure if the inmate was pregnant when she came in and she wanted to terminate the pregnancy?

DR. GUIRGUIS: If she came in from the street, admitted to us, then what happens is, I see her regularly and we order the pregnancy test. If the pregnancy test turns out to be positive, I refer her to have this confirmed by the gynecologist, Dr. Lewis, and after this, she has to write to the administration requesting the termination of pregnancy, for instance, and to be counseled by a special person from Planned Parenthood about what her alternatives are and what she expects from this abortion-- what is going to happen, everything. If she still chooses, after that, to terminate the pregnancy, we pick up on that. There is a certain facility that we send the women to, approved by the Central Office, Medical Center and another abortion center approved, as I said, by the Center Office to go and have the abortion done.

SENATOR LIPMAN: Okay, I guess I have to ask this. If she chooses to have the baby--

DR. GUIRGUIS: Right.

SENATOR LIPMAN: --what kind of arrangements are made for her and the baby? When she gives birth to the baby, what happens to them then?

DR. GUIRGUIS: (Indicates she does not know)

SENATOR LIPMAN: Okay.

LU EVA LEWIS: Senator, what happens if the inmate chooses to carry the baby full term and have it?

SENATOR LIPMAN: Right.

MS. LEWIS: The Social Services Department becomes involved. They are in tune with the family, they are in tune with DYFS as to where this baby can be placed-- with family, or whether it has to go through adoption or what have you. And that is handled through Social Services. In fact, they are constantly in contact with the patient at

the hospital, with the family, with DYFS and with whichever agency it might be that is going to set up procedures for that baby once it is born.

Also, due to another program that they have there, so far as the family being able to bring that baby up to visit the mother, after a period of time, that is also exercised. So, that is not a problem.

MS. SARAIA: Is she required to relinquish custody, or how soon after delivery is the inmate required to relinquish custody?

MS. LEWIS: From the hospital?

MS. SARAIA: Right.

MS. LEWIS: It's not a matter of relinquishing custody, it's a matter of who is going to take care of the baby until that inmate is out of prison. If it's family, or if it's DYFS-- whoever is set up for it, that person takes the baby from the hospital and the inmate comes back to the institution.

SENATOR LIPMAN: I think what Alma is asking is, the person who takes custody of the child -- or maybe who is going to bring him up -- becomes the guardian, rather than the inmate--

MS. LEWIS: Yes, in a sense.

SENATOR LIPMAN: --becomes-- That's the DYFS rule, isn't it?

MS. SARAIA: Well, I was asking that, and also, the woman is usually in the hospital two or three days -- that's about standard -- so this would happen immediately, within two or three days, that the baby would be taken.

MS. LEWIS: This is another reason why the social worker is constantly involved, because the inmate must be prepared for this separation prior to leaving the hospital.

COMMISSIONER FAUVER: I might also mention, on the previous issue, when you asked about if the woman chooses not to go full term and to have an abortion, at your last hearing, it was presented that the Department had standards out or had recently promulgated standards which restricted that. I would like to point out that those standards were sent out for comment to staff people. They are not the Department standards. The way the doctor described it is the way the Department

currently operates. And when she refers to Central Office approval, it is not of an individual case, it means the Central Office-- We have a medical director out of the Central Office and he approves the hospitals or the clinics that the inmate can go to. It's not whether they can go, but where they can go.

MS. SEHAM: Commissioner, who pays for the procedure if there is an abortion?

COMMISSIONER FAUVER: The Department pays, or the institution pays.

MS. TAMBORLANE: I would like to pick up on some nuts and bolts things.

Doctor, you indicated that you are full-time. Is that five days a week, seven days a week-- I don't know what full-time means.

COMMISSIONER FAUVER: It is five days a week.

MS. TAMBORLANE: You are there five days a week. And then, when you are not there, there is a nurse--

DR. GUIRGUIS: Full-time-- A full-time nurse, around the clock, supposedly, in three shifts.

MS. TAMBORLANE: And the nurse is also a regular Civil Service employee of the prison, is that correct?

DR. GUIRGUIS: (Affirmative response)

MS. TAMBORLANE: And then in terms of the specialists that you indicated who come to the prison, like the gynecologist twice a month and the orthopedist once a week-- Are these under contract, contractual employees?

COMMISSIONER FAUVER: Yes.

MS. TAMBORLANE: And when they come, do they spend a full-day, a half-day, a quarter-day-- how much time do they spend?

DR. GUIRGUIS: They run a clinic, which I refer them to. The clinic sees around 12 persons.

MS. TAMBORLANE: Okay. So, they would see, on an average, 12 people a day when they are there?

DR. GUIRGUIS: Yes. Not a day, as I said-- A clinic-- They see all the cases and make all the recommendations, the treatment, everything.

MS. TAMBORLANE: So that if-- Let's take the podiatrist whom you said comes once a month.

DR. GUIRGUIS: Right.

MS. TAMBORLANE: If that podiatrist shows up once a month on whatever day he or she is supposed to be there, you tell him, "We have 12 cases, 10 cases, or no cases" when they arrive-- Is that how it operates?

DR. GUIRGUIS: No. For him, it comes as a referral from me and from the patient putting her name on his sick call book.

MS. TAMBORLANE: So, in other words, if he has a contract to be there once a month, if there is not a patient on the sick call list for that podiatrist, say, for the month of December--

DR. GUIRGUIS: It has never happened since I started there.

MS. TAMBORLANE: So, there is always--

DR. GUIRGUIS: Definitely.

MS. TAMBORLANE: All right. The statistics that you have given us for 1984 and '85, in terms of the number of consults-- How many inmates, overall, did you have in 1984-85 that were involved in those consults? What was your inmate population?

ROBERT R. WALTON: The average inmate population of the institution-- Well, I'll start from yesterday. Yesterday's count was 434, 39 from men. Our average population during the previous fiscal year was in the high 300s, 395-405 on any given day. Our monthly reports would be the best example of giving you a numerical breakdown for how many persons were seen and in what clinic or consult, which we could make available to you.

MS. TAMBORLANE: Okay. On the consult numbers that the doctor gave, they included the men as well as the women, or were they just for the women?

DR. GUIRGUIS: This is men and women.

MS. TAMBORLANE: I have another question that doesn't relate directly to the medical-- Maybe you want me to hold off?

SENATOR LIPMAN: Go ahead. That's all right-- He wants to say something to you.

MR. WALTON: I wonder if I could just add one comment to what Mrs. Lewis and Dr. Guirguis were saying. Also, in addition to the numbers, you were given, with regard to the full-time doctor, the eight full-time nursing positions or 24 hour a day coverage around the clock, and the number of consultant physicians under contract. I think you should also know that we have three part-time dentists who service the institutions for 56 hours a week. They are scheduled as such because they all have private practices, and so when you add up the number of hours per week that they are servicing the institution, it is 56 hours per week.

We also have an evening, two days a week, for an average of 15 hours a week -- 12-15 hours a week -- a part-time physician who does assist Dr. Guirguis, with regard to overload in medical service delivery.

MS. KIERNAN: (First part of question is inaudible because Commissioner is away from microphone)--from the medical on to something else, because I have a question on what they are discussing now.

MS. TAMBORLANE: Okay, and then I have another medical question--

MS. KIERNAN: No, go ahead and finish with your medical questions.

MS. TAMBORLANE: You just gave me time to pull another one here from my notes.

In terms of the \$604,000 that you indicated was the budget last year, or the expenditures, rather, last year for the medical consults that were done for the male and female inmates at Clinton-- Has the Department done any studies in terms of medical costs of women versus medical costs of the men inmates, or looked at any statistics to tell you-- Is there an average cost per year for women of \$35 versus for men of \$50, or something like that?

COMMISSIONER FAUVER: No, I don't believe so. The line item for medical expenses is pretty much based on the number of inmates at the institution, and what the previous year's expenditure was. But the \$604,000 would be higher than what the line item is in the budget, I can assure you of that. It's one of the areas where we constantly have overruns, because there is just not enough.

For example, we had an inmate at Rahway who did have AIDS and who was hospitalized for over 200 days. It costs us, for hospital costs and treatment, roughly \$70,000-80,000. Rahway's total budget for medical expenses for the year-- the extraordinary expenses probably run a couple of hundred thousand, maybe 300-some thousand, \$400,000. So, one inmate out of 1,300 or 1,200 took up that much of the money. So, it's an area where there is constant shortfall for us. We have it by the institution, but I don't know if there is a breakdown between the males and females at Clinton. (Addresses Mr. Walton) Can you distinguish--

MR. WALTON: No. What we have in terms of-- We can get that information in terms of what it costs out of a total budget for the service (phrase inaudible because speaker was too far from microphone) to the males at the institutions. On any given day, 10% of our population is the male population, and that is not necessarily reflective of the costs, because some of our men are very sick, and therefore the cost of the treatment there could, in some instances -- individual cases -- be much more expensive than the amount of money being spent for some of the female ones.

COMMISSIONER FAUVER: Maybe a clue on that is that Annandale, for example, right now has about 1,000 inmates, all male. Their total expenditure for this year thus far is \$384,000, so it's \$200,000 less for roughly 600 more people.

MS. TAMBORLANE: Thank you.

SENATOR LIPMAN: Greta?

MS. KIERNAN: Actually, Theo got into the area that I was going to discuss, which was comparison between the care of the females and care of the males in the male prisons, not so much on a dollar basis but on availability of medical treatment and services and so forth-- any kind of a comparison.

COMMISSIONER FAUVER: Well, the comparison would be, as indicated, that with male and female, there is the 24-hour nursing coverage. For example, there are what equates out to three full-time physicians at Trenton Prison, for a population of over 2,000. I think, comparably, the ratios would be worse at the male institutions.

MS. KIERNAN: Do you feel that the male institutions are adequately staffed in that way?

COMMISSIONER FAUVER: I'm not sure they are adequately staffed as far as the full-time physicians. I think where we make up for it is with the consultants, and also, I would point out that when we talk about full-time coverage, we are talking about five days, not seven days, in all these instances. But it's handled the same. Basically, if I were to call a doctor at midnight, they would probably tell me to go to the emergency room, and that's what we do at these institutions. If there is a problem in the evening when the doctor is not on duty, they are taken out to local hospitals, so in that way, we make up for not having the number of staff that we should have on. But I don't think that impedes anyone's getting the treatment that they need to get.

MS. SARAIVIA: Doctor, do you have any sense about the percentage of inmates coming in, or just a general sense, who have drug abuse or some other substance abuse problem?

DR. GUIRGUIS: We get, in our annual report, around 70% who are drug abusers.

MS. SARAIVIA: What type of treatment program is available if you identify-- Or do you identify someone as a substance abuser, when they come in?

MS. LEWIS: The doctor would be checking that from a medical point of view. Prior to any inmate coming before the Classification Committee, which meets every Wednesday, there are several disciplines that interview that inmate and one of those is the Social Services Department that runs the alcohol program and that runs the drug abuse program. If this inmate indicates that she has been a substance abuser, and requests either of these programs -- whether they are in-house or whether the counselor is meeting with her in groups or individually -- that's how that part of it is handled, as opposed to the medical aspect that the doctor would be concerned about.

DR. GUIRGUIS: Plus, also, they are evaluated by a psychiatrist and psychologist for--

MS. LEWIS: A psychologist also is on the Discipline (inaudible) Hearing Reception Unit.

DR. GUIRGUIS: --as a routine.

MS. TAMBORLANE: Is the procedure for drug abuse and inmates the same under the manual of standards for the male prison as the female prison at Clinton?

COMMISSIONER FAUVER: I'm not sure what you mean by that.

MS. TAMBORLANE: They've kind of described the way it works at--

COMMISSIONER FAUVER: How you would be placed into the program?

MS. TAMBORLANE: Yes, and my question is, I know that the manual of standards exists as something that is to provide uniform treatment throughout the prison system. I was just wondering whether there was any difference in the way in which a male inmate would be handled upon coming into the prison and being identified as having a drug problem, than how the females at Clinton are serviced in that area.

COMMISSIONER FAUVER: There probably would not be much difference in the identification. There would be Classification Committees at each institution to make determinations about treatment. The difference would be that if we have one drug abuse counselor at Clinton, and one drug abuse counselor at the male institution, the chance of the male getting into that program are going to be less just because of the overall numbers. But I think that in general-- Well, maybe it's reflected in another way. The per capita costs at Clinton are higher than any of the other institutions, with the exception of some of the juveniles, where we are heavy into education programs. But I think that that's because we have tried to replicate the things that would be available throughout. Maybe, if I could ask Sally to comment on how the treatment aspect worked, not necessarily from where you are now, but from Trenton, when you were treating people instead of just managing.

SALLY SCHEIDEMANTEL: I started in 1973 at Trenton State Prison. There were two or three social workers for our population of 1,200-1,500 at that time, and no ancillary services such as a substance abuse counselor. The psychology staff at that time was maybe two, three--

not much opportunity to do specialization, because you focused your entire workday on just solving the nuts and bolts issues for the men.

I think, what's available at Clinton -- just in terms of sheer numbers -- and also, the awareness of the Department now, in terms of the necessity of substance abuse counseling, is much greater. At my institution, for instance, I just got a substance abuse counselor position, so I am now going to be able to commit a staff person full-time to work with the sex offenders, many of whom have substance abuse issues. It's very difficult for your full-time, professional staff to make that a sub-specialization.

MS. LEFFERTS: Excuse me. What's the percentage of drug abusers in the men's prison, do you know?

MS. SCHEIDEMANTEL: I don't have that statistic, no.

MS. LEFFERTS: Excuse me. Could I ask you a question, Doctor? Could you give us your credentials and tell me when you were licensed in the State of New Jersey?

DR. GUIRGUIS: Where do you mean-- where? In Trenton? Where did I go to school?

MS. LEFFERTS: Yes.

DR. GUIRGUIS: I finished my medical school from Cairo University--

MS. LEFFERTS: Where?

DR. GUIRGUIS: Cairo. Egypt.

I came to this country in 1973. I got my degree, equivalent to the medical school here, in 1975-- I started my internship in Delaware County Memorial Hospital, Pennsylvania, and I finished my medical school. I have a residency program in psychiatry at Rutgers Medical Health Center, which is Rutgers Medical School, College of Medicine and Dentistry. I spent around a year and a half there, and in-between, I raised my daughter and started in 1982, September, in Clinton.

MS. LEFFERTS: In your opinion, since you have had this diverse background, would you say that the inmates at Clinton, where you are now -- obviously, you can't speak for all our institutions, because you are at Clinton -- would you say that they receive better

medical care -- the percentage, or the majority of these people -- than they receive on the outside, just from questioning them--

DR. GUIRGUIS: Yes.

MS. LEFFERTS: --about their background--

DR. GUIRGUIS: Yes.

MS. LEFFERTS: --when they saw the doctor last, when they saw the dentist last, and the problems that come in-- Would you say they had better care inside than outside?

DR. GUIRGUIS: Yes.

MS. TAMBORLANE: Doctor, it might also be helpful for the transcribers if, at the end of the meeting, you gave them the names of the doctors who you had put forth in your testimony, because I am not sure, in terms of spelling-- on all those consultants that you were so kind to list.

DR. GUIRGUIS: Sure.

SENATOR LIPMAN: Doctor, I would like to ask -- to add on to the last question -- about better care inside than outside. Inside, they have a lot of time to contemplate what's wrong with them, right?

DR. GUIRGUIS: Right. That's true.

SENATOR LIPMAN: So they have more complaints inside, right?

DR. GUIRGUIS: Right.

SENATOR LIPMAN: Outside, they may or may not see a doctor if there is something wrong, so I think your answer there would be relative. Even if they are poor, they have Medicaid.

DR. GUIRGUIS: Okay. I am talking even about the medical care I give myself and my family.

SENATOR LIPMAN: But if I have nothing to do, I really concentrate on having bad feet or something.

DR. GUIRGUIS: I understand that.

MS. SEHAM: I was very interested in the fact that the orthopedic surgeon comes twice as often as the gynecologist. I'm fascinated by that.

DR. GUIRGUIS: I'll give you another explanation to that. Dr. Lewis, this is just the clinic that he examines the patients we refer. Dr. Lewis is seeing his patients for a follow-up on treatment

of abnormal Pap smears, for cryocauteries in his office-- taking tissue smears--

MS. SEHAM: He's a cytologist?

DR. GUIRGUIS: Yes. And also, to the emergency room where there is an abdominal case which needs to be referred to him for a follow-up, and for admission to the hospital for surgery. So, there is plenty of gynecological backup.

MS. TAMBORLANE: With regard to the sick calls that you mentioned before, when I gave my terrible hypothetical which you said would never happen, because they are always asking to see the podiatrist-- Are there separate sick call lists for the different doctors, or is there one sick call list? How does that work?

DR. GUIRGUIS: Most of the-- not most, all the consultants go through me. I have to see the patient and make the referral to them, inside and outside.

MS. TAMBORLANE: Okay. And so there is one sick call list then, and you see each person before you say--

DR. GUIRGUIS: Right. As I said--

MS. TAMBORLANE: --yes, you can see the podiatrist--

DR. GUIRGUIS: --almost all the time, except if somebody-- someone dropped or has an injury prior to a consultant or bone doctor coming-- the orthopedic surgeon coming. Probably, this would be seen directly by him.

MS. TAMBORLANE: So, about how many patients do you see each day on sick call?

DR. GUIRGUIS: This is-- you need numbers. Around 12.

There is plenty of lab work, as I said-- I evaluate paperwork and the referral coming from the consultation. I can enumerate from here to tomorrow, the rest of the day, how I can finish--

MS. TAMBORLANE: I am sure there is a heavy paperwork volume that you have to do.

DR. GUIRGUIS: Right.

MS. TAMBORLANE: I was just wondering about how many patients you see per day.

DR. GUIRGUIS: And I also have figures about the lab work, what is done and the numbers, if you are interested.

SENATOR LIPMAN: Okay, Joan, did you have a question? (Tape recorder malfunctioned at this point; about 15 seconds of conversation were lost)

(Senator Lipman addresses Commissioner Fauver) --that they were not allowed to work in transportation, that is, transporting prisoners to hospitals or wherever. I'm discussing hospitals right now. The inmates complain that they are guarded by male corrections officers when they are being examined, and they don't feel that this is quite right. So, I am trying to put the two things together-- Why can't female corrections officers drive the ill inmate to the hospital? I mean, is there a prohibition?

COMMISSIONER FAUVER: Well, they do. Transportation is done by officers of the same sex. If a female is being transported to the hospital, it is by a female officer.

SENATOR LIPMAN: Oh really?

COMMISSIONER FAUVER: --And if it is a male inmate, it is by male officers, yes.

SENATOR LIPMAN: Of the same sex?

COMMISSIONER FAUVER: Of the same sex.

I would like to comment on one thing, if I could interject this, because I think it goes to everything overall, and I'll be glad to talk about that issue specifically, but-- I don't want this Commission to have a misunderstanding of the women that are at Clinton. I think--

SENATOR LIPMAN: Which category, employee or inmates?

COMMISSIONER FAUVER: --my feeling is, there's a perception-- The inmates--

SENATOR LIPMAN: Okay.

COMMISSIONER FAUVER: --what they are there for. So, we did a breakdown on this because it's true, the number of years ago, the women were at Clinton for lesser offenses. You could be there for prostitution, for example. Just to give you a sampling of this, and we'll give it to you in writing, but the breakout as of this week--

Out of the numbers that are there, there are 71 women there for homicide and 70 for atrocious assault and battery, or armed robbery; 102 for breaking and entering, larceny, robbery, receiving stolen goods, etc.; seven for kidnapping, and five for arson. And then there are the others. There are 60 for narcotics, which is the only other large number. But I mentioned that only because I think this is-- The female population by offense categories does not differ from the men. It's not like we have the women who, in one sense, why are they here? Why are they in jail? I think the crimes that are committed speak to why they are there, and I think it is the same with the men. So, I wanted to just make that point and we will give you the material with the breakout, by age groups and types of offenses.

SENATOR LIPMAN: What you are saying is that the female inmate should not be thought of as the weaker sex. They do the same strong crimes as--

COMMISSIONER FAUVER: That's true.

SENATOR LIPMAN: Equality.

MS. SEHAM: I would think, in the Corrections Department, you would say breakdown instead of breakout. (Laughter)

COMMISSIONER FAUVER: Either one is probably bad.

SENATOR LIPMAN: So, you know, I can not begin to understand all of the internal negotiations that employees have. There is Civil Service, promotions-- I am trying to discuss that. I can't begin to grasp all that goes on. I know that there are internal reasons that promotions are happening, not happening, and so I don't think you could explain that sufficiently, because-- It's your program; it's your corrections. It's the prison-type operation, right?

COMMISSIONER FAUVER: Well, let me try to explain it. It is our prison-type operation, but there are a number of outside factors which we don't control. The number of appointments, for example, to positions, by the Commissioner are really very few. The superintendents of the institutions are one category that I do have the ability to appoint. We have a number of unions in the Department to represent employees, and those unions have contracts which are not negotiated with the Department, but through the Employee Relations

section of the State government. They have issues such as bidding procedures, where people can bid on jobs based on seniority, and we adhere to those. We also adhere to what would be the Civil Service requirements for a job as far as testing and educational background when there is not a test-- that type of thing. So, there are those kinds of constraints on the Department as far as promotions within the categories where they are classified service. But probably, the great majority-- not probably, the great majority of positions within the Department are Civil Service test positions, and it's a system that you just learn to live with as does every other Department in State government which has the same issues.

Now, if you are talking specifically about the male-female kind of issues, I would like to address that. If we are talking about corrections officers, our policy has been in line correction officers, that females in the female institutions work the housing units and in male institutions, the males work the housing units. Basically, the other jobs in the institution are either/or-- can be a man or a woman. So, this is not, as has been suggested at times, really done because of a privacy issue, although that has been upheld in some courts in some states and not in others. But it is on a security issue, because I know some of the states that have put men -- excuse me, have put women -- in male housing units have made accommodations such as curtains in shower rooms or announcing that a person of the opposite sex is coming into the wing or the tier, which is what we do if a visitor or a staff person who works there, such as a social worker or someone like that, comes in. But not in the case of the officer, because one of the officers' jobs is to go in and out unannounced and to look into cells and to search cells and check bars, check into shower areas to make sure there is no one being assaulted in that area. It's just a feeling that the security would be breached.

I think there is another factor. A number of years ago in North Carolina, there was a very newsworthy case when Joann Little was a female inmate who accused the male corrections officer of rape, and there was no other person there. Now, women can go into those units as part of a security unit if there is an emergency, just like men can go into the housing units at Clinton.

The issue, basically, on the transportation, is that men or women going outside of the security of an institution are frisked. They are given a strip-frisk, and that strip-frisk is not necessarily a job that anybody likes whether they are the same sex or not, but since we require that as part of the condition of going in or out, to make sure there is no contraband brought in, the search is conducted by the person of the same sex. And that is the reason for the restrictions on the court cases on transportation, and why it's the same sex. I am sure there are different opinions on that, and there's differences in philosophies, but it's not in the housing units, in our opinion -- in my opinion -- it's not the privacy issue, it's the security issue that is the case.

Now, in other positions, there are male social workers in female institutions, there are females in males, and teachers-- whatever other category that we have, cooks, food service people, there are both sexes in both institutions but not in the housing units. Basically, that's the only restricted area.

MS. SEHAM: In the transportation area, Commissioner, is the strip-frisk conducted before leaving the institution, before the trip actually begins?

COMMISSIONER FAUVER: It's conducted at the institution and at the return. It's done by the officers taking the trip.

MS. SEHAM: At the institution and at the return, you mean?

COMMISSIONER FAUVER: Back to the institution.

MS. SEHAM: When they come back, or before they leave to come back?

COMMISSIONER FAUVER: When they come back.

MS. SEHAM: When they come back. So, it is conducted at the institution? Would there be any reason why you couldn't have one male and one female officer on transportation, and have the frisk done by the male-- whichever is the same sex, but at the institution?

COMMISSIONER FAUVER: Well, there are a couple of reasons, but I'll let Pat answer.

PAT CHRISTIE: If you have a maximum security inmate, and you're taking that inmate to court -- any inmate going to court, or who travels, is

max -- you have two officers away from the institution, on their own. If that inmate has to use a toilet facility, are you going to have him go in there with one officer while the other officer stands outside? Or, if they have some contact with the public -- say somebody runs up to them and hands the person something -- you may have to do a strip-frisk immediately, and you're not going to have one officer going in there unarmed, because the person who does the strip-frisk has to take their weapon off. You're talking about a male inmate, with a male and female officer, and the female officer stands outside with two weapons while the male officer goes inside without a weapon, and God knows who might be in the men's room or what have you.

MS. SEHAM: That's why I asked where it took place.

COMMISSIONER FAUVER: I think there is another issue with that. It's much like, if you're taking the person on the court trip, you want to do the search to make sure, because you are the person-- if this person secretes a weapon, you're the one that is going to get stabbed or shot or whatever the case might be. For the officer's own psychological comfort, they want to do the search, because they don't want me to come and say, "It's okay, I searched this person, they're okay to take." They want to do it themselves, because it's their person that's in jeopardy.

MS. TAMBORLANE: Going back, Commissioner, to the Civil Service requirements that you mentioned before that I know are onerous throughout State government, having once worked for that august Department many years ago-- One of the things we heard at the other hearing was that there was a belief that because the Civil Service test that is administered for promotion has sections that deal with questions relating to work in the houses or on the tiers, as I think you mentioned before, where the women who are assigned to male prisoners are not allowed to be, for the security reasons that you pointed out to us; they do not learn skills; they do not learn answers to questions by virtue of their being precluded from that type of activity which the Civil Service tests them about, and therefore, they will test lower than the males who are on the tiers and doing that kind of work. Do you have any information as to whether what they told us is accurate or not?

COMMISSIONER FAUVER: Well, it's accurate in the sense that there could be questions about what happened on the tier, but I don't think that you have to work there to know that. I mean, you know how to do it as part of your overall training. You know how to do a count, how to do bar searches and things like that, as opposed-- I would just offer as an example the numbers. I think the reason for promotions is, if you look at it when I said the first females working in the male institutions was only started in '73, which was quite awhile now, but other than that the only pool of female correction officers was out of Clinton, so that just by sheer numbers -- out of maybe 400-some that passed the sergeant's test, even if every corrections officer at Clinton passed, you would only have maybe 80 or 90.

The last sergeant's list that came out with these kinds of restrictions on it-- the second person on this list, out of 400-some names, is a woman. The same thing happened with the lieutenant's test -- there were two or three. I don't really think that's an issue; I think the only possible advantage is that you would maybe know something working out of a control center. Pat, you've been through it--

MS. CHRISTIE: Referring to this most recent sergeant's test, out of the people who work at Clinton, the top person of our employees on the list -- he's not on the top of the list -- happens to be a male officer who works in the mail room, and has not worked in a housing unit. Nonetheless, he seemed to know all the right answers, more so than the women who work in the housing units and would have the same experience as the male corrections officers in the male units.

COMMISSIONER FAUVER: Pat, why don't you mention your background, because yours is basically custody.

MS. CHRISTIE: I started as what was called a cottage officer. Then, when the Department of Corrections split off from Human Services, all the women were laterally transferred into the corrections officer title. At that time, I was on the list for head cottage officer, which just kind of went out the window, so I had to take a test for the sergeant's position. I actually was given a job provisionally as a sergeant at the institution, then took the test and

was promoted from the list as a regular assignment. It was the same thing with lieutenant, and my last position as acting captain at the institution. Then, we had an opening for another assistant superintendent, and I was fortunate enough to get that appointment. But I have worked for the Department of Corrections, it will be 14 years this March.

MS. LEFFERTS: So your background is as a prison guard.

MS. CHRISTIE: That's correct-- corrections officer.

COMMISSIONER FAUVER: The assistants, I may point out, are appointed. They are unclassified, and they are appointed by the superintendent of the institution. So, that's another appointment area that is not classified.

SENATOR LIPMAN: Commissioner, regarding women corrections officers working in male housing situations, guarding male prisoners, I know from the point of view of security you feel that it's better. But does not a female corrections officer have at her disposal the same kind of emergency call, for example, if something is happening on the male tier that the female corrections officer is on, then she just pushes a button and 10 solid, big males come along? (Laughter)

COMMISSIONER FAUVER: From that pool you're drawing from when you push that button, it may be 10 solid big women that come along, because they are in those positions. (Laughter)

The issue is not, Senator, that they can't do that. You are right-- The issue is that the accommodations that I know of that have been made fairly recently in other states, more specifically, Pennsylvania, where they did things like put curtains up and announce that the female officer-- Now, the female officer, or any officer, is in charge of that housing unit and has to have the ability to go anywhere in that unit at any time, without calling down. If I am the inmate in there working on cutting the bars, I would love to have it announced every time an officer is going to be coming past the cell to check on me, and I think that's really the issue. If that were not an issue, if it was just, could she call as well as the man calls-- Because basically, we are talking about housing units-- When you take a place like Trenton, we are talking about probably 200 inmates to one or two officers. So whether it's a man or woman, they're not--

SENATOR LIPMAN: Commissioner, why is it that you have to announce her specially? You know, when I first went to the Senate, I couldn't get anybody to call me Senator. They all called me Mrs., and then, after several years -- maybe 12 -- they started calling me Senator. Why do you have to announce her?

COMMISSIONER FAUVER: Well, I'm saying-- It's the privacy-- the inmate privacy issue.

MS. LEWIS: If not, the Justice Complex will speak to us.
(Laughter)

SENATOR LIPMAN: Then you would be in trouble.

MS. CHRISTIE: A lot of the rooms and/or cells have toilet facilities within them, so--

COMMISSIONER FAUVER: Most of them.

MS. CHRISTIE: --you could burst in on someone and, you know, some of the people personally don't like to do that. And it creates a lot of resentment. It creates a lot of problems that can otherwise be avoided.

SENATOR LIPMAN: One day I'd like to have a heart-to-heart with you on what is privacy and what is not. Obviously, they are guarded very well, so that's-- They're in prison, right? Their rights, on the other hand, as prisoners have to be observed, so that must be kind of a thin line, right, between what their rights are and the fact that they are incarcerated.

COMMISSIONER FAUVER: Yes, it is.

SENATOR LIPMAN: I mean, some people hold that, if you're incarcerated, that's your fault, you did a wrong thing. You know, if you can't stand it, don't do it. Crime-- If you can't stand the-- whatever.

COMMISSIONER FAUVER: Well, I think that the Department has established-- and I think the reason is to keep the people that are there, to keep them there and to make sure they stay there to protect the public, but tied in with that is the treatment-- the humane, and the treatment of the people that are there. I think that's one of the things that happens when you're in jail as an inmate. You are stripped of a lot of things that would just be common dignity for the people on the street, and there is just a feeling for the kinds of

things that Pat said. It just is another area of conflict that would arise on that privacy issue.

But as I was saying, if it was the privacy issue alone, the court may decide one way or the other, or the AG's office will tell us yes or no. But it's not just the privacy issue, it's the security issue; and why I pointed that out when you asked, "Why do you have to tell?"-- What I was saying was that, in Pennsylvania, where they did make this accommodation, that is one of the stipulations that was made and agreed to. And I personally disagree--

MS. SEHAM: What you are saying is, it's a security issue because it's a privacy issue. There's a connection. If there was no privacy issue, there would be no security issue.

COMMISSIONER FAUVER: No, there would still be the security issue-- Well, yes, they are tied together in the sense that, yes, you announce-- But as Pat mentioned, they do that now at Clinton, with men, and we do it at the male institutions with women.

When you were at Trenton, what did they do-- they just threw you to the wolves, but other than that-- (Laughter)

MS. SCHEIDEMANTEL: There were open showers on the housing units. You certainly had to be announced. But you develop your own mechanism, too. You learn to walk with your eyes down, rap on a guy's bars before you come up to his cell to make sure he's dressed, so you can accommodate yourself to the situation.

At present, I am announced when I go into the housing units in my jail. There is no point for me to go in unannounced, and it is disruptive to the men.

SENATOR LIPMAN: Well, I can tell you it starts at the local level. The county jail wardens definitely do not want women corrections officers on the housing units. There are about one, or two counties, maybe, who are thinking about it. Union County, as far as I know, seems to be more forward than the other counties, but there are definitely closed minds. And I think maybe if they had the privilege, it wouldn't seem like such a plum. Women corrections officers strive and strive to be equal to the male corrections officers, and maybe they wouldn't even want to go on the housing units if they had the

opportunity-- I mean, if it were there, if it were either/or, if I were a female corrections officer, I am not sure-- I used to walk the tiers and there were fires raging. I used to be with Essex County, so I am not so sure that I would just love to go into the housing units. But I am saying that if the opportunity were available, it might not-- they would come to accept it.

MS. LEFFERTS: Commissioner, what are you doing, or what programs have you implemented, if any, to create any kind of equality amongst the employees? Is that something that the present Commission is set up to do, or does that come from someplace else? For instance, we had a lot of people speak at the hearing -- mostly women guards -- about the problems they have had. What the Senator was really referring to, is that they all say they can't be promoted because they feel as though they couldn't pass the test, as they didn't have the opportunities. Do you differentiate in the promotions, or do your superintendents, since you don't particularly-- What are you doing, if anything, or can you do anything? What programs do you have or are you planning to have for this equality that seems to be the issue here?

COMMISSIONER FAUVER: Well, I think that when the list comes out from the test, it's the rule of three on the promotional, and then you get into the issues of veteran's status and things like that. But, that selection, basically, is left to the superintendent, who in conjunction with his custody people or assistants -- his or hers -- make that decision. We don't make it from the Central Office level. We try to allow the institutions to operate as autonomously as possible, within guidelines, although I'm sure at times they don't feel that's happening.

I think, in that sense, we are not doing anything pro-female that we are not doing for the men in the way of training, through the training academy or through offerings of course work at institutions or anything like that. The only exception to that has been when we have gone into Camden, for example, and when we go into Newark with the new prisons, we'll do some work with the community in test-taking and so forth, because one of the commitments there is to hire City residents that pass the test so there will be some work done there. We are talking about entry-level jobs, of course.

But within the system-- No, not really, because the promotional tests, in one sense, are geared to what you do. It's not that you have to learn something else. There is no additional requirement, and I am not saying-- Maybe there should be. I would like to see, at some point, the requirements be stricter for both corrections officers and for promotions. Some kind of course work is needed in the way of post-high school work -- whether it's a degree or not -- that's not necessarily-- Because I think that would do two things. One, it would show a commitment on the part of the person that they are willing to do more than just wait until their time comes, by sitting there and hoping that something happens.

So, I think, on the appointments, those kinds of things are evaluated. We look and say, "Well, yes, this person did this; they have been going to Mercer County College for two years and have taken courses in human relations, or whatever the case might be, as opposed to this one with the same experience, who hasn't done that." That kind of thing is looked at on the appointment issues, where we have the power to appoint, although it's not really relevant on the tests.

MS. LEFFERTS: So what you are really saying is that it is ability, not gender.

COMMISSIONER FAUVER: Oh, I think it is. I think if you have the ability, with the situation in the Department the way it is now, that you'll be recognized--

MS. LEFFERTS: Regardless of male or female, if you have the ability, there is room for promotion.

COMMISSIONER FAUVER: Yes, I think that's true. And I think that it's evidenced. I think it's happened; it's not just speculation.

MS. LEFFERTS: And the number of females being a lower number is simply because the women correctional officers have just been integrated into the system in the last few years, versus the men, who have been there--

COMMISSIONER FAUVER: Well, I think that's one factor. I think the women with backgrounds in the professions, for example, have been around a little longer in the youth institutions, not in the

prisons. So, there may be a larger pool there when you get into titles like Director of Professional Services, who would be over the psychologist and social workers at a particular place.

Now, another factor that comes into play, though, and where we have made a direct effort is, as new places open-- For example, my feeling with Clinton, as it would be with Trenton, is that if the assistant superintendent's position opened, that would be the superintendent's choice, and if they wanted somebody from within, that would be appropriate, whether it was a man or a woman, and I would support that. In the new places, where there is no one to draw from-- For example, Riverfront in Camden, which is our newest-- When we met with the superintendent, we said that administratively, we want to have a mixture of male and female, black and white, and so, in this instance, he did appoint, as one of the two assistants a woman, who came from the professional background -- educational background -- within the system, but at another institution. And we'll do the same thing in Newark.

So, I think that the awareness of that-- The commitment has to come from the top, from the Governor and then it filters down. Within the Department, it comes from the Commissioner, and if they see that's the way you want to go, the generally tend to try to please you, and then they go that way. So, with the exception of the superintendents at this table, who never do, they try to please me. But that happens, and it offsets somebody that's not even considering it. What we do is force the superintendent or the authority to focus on that issue, and if you're not going to do it, you have to give myself or the deputy a reason why. Obviously, if they came in and said, "Well, this person-- Sally, and we don't think she's ready or she's qualified for these reasons," I would listen to that. But there would have to be reasons, not just, "Well, we don't think a woman could do it."

That's the way, I think, to make inroads there. And I would feel, for example, if we had a male-- excuse me, if we had a female superintendent at Clinton, that one of the assistants should be a male. We should have a mix there, so if we ever get rid of him, then we have--

SENATOR LIPMAN: Commissioner, we really don't object to Mr. Walton. (Laughter)

COMMISSIONER FAUVER: Mr. Walton can take care of himself, so I don't have too much empathy for him.

MS. TAMBORLANE: Commissioner?

COMMISSIONER FAUVER: Yes, ma'am.

MS. TAMBORLANE: Going back to Civil Service again. Do the superintendents at each of the institutions have the authority to tell Civil Service whether they want a promotional exam for either lieutenant, sergeant, captain, whatever, done on an EEO basis, versus done on an test basis? Do they have that authority?

COMMISSIONER FAUVER: No, not in the custody ranks. They have that authority if we're talking about clerical titles and program development specialist titles, things like that. Even the titles we are talking about -- captains, lieutenants, sergeants -- at that level, also, have a union, and they have a contract, and they would scream about that. That wouldn't happen.

MS. TAMBORLANE: Thank you.

COMMISSIONER FAUVER: Now, what we can do is promote provisionally, if there is no list; for example, if the last list has expired and there is nobody on the captain list, we can put a lieutenant in as acting and just take the chance on the test later on.

SENATOR LIPMAN: Can I just go back for a minute, to clarify something in the health situation -- AIDS, specifically? I was jumped recently by several legislators-- I have an appropriation for AIDS patients, and they said that we were not doing enough for AIDS patients in prisons. Is that your opinion, too?

COMMISSIONER FAUVER: No. It's not mine.

SENATOR LIPMAN: I mean that you don't have the proper appropriation to be able to take care to really afford the average hospital stay of six months?

COMMISSIONER FAUVER: I am not sure of the average hospital stay, but if you could project out the case that I gave you, which was \$70,000 and then some for 200 and some days, I think it's safe to estimate \$100,000 for the year for a case requiring a year's

hospitalization. That will be an area that we will have to go back in this year, and did have to go back in last year for supplemental appropriations to cover medical expenses that are that high. But I don't know that we can do any better projections on AIDS cases that are going to come in, or what we are going to have during the year. Once the person is diagnosed as having AIDS and is hospitalized, I think the treatment they receive is at St. Francis, so it's an outside hospital, although it would be appropriate to whatever they would receive if they were just a citizen.

SENATOR LIPMAN: Most of the intravenous drug abusers do not have third-party payment when they go to a hospital. I guess the same is true of the prisoners in St. Francis. So, who is doing the paying? Corrections? Or is St. Francis doing charity work like the hospitals in Newark? (Laughter)

COMMISSIONER FAUVER: No, the Department is paying for the patients. There is no charity work.

SENATOR LIPMAN: Well, we have--

COMMISSIONER FAUVER: But I think that will be a big expenditure for a number of years. I think that's an appropriate area of concern to be addressed by the Legislature.

SENATOR LIPMAN: One more question about AIDS. You have unions. I'm having much difficulty in Newark, where the treatments centers for AIDS are, about employee unions going in to see management and saying that the union members should not be forced to interview AIDS patients. As a consequence, when an AIDS patient is stabilized, he goes into Social Security, food stamps, onto welfare, and he gets escorted and thrown out. Union members do not have to-- The only person there who has to interview him is the head of the office. Now, that means you, right?

COMMISSIONER FAUVER: Yes. (Laughter)

SENATOR LIPMAN: That's the only way I can get it done, is to ask the director of that particular office to work.

Now, your unions-- Well, we have had some testimony from-- not us, I'm speaking as a legislator now-- Assemblyman Weidel, for example, is very disturbed about the rights of corrections officers and

AIDS patients. Do your unions negotiate that they don't have to transport them, or something?

COMMISSIONER FAUVER: No. Let me explain. I think one of the biggest problems with the AIDS issue is really the lack of information or knowledge about the issue, and this creates a type of hysteria. When Dr. Guirguis earlier mentioned Dr. Guerrero as doing examinations, Dr. Guerrero is a doctor working for us full-time right now, who is pretty much our AIDS expert. She came to us from the Federal Disease Control Center in Atlanta, and what she does, aside from her regular duties, is go around and give educational programs along with our medical director at the different institutions, on a tape that is played, or they meet with staff and inmates. They meet with, for example, the inmate committee at an institution, go over and answer questions, and they also meet with the union and union leadership, and try, through this process, to knock out the myths and things that are surrounding them.

SENATOR LIPMAN: It doesn't make any difference; they don't believe you. You know Dr. Goldstein is doing that in Newark, but the people don't believe him.

COMMISSIONER FAUVER: But this is a female doctor, so I am sure she is more convincing than Dr. Goldstein. (Laughter)

I don't know that they necessarily believe it, but I think they have to have confidence in the people that are saying what they are saying, and believe that it's true. We have made it a point to be up-front with the union people, and with the inmates. We have not lied to them about AIDS cases; we have not said, "Well, no, this person really died from pneumonia in the hospital," and I think they recognize that. And that doesn't mean there's apprehension. We have had some disciplinary problems over officers refusing to take patients to the hospital, and things like that. But we've dealt with it on the basis that they have a contract to do work, too, and this is a part of the job if they are a transportation officer.

But I'm not sure that-- Fortunately, to this point, we have not had an AIDS case among any staff people, and that's going to be another issue when and if that occurs.

MS. LEFFERTS: Excuse me. Doctor, what do you do when a person is discovered to have AIDS? How does your institution cope with it? Does your institution just send them to the hospital, and that's it? Do you have any people who are being treated now at Clinton for AIDS? Are they isolated at Clinton, if they are there?

SENATOR LIPMAN: AIDS-related--

DR. GUIRGUIS: No. As I said, if it is diagnosed as AIDS, where there is the antibody for AIDS, which a lot of people have and it doesn't mean that they should be isolated--

MS. LEFFERTS: Doesn't it take two years, or something, for them to be sure?

DR. GUIRGUIS: More than two years.

MS. LEFFERTS: Right. So, it's possible that you'd have people at Clinton with AIDS who don't know it yet, because they have the antibodies but it hasn't totally surfaced?

DR. GUIRGUIS: No. As I said, there is sort of stages--there is something called ARC, which is AIDS-related complex. As I said, this comes through our evaluation and is put under this category by me and Dr. Guerrero. Once they start "symptommatizing" because of the deficiency of the immunity, they can start having pneumonia or other manifestations.

MS. LEFFERTS: But what do you do with them?

DR. GUIRGUIS: Just put an eye on them whenever they have any problem--

MS. LEFFERTS: There are still mixed with the prison population?

DR. GUIRGUIS: Right. One was the ARC, and as I said, they are evaluated and seen, and we put an eye on them, but they are not diagnosed as having AIDS. They may have lumps on the lymph nodes--

LORETTA O'SULLIVAN: They may never get AIDS.

DR. GUIRGUIS: Right. They may never show any symptoms of AIDS or die from AIDS or whatever, but they stay in this stage. It depends on how their body is going to--

MS. LEFFERTS: How long are they checked, for instance, if you find this in them? How long do you check them, and since this is

something new to everybody, at this point how long do you feel, or have you been able to detect--

DR. GUIRGUIS: Like if we have a suspicion of somebody having antibodies?

MS. LEFFERTS: Yes, right.

DR. GUIRGUIS: We see them as soon as they have any problem, and we tell them that. "If you start losing weight," you know-- and we keep them, and people like this, on weekly weight checks and different things, double portions, if they need that-- As I said, we put an eye on them. I have sort of a follow-up on this case if they have any symptoms, I follow it myself and refer them for a return visit to Dr. Guerrero, also.

MS. LEFFERTS: Do they feel that people who might have this ARC-- Is it possible it to be communicated to the prison population? When you tell somebody they have the ARC, what happens to the other inmates? Certainly, in a small prison like that, word gets around that maybe this person has the symptoms of it--

DR. GUIRGUIS: As I said, up to now the means of transmitting this is sexual intercourse and blood, and that is being told whenever there is a big meeting about AIDS. As I said, Dr. Guerrero, Dr. Rivas, Mr. Koenigsfest, all the administration and myself, have educated all the inmate population and the officers to the employees about it. We had brochures about it, TVs--

MS. LEFFERTS: But aren't they also saying that they feel that AIDS may be transmitted through saliva now, and that that's another fear that people have?

DR. GUIRGUIS: As I said, up to now this is the main-- and we told them about different things, like razor blades, tweezers, manicure sets and--

MS. O'SULLIVAN: Mosquitoes.

DR. GUIRGUIS: --and different things that they have to avoid and not do, and these are common hygiene things: you shouldn't share your toothbrush, maybe something was bleeding in your gums or whatever. All this has been done during this educational campaign or whatever you call it.

MS. LEFFERTS: Thank you.

DR. GUIRGUIS: You're welcome.

MS. WRIGHT: Commissioner, how many employees are there in the Department of Corrections?

COMMISSIONER FAUVER: About 7,000 total employees, about 4,000 officers.

MS. WRIGHT: And of the officers, there are how many females and how many males?

COMMISSIONER FAUVER: Roughly, we'd say, of 4,000, there are 400 females.

MS. WRIGHT: Okay. Which represents the inmate population and the need for the same-sex attention that you were explaining before?

COMMISSIONER FAUVER: Well, not wholly--

MS. WRIGHT: So that's the reason for some of the imbalance?

COMMISSIONER FAUVER: No, the imbalance is also in that some female officers or people off the list will choose not to work at a male institution, so even though there may be positions on which we have no restrictions for a female to work in, there is just no applicant. The person takes the test, for example, and gets certified for a number of places, and for whatever reasons, geographically, they don't want to travel that far, so they wait, just get their name on the list, and then wait to go to another institution. But I think that will-- If the turnover of officers stays relatively low, people will start just taking the job rather than trying to pick and choose where they can go, then I think we'll see more females.

And I think we see more females in the newer institutions because they are starting from scratch. When Southern State opened, and I think Southern State may, right now, have the largest number of female corrections officers of any of our male institutions, that's because of the list. When people came in, they took it for there and they wanted to go there. But another thing I want to point out-- there's no difference in pay. There used to be a difference in pay between people who work housing and those that didn't, they got one range higher. But that is not true anymore, so there is no discrimination in pay scales as to any of those jobs.

MS. WRIGHT: Does the Department of Corrections have a commitment to affirmative action?

COMMISSIONER FAUVER: They certainly do, yes.

MS. WRIGHT: Do you, personally, as the Commissioner?

COMMISSIONER FAUVER: Yes. We put out newsletters and so forth-- a statement from me as the Commissioner. I think that's reinforced by the type of thing that I indicated earlier, which is telling the superintendent, when he or she is appointed in new places, that we want to see the makeup to reflect women, blacks, Hispanics, whatever the case might be, in the top administrative jobs, which amount to three or four at each institution.

MS. WRIGHT: I don't mean to belabor the point, but you said something before that put a flag in my head. What's the name of the new institution in Camden?

COMMISSIONER FAUVER: Riverfront.

MS. WRIGHT: Okay. When you said you wanted women, Hispanics, blacks down there-- Sometimes, when that happens, when you get a woman or an Hispanic or a black, then you say, "Okay, we can walk away, we've done our job." That's really not a commitment to affirmative action, it's more of a goal-setting, which I don't see as affirmative action. Do you understand where I am coming from?

COMMISSIONER FAUVER: Yes.

MS. WRIGHT: So, I think what we want to be sure of is that-- sometimes, when you view a situation, you say, "Okay, we've got a female, we've done our job. We've got our black, we've done our job." And affirmative action is opening up the process to gain equity of access, understanding that in your particular case, there are reasons why females wouldn't want to be in a place, or shouldn't be, or males wouldn't want to be in a place or shouldn't be. But opening up the process means that, and I just hope that as the Department of Corrections, and the entire State of New Jersey work towards affirmative action, we will see that equity, and it's good to know that you have that commitment.

COMMISSIONER FAUVER: Well, I think that's true. I would disagree, though, that it's just a goal. I think it becomes more than

a goal when it actually happens. I think, if you say, "We would like to do this" but it doesn't happen, then it's a goal. I think the fact that we literally insist on it happening-- And then I think a responsibility also falls because the superintendent is going to listen, in cases, to the assistants as to appointments and so forth that they can make based on their area of expertise, because it may be divided up, like -- I'm not even sure -- but Pat would be in charge of some things and LuEva others, as far as work release and programs like that are concerned. So, to bring people into those areas, as those openings occur, there would have to be a commitment on the part of the people to get appointed into these jobs, and to keep doing that and to reinforce.

Again, I think it has to be done the same way that we do it with the superintendent and these others-- not on the basis that we run into a backlash, where if there is a woman superintendent, everybody she hires is a woman, or if it's a black superintendent and everybody that he has hired is black. So, we are really looking for the balance, and it is an ongoing-- I think if you look at statistics, and of course, you can look at them any way you want, but if any of you have looked at statistics comparing the number of females, for instance, in our system, in custody positions, percentage-wise compared to the other states -- even the states surrounding us who have had women corrections officers -- that we will rank ahead or at least even with them, in the movements that take place or have taken place. I don't perceive it as something that is in vogue this year but may not be next year-- that type of thing. I think it's going to continue.

MS. WRIGHT: What kinds of programs do you use to recruit?

COMMISSIONER FAUVER: Well, with the corrections officers, we really don't, other than advertising, except when we go into Camden and Newark, where we have--

SENATOR LIPMAN: Special?

COMMISSIONER FAUVER: Yes, special meetings. We have our affirmative action people as well as Civil Service and our personnel people who go up and have public meetings--

SENATOR LIPMAN: And your representatives-- One I had to go to. (Laughter)

COMMISSIONER FAUVER: --and to do some explaining about what the job is about. There is a great misunderstanding about what the jobs are, first of all.

MS. WRIGHT: Yes, that's why I think it would be important to do some public education.

COMMISSIONER FAUVER: So we have meetings with the public at Rutgers or in Newark, at Symphony Hall, and do that as a pre-- as trend-setting.

SENATOR LIPMAN: Long hours, Commissioner.

COMMISSIONER FAUVER: Yes.

SENATOR LIPMAN: We deserve overtime.

COMMISSIONER FAUVER: Well, I'll see what I can do about it.

SENATOR LIPMAN: Talking about education of the public.

(Laughter)

COMMISSIONER FAUVER: Senator, if I may go back to one thing you asked me earlier-- I'm sorry, I didn't mean to cut you off if you weren't finished.

MS. WRIGHT: That's all right, Commissioner, thank you.

COMMISSIONER FAUVER: When we talked before about transportation, and same-sex, I think you were also talking about actual supervision in the hospitals. We have, I think, corrected that issue and we now have female corrections officers on each shift at St. Francis. But I think that also addresses the bigger issue-- I mean, I don't think that-- We're talking about the male officers making their rounds and going into a room while a woman is being examined. Obviously, there is an objection to that, and I can see it.

SENATOR LIPMAN: That's a privacy issue.

COMMISSIONER FAUVER: Yes.

SENATOR LIPMAN: If it's a gynecologist.

COMMISSIONER FAUVER: But then I don't see why that doesn't still translate over to the male institution, where you would have the female officer in the same situation come down.

SENATOR LIPMAN: That's unheard of, Commissioner. You know that's what they were talking about. They could, for example, explain a male strip-searching a female, but they said they could never explain

to the public and the freeholders a female strip-searching a male. It's just unheard of.

COMMISSIONER FAUVER: Well, I don't think you could explain it either. That's a very sexist remark. (Laughter)

SENATOR LIPMAN: I mean, this is the intent of the discussion--

COMMISSIONER FAUVER: I don't think you can explain that either way.

SENATOR LIPMAN: Yes, I wouldn't touch it. (Laughter) But they were a little annoyed with me because we had had a hearing about discrimination, so they called me out on the carpet, and I listened to them--

COMMISSIONER FAUVER: But I'm talking strictly about our issue at St. Francis, with the male--

SENATOR LIPMAN: Yes.

COMMISSIONER FAUVER: That shouldn't have happened-- I don't think it should have, but I am saying that I don't see-- In some instances, what I see is people who object to that happening, but would not object to the female and don't see the privacy issue for the male, with the female officer. I think it's the same.

SENATOR LIPMAN: She's the weaker sex, supposedly. She needs the protection.

COMMISSIONER FAUVER: Well, I'll reserve judgment on that.

SENATOR LIPMAN: Yes, Theo?

MS. TAMBORLANE: Maybe I'll move the discussion to some things less exciting than strip-searches and privacy.

I'd like to talk a little bit with you, Commissioner, about the manner in which the vocational training programs for the inmates are put into existence. My first question is whether the individual superintendents at the prisons make recommendations to you or to someone else as to what programs should be there or whether a determination, as to what programs are offered at what prisons, are made by someone other than the superintendents. How does that work, so we get that straight first, because we don't understand it?

COMMISSIONER FAUVER: Okay. Well, there is a combination of ways that it works. One is, if we are designing a new prison such as Camden or Riverfront, at the time of the planning, we do a number of things. One, we consult with the Department of Labor as to what jobs are available. We train and we do "voc-ed" for programs that are going to go out of vogue or are on their way out. By the time we get started and get the equipment, it's obsolete-- that type of thing. So we try to gear the new ones to a market and set them up accordingly.

We also look at what is popular in other institutions; what do people sign up for? Because remember, we are talking about adults with "voc-ed" which is not compulsory; they have to agree to go. So, they are not going to agree if they don't think it has some value to them.

We have a Bureau of Educational Services which does a lot of that planning, but it's pretty much geared to what's available. Now, what happens in the older places is, unless something completely goes out-- like we used to have "voc-ed" programs for shoe repair, things like that, for which there was no market. Talk about the economics of imports, the shoes became cheaper than repairing them. So we do make changes internally. The inmates will know that before anybody, and they won't sign up for the course, so you make changes that way. We have an advisory board which includes people from the Department of Education for voc-education, in the prison system.

MS. TAMBORLANE: This is an advisory board that speaks to you directly?

COMMISSIONER FAUVER: Well, not really. They speak to our person, whose title is Chief of Educational Services within the Department--

MS. TAMBORLANE: So they are advisory to the Chief?

COMMISSIONER FAUVER: Yes.

MS. TAMBORLANE: Okay.

Our concern, as you can probably well imagine, is currently with the programs offered at Clinton and whether those programs are the ones that really should be offered, given -- again, as you identified -- the relevant specter. I think we'd like to hear a little bit about that. Maybe Mr. Walton is the one to tell us about those--

COMMISSIONER FAUVER: He's been waiting with bated breath.

MR. WALTON: I think one of the points-- maybe this is not the best time to begin it, but I'd like to begin it that way, because it does address the confusion, at least in some people's minds, about the beauty school program. I am not confused about it at all, because I happen to have been present at our own Board of Trustees meeting when the Executive Director of the State Board of Beauty Examiners appeared at our Board's request twice, and we worked out an arrangement that could have been worked out years earlier; there was just a wall built between, I guess, our program and the receptivity to our graduates of that program, once they hit the street.

Part of the mythology of that was that when our students were accruing hours in a fully State certified program, and expressing an interest in sitting for an examination to be an operator, prior to their release from the institution, there was a huge gap between the intent, when the inmate was still incarcerated, and the application of that intent, when she hit the streets. Plus, a couple of examples were woven into that where an individual was requested, or had been requested, to sit for an examination internal to the institution, and arrangements just fell away.

We have an arrangement right now, which is working and we have some good feedback on it, where since the State Board of Examiners has a test once a month in various locations around the State, that they need not come into Clinton and have a class and examine people in that classroom environment. But 45 days before the person has an actual parole date, she is given -- if she requests it and fills out the application form -- a provisional certificate which allows her to go and sit for this particular test, at a site to be determined most convenient to her, wherever she is going to be called to. In fact, that's what is happening right now, through this arrangement that we have worked out with the State Board of Examiners.

MS. TAMBORLANE: So she can sit for the exam--

MR. WALTON: Yes.

MS. TAMBORLANE: --prior to her being paroled now. It couldn't be done before?

MR. WALTON: That's right.

MS. TAMBORLANE: That's good.

MR. WALTON: And, also, go to the site. We are starting the communication process before the inmate is paroled, which is, I think, an important ingredient.

MS. TAMBORLANE: Joan has a question for you.

MR. WALTON: Sure.

MS. WRIGHT: But can she be licensed?

MR. WALTON: Well, she has to pass the test for it.

MS. WRIGHT: I know, passing the test-- Can she be licensed?

MR. WALTON: Yes. If she passes the test. See, the basic problem was not that licensing factor before. The basic problem was, somewhere between the individual expressing an intent to go sit for an examination-- It just didn't do it -- it was like, "We'll get you five job interviews, and Tuesday you're paroled, you don't go to any of your job interviews." That was the basic problem.

SENATOR LIPMAN: Mr. Walton, I thought we heard, when we were visiting Clinton, from your education person--

MR. WALTON: Mrs. Chukumba?

SENATOR LIPMAN: Excuse me?

MR. WALTON: Mrs. Chukumba?

SENATOR LIPMAN: Right-- that the Beauty Culture Board itself was the group that-- Didn't we hear that?

MS. WRIGHT: Well, I had heard that before on another visit--

SENATOR LIPMAN: --Denied the license.

MS. WRIGHT: --that there was something in the licensure law that prevented the license from being given even though the person had passed the test.

MR. WALTON: The potential is there because of the words "moral turpitude."

MS. WRIGHT: That's right.

MR. WALTON: The potential is there, that the Board wants cooperation from us in reviewing the records of the individual. We are talking about the records not only of the individual's accomplishments in the beauty school, but why she's there in Clinton in the first place. Now, they could still--

SENATOR LIPMAN: Moral turpitude covers a multitude--

MR. WALTON: --take a look at that record, even with the inmate's passing score, and, I guess, not give her a license. But I don't have any evidence to tell you that that's happening now.

SENATOR LIPMAN: Well, it's like, maybe in prison, they aren't allowed to have scissors and they can't practice. But on the outside, it is much better if they are able to work at a livelihood, earning money, than to go back to crime. That's my only point. And if we have to work a little harder on that, since that course is available at the prison, you know you should let us know--

MR. WALTON: Senator, believe me, if I didn't feel confident that we have the system arranged appropriately at the present time, with the Executive Director of the State Board of Beauty Examiners, you would be the first person we would come to and ask for support.

SENATOR LIPMAN: Well, we have a new board now that is a combination of barbers and beauty culture persons. It's a combined board, and it might be worthwhile to approach them to find out what their attitude is, because I have received complaints constantly from female ex-inmates that if they get a job in a beauty shop, in a little while, if their record is discovered, they are dismissed.

MR. WALTON: But that's true in any job.

SENATOR LIPMAN: I am saying--

MR. WALTON: Many times it happens to the exclusion of them getting the job in the first place.

SENATOR LIPMAN: But this is a licensure situation. If I have a license to operate-- She could open her own shop--

MR. WALTON: True.

SENATOR LIPMAN: --I suppose, if she had the wherewithal.

MR. WALTON: I suspect there are many more people than we know about who are former students in our beauty school who are performing their talents sub rosa. But that's something that maybe we don't want to know about.

SENATOR LIPMAN: Or some kind person who just doesn't say that person is an ex-inmate.

MR. WALTON: It could very well be.

SENATOR LIPMAN: Some kind employer. There are very few of them.

MR. WALTON: Depending on the size of the shop, and the ability of the individual, their previous record as an inmate may not be as important to that employer as the services that she can perform.

MS. KIERNAN: You always hear about the beauticians-- that particular area of training. What other types of vocational training is given?

MR. WALTON: At Clinton, at the present time, we have a three-phase electrical appliance repair program and electronics program. I say three-phase because since we originally started that program at Clinton, through the CETA resources and the State Law Enforcement Planning Agency grant, that instructor who has been with us for all the years has been able to get two vocational education grants from the State Department of Education, to expand that particular program into other areas which appear to be more non-traditional in that training process, and are certainly more non-traditional when you are involving females as students. We have a clerical skills program which is expanding into the areas of computers and word processing; again, it has grown. It was originally there through someone's decision that it should be a program at that institution. It has survived because of its popularity, and it has expanded on the basis of the educators -- the teachers -- being able to write grants and convince their supervisors that more money should be put into their particular program, again, because of its popularity. So, it's been the genesis of most of the programs.

We have a consumer home management program, which crosses over an awful lot of homemaking activities but also an awful lot of potential for jobs within the restaurant industry and the food service industry on the outside. We have a horticulture program which, besides teaching what you would imagine would be taught in a horticulture program-- The preparation is the whole genesis of that. It also gets into small business management, and periodically, during the course of the year, the products that are produced by the student are in turn sold to the staff. They get into another dimension of the horticulture business, with the intent being that a person would then be more employable were they to seek this kind of position on the outside.

Upholsterer: a program that was originally developed at Trenton State Prison, through CETA resources. A component of that program was transferred to Clinton. We have a program there that on any given week, we employ or we have as students at various levels of training, 35-55 students. It is a very popular program.

MS. KIERNAN: What is the record of people getting employment in that field when they leave? Do you have any idea what that would be?

MR. WALTON: I don't have those figures right now, but the potential for that is a lot greater than, I think, a lot of people would imagine, mainly because we are not talking about training an individual for something that would cause them to have to go out and get a small business loan for \$500,000 to set up a small shop. There are an awful lot of mom-and-pop shops in which these people would have the potential to work. Plus, that's also had a spillover into our work release program. We have been able to introduce more of the community into that institution. All of our vocational programs have had that advantage.

MS. KIERNAN: You just said something that I was going to ask about later, too. The work release program-- Because Clinton, being where it is, and the location is different from some of the male prisons which are closer to population centers-- Is there difficulty with a work release program for women?

MR. WALTON: I haven't noticed it particularly recently; have you, Mrs. Christie?

MS. CHRISTIE: No, but--

MR. WALTON: Forty-eight people are on work release right now; that's--

MS. CHRISTIE: The percentage of our inmates on a work release program compares favorably with all the male institutions. In fact, I think, in all instances, they exceed whatever the male institutions have. We currently have probably 15 positions that our work release coordinator could fill if we had applicants, but we don't even have sufficient applicants from the numbers of our inmates. There are in excess of 40 people, or 40 positions available to the women

right now, and there could be an additional 15 if we had an additional number of applicants to go into these positions.

MS. KIERNAN: Where are these jobs? Are they anywhere near where the inmates come from, or are they in the neighborhood of the prison?

MS. CHRISTIE: They are in the neighborhood chiefly of the prison.

MR. WALTON: Talking a range of Flemington, Flemington Circle, just for a point of geography; up to Washington, New Jersey. Certain times of the year--

MS. KIERNAN: How does this relate to their being able to get jobs when they go back home?

MS. CHRISTIE: I think anybody that has a work history and has some experience, has a better chance of getting a job than somebody who has nothing. They can go out and give references, and they have actually gotten some kind of additional training. A lot of them have had no real work history, nothing to go to an employer and say, "Yes, I did this for six months here, and this is my employer. You can call up and check with him." It's far better than what they might have had ordinarily, and there are some places, say the women in the Trenton area-- I'm sure it's far more easier for them to get a job within the area of our institution than if we sent them down to Trenton, where the employment picture is actually far worse than in our area.

One of the purposes is to give these women the additional opportunity to have the work experience, get used to the idea, start to develop some kind of a resume, and have some money in their pocket when they leave, rather than to get out broke.

MS. LEFFERTS: Can they keep all of the money that they earn?

MS. CHRISTIE: No.

MS. LEFFERTS: What percentage does the prison take?

MS. CHRISTIE: There is a \$30 board fee from some of them. Not everybody pays this fee. You have some women on grant programs, where their pay scale is not as high.

MS. LEFFERTS: When you say it's \$30, is it \$30 from the time they go to work or do they have to back-pay-- say they have been in prison two years?

MS. CHRISTIE: No. Thirty--

COMMISSIONER FAUVER: From the time they go to work.

MS. CHRISTIE: Yes. Thirty dollars a week every time they bring home the paycheck for the week's work.

MS. LEFFERTS: What's the average paycheck for these types of employment?

MS. CHRISTIE: The pay range is roughly from \$3.35 an hour to \$5.50 an hour. I'd say, average \$4 per hour.

MS. LEFFERTS: And how many hours a week would they work?

MS. CHRISTIE: Some of them actually work overtime, in excess of 40 hours. I would say most of them work a 40-hour week.

MS. LEFFERTS: So they could still take home some sort of a buildup of funds?

MS. CHRISTIE: Oh, yes. I mean, we have had people leave there with several thousand dollars.

SENATOR LIPMAN: Could I ask you-- The employers send you, the superintendent, the money? Do they pay the employee, and are you waiting to take the living expenses out of the check when she goes home? How does it work?

MS. CHRISTIE: They bring their paycheck back to the institution. And that's another thing. These people are also paying taxes. They bring their paycheck back to the institution, and it gets placed into a separate work-release account. They have the regular inmate account and then there is also a work-release account.

The funds that go into the work-release account of course would be debited a \$30 board fee. The remainder of that money may be used to send home to their families, to help support their children or what have you. It may be used for any items that they may need in the course of their employment -- some people may be required to wear a uniform. They are also expected, if they have fines or restitution to make, to use a portion of this money to take care of those fines and restitutions. These are things that have been imposed upon them by the courts, and they are obligated to take care of them.

MS. LEFFERTS: Would you know -- or maybe you would know, Commissioner, probably more so -- what it costs the State of New Jersey to house a prisoner for one year?

COMMISSIONER FAUVER: It depends where it is. It runs from a low of about \$13,000 a year to a high of about \$24,000 or \$23,000.

MS. LEFFERTS: So the \$30 a week that they would give back to the prison system from our tax dollars is a minimal amount.

MS. CHRISTIE: It's a drop in the bucket.

COMMISSIONER FAUVER: Oh, it's really more just a--

MS. CHRISTIE: Token.

COMMISSIONER FAUVER: It's not all-- I might point out that on the work release issue, Bob mentioned food service. A number of the women there work in fast-food places, as do a lot of the men. And in those cases, with the chains, they will let them transfer to another agency, if it's a McDonald's, for example, to where they are going, closer to home. That's the area that we have probably placed the most people, overall; I don't know about Clinton's position.

MS. CHRISTIE: In reference to that, we have had instances where upon release, the women have stayed at the job and have relocated because they knew if they went back to where they came from--

MS. LEFFERTS: There would be the same problem.

MS. CHRISTIE: --the story would be the same all over again. I know we have one inmate who currently intends to do that. It's going to require a drive for her, but she happens to be fortunate insofar as she has a vehicle, so she can manage. It might take her a half an hour, 45 minutes or something like that. But that has worked out well.

MS. LEFFERTS: So, you're saying that sometimes, the locale of the place not being their home base may even be to their advantage, rather than disadvantage, because they get out of the perhaps (word inaudible -- several people speak at once by the same microphone) situation that put them into prison to begin with.

MS. CHRISTIE: Right. It's a way to remove themselves from that environment.

COMMISSIONER FAUVER: One thing on that also. We talk about Clinton as the only place for women, which it is, as a prison. But there are a number of halfway houses--

SENATOR LIPMAN: That's what I was going to ask you.

COMMISSIONER FAUVER: --which are in the cities which are contract-- Essex House is in the City of Newark for about a dozen women, and then we have contracts with Volunteers of America and the Jersey Association of Corrections, so there are women also housed in those places in Camden and Trenton. So, there is an opportunity for that person to go there and be on work release closer to the community that they are going to.

MS. SARA VIA: I had a few questions. Mr. Walton, one of the things that we heard on the last visit to Clinton was that in some years past, there was an employee assigned to Clinton, and I guess maybe other prisons, from the Department of Labor, Division of Employment Services, to do specific counseling and work with getting jobs from employers, and I understand that position is no longer being filled. Do you have any plans to make a link with the Department of Labor in the future-- have someone out there to do job counseling and try job development?

MR. WALTON: We do have an ongoing linkage not only through our work release programs, but also through Barbara Green, one of our staff members, who I think you met when you were up that day. We have, from time to time, speakers who do come out and share with the staff, principally in work release-- number one, Mr. Green, who is the work release coordinator and Barbara Green, who I think you've met, deal principally with a lot of job counseling and job interviewing skills prior to the inmate being released, so that is an ongoing situation.

But what you are talking about and what we had before are both-- through the Bureau of Apprenticeship Training and also through CETA, don't exist anymore. But the relationship exists there from the contacts in various associations, so that we do have help from time to time. We just don't have a position given to us, for an individual is to be there to do job counseling for everybody who comes in.

MS. SARA VIA: Well, what about a link with the different County Private Industry Councils, and also working with some larger employers to use the targeted jobs Tax Credit Act, since I think one of the groups would be ex-offenders?

MR. WALTON: Right now, at the present time, we are using the Flemington office for one of our contacts. Mostly, we have a relationship that our Board of Trustees has established with the Hunterdon County Chamber of Commerce, as an outreach, and we are developing that and setting up a program day so that we can expand not only the area that you are talking about in terms of preparation for jobs and contacts outside the area, but also, with our internal program of work release. This has been something that has been established with some of our work release employers at the present time.

The Commissioner mentioned before, the ability to work in a fast-food establishment, and to have fast-food establishments back in the home community to transfer to. We have also been very fortunate recently, with the three or four nursing homes in our area who have been very good employers. The employers there talk to each other, and come to find out that people who are owning these nursing homes own other nursing homes in other areas of the State, so there is that ability built into the program right here, that a person could relocate and work somewhere else.

MS. CHRISTIE: In reference to that, I think, also because of the problem of work, people living to a longer life-- With the nursing homes, one of the directors of one of the nursing homes brought up the issue of dietary supervisor. This is not a technician but apparently it's something that they require, and he is currently speaking with one of the Department's-- One of our Education Department's people is going to get some material to him and look into a program. Apparently this is something that you can take a test and get certification for. She is going to be looking into developing that kind of a program and certificate program for inmates, because it will not only meet their needs but also this growing industry need, too.

SENATOR LIPMAN: We don't have good statistics, Mr. Walton, on peer councils and ex-offenders? What I hear from the Private Industry Council -- we have one county -- is that inmates would prefer to have jobs like a service station attendant, which pay right now, rather than train for a job which they could keep, because of the shortness of money at the time they come out. They also complain that

ex-offenders need more support services when they are training than other members of the targeted population. They have to walk 10 blocks, they get \$1 for lunch or something like that, and they say ex-offenders are not inclined to go through-- what is it, 6-10 weeks of training? They want to do something right now to earn some money.

So I was thinking, when you said that you had 15 positions that you could place people in-- Do you do marketing among the offenders? I mean, go in and say, "Well, here is a great opportunity--"

MS. CHRISTIE: We do that. The officers are contacted, and told to "Let your people know." It's amazing-- There are a lot of people who would rather opt for residential. They would rather wait for that. Some people would rather stay at our institution, say, if they have a job and forego residential release. Everybody seems to have their own-- You know, it's not a uniform criteria amongst them. They all have their own priorities and things that they have particular interests in.

SENATOR LIPMAN: You release about 5,000 ex-offenders a year to my County. We probably send you more, so I have a large problem of employment. (Laughter) That's the average statistic--

MS. SEHAM: You don't have a trade deficit.

COMMISSIONER FAUVER: No, they have a surplus. (Laughter)

There is one issue related to the legal issues that I know came up in some of the discussions at the previous meeting, that I would like to have Mr. Walton address (turns to Mr. Walton) if you would, on the situation with the law library training.

SENATOR LIPMAN: Oh yes, we'd like to hear that.

MR. WALTON: Again, I can't remember all the places you saw when you were up there that day, and whether or not you were actually over in-- I know you were in South Hall, and I know you were in Mahan Hall, but I know there was so much to see, and whether or not you saw it all in that day-- When I read some of the newspaper clippings after the hearing, I noticed that there seemed to be some confusion about what we are or are not offering in the way of legal services to the inmate population. But in point of fact, we have a law library,

which of course is evaluated twice a year and is updated, and is a budgetary item that we have-- So that exists in our school building. We have a trained staff of people, all of whom are inmates overseen by our librarian at the institution. These people are trained through lawyers who are hired by the Department of Corrections and twice a year sent to Clinton, who do the actual training of the paralegals or paraprofessionals who are working in the law library. We have a branch of our law library with trained inmates from our most maximum security building, the South Hall. And there is an exchange program in terms of the materials that flow daily from one building to another, so there isn't any inmate, no matter where she is in that institution, who doesn't have access to one of the two libraries.

In addition to that, last year, through one of our staff members, we were able to receive the services for the Spring semester of approximately seven then-law students from Seton Hall. They came on a weekly basis, almost to the analogy of what a student teacher would do in the classroom, and performed services that were very well received and certainly, it was a mutual agreement that we were receiving the services as the students were learning. This year, through the generosity of the Commissioner, we have been able to continue that particular program for both semesters -- the Fall and the Spring semesters. We have nine students who come in weekly and assist the population in any way, shape or form that they need to be assisted by legal services. At the same time, they work right along with the paralegals, who are the other inmates who have been trained in the program. So, I think that's a rather extensive-- And we have had many spinoffs of that, too; many opportunities to give the inmate population more services than I think we even knew we could do ourselves.

SENATOR LIPMAN: I see lots of (inaudible).

MR. WALTON: Yes. You're beginning to see my name in the paper a lot, too.

SENATOR LIPMAN: All the jailhouse lawyers, they write me some very deep letters about what their rights are.

MS. SEHAM: If a woman at Clinton, an inmate, wants to do some legal research, what does she do? Can you follow through an

example of what happens? She can physically go to the law library, and someone there will help her do the research?

MR. WALTON: Either--

MS. SEHAM: She just has to have some idea of what it is she's looking for?

MR. WALTON: Exactly.

MS. SEHAM: But not specifically? She doesn't have to know where to find it?

MR. WALTON: She has to have the need to know about something. She goes to the law library, and then she has the assistance of the inmates who have already been trained, who work there on a full-time basis, and now has the assistance also of the Seton Hall law students who are in there.

And the outreach to the community is, I'm sure, very well known to you. With any specific question, our inmates can call to the outside to gather information-- calls to a specific public defender, a specific lawyer, or to a law school. It has to start with the inmate's need to go to the law library.

MS. SEHAM: But she could have just a vague need to know, and she will get guidance?

MR. WALTON: Yes.

MS. SEHAM: When you say that you have lawyers who come in twice a year to train inmates -- give them paralegal training -- how long are they there, when they come twice a year?

MR. WALTON: Four to five days.

COMMISSIONER FAUVER: The Department has a legal services coordinator whose responsibility it is to set up this training at all the institutions, and also for the annual updating of all the statutes, all the law books. So, that's a full-time job and there is a person committed to that. What Bob is describing with Seton Hall is something that is unique to Clinton.

MS. SEHAM: When I was at Rutgers Law School, some of the students went to Clinton once a week to teach a class.

COMMISSIONER FAUVER: Yes. We used to have Rutgers people coming in there. We are trying to work that out now in Camden, with

students from the law school there to come into the Camden prison. I am sure when we get into Newark there will be a natural flow from that school.

SENATOR LIPMAN: We hope. And now, we are going to conclude, so any Commissioner who has a question on a subject-- I mean, you don't have to, but I have to conclude because I have a bill signing. You know, we have talked to him a long time, and I am sure that he must want lunch, and you must want lunch. By the way, Alma's father had an emergency so she had to leave-- that's the reason she left.

Okay, so starting with Joan-- Do you have any more questions?

MS. WRIGHT: No, except just to affirm that this Commission is concerned about women in the State, and not to have singled out the Department of Corrections, so I hope you don't think we are on some kind of a witch hunt. But we want to work with you in a cooperative fashion, to do anything we can to assist you as well, because there are ways that we can bring attention to some of the problems you are facing to the rest of the State. And I think that we have that commitment as well, so it is an exchange that I hope you understand.

SENATOR LIPMAN: Commissioner, I know you are aware-- You two have talked together about the Division on Women and its placing of persons inside the prisons, which is a good move, and, I think, very helpful.

Greta?

MS. KIERNAN: Yes. I just want to thank the Commissioner and his staff for spending time with us today and for giving us another part of the picture that we have been looking into. We all appreciate that very much.

And just one thing that was on my mind-- Before, you mentioned halfway houses in several places. Are there any in Bergen?

COMMISSIONER FAUVER: No, there are none in Bergen. Newark would be our furthest north.

MS. KIERNAN: Three of us are from Bergen. I guess we are always kind of interested in that. (Laughter)

SENATOR LIPMAN: You are always welcome to visit Newark.

COMMISSIONER FAUVER: You could start one. I would be glad to contract with you. (Laughter)

MS. WRIGHT: With your permission, Senator-- The Division on Women funds a displaced homemakers center at Essex County College. We just committed another \$50,000 to that program, and we are now amending that contract for another \$15,000 so they can set up a linkage with Essex House.

COMMISSIONER FAUVER: Good.

MS. WRIGHT: And so, as soon as that's in place -- the process is just starting -- we will certainly let you know what that contract looks like. The director of the displaced homemakers program in Essex County has already met with the director of Essex House. They determined some of the ways that they will work together, and we will fund that.

COMMISSIONER FAUVER: Great.

MS. TAMBORLANE: Yes. Commissioner, I too want to echo thanks for your time this morning. I also want to touch on one thing that wasn't really touched on in terms of the mission of the Commission, which is to look at and become aware of problems that exist for men or women. One of the things we didn't talk about today is if there is anything that the Department would like us to do, in terms of looking at the issue of parental visits and systems of getting children to see their fathers as well as their mothers up at Clinton. That's something, also, that the Commission would be more than willing to work with you on.

Additionally, we will be looking at the legislation dealing with prisons as it currently exists in New Jersey. If there are particular pieces of legislation that you think it would be appropriate for us to know, that you believe supports your mandate and would increase the availability of services to inmates or promotional opportunities for females-- since we really are still looking in the employment area of increasing promotional opportunities more for women than men, just because historically, as you described, they have come later into the system. But I want to welcome you to come to the Commission in the next couple of weeks with anything that you believe we can do to assist you in some of your endeavors, especially things that perhaps the Department is considering legislatively or in terms

of-- You don't do much regulatorily, so let's just leave it at legislatively.

COMMISSIONER FAUVER: Okay, thank you. If I may just comment on that briefly-- I don't want to mislead you when we talk about voc-ed, on your issues. I don't think that-- The voc-ed programs are not as expansive as we would like them to be. I think that's an area both for men and women that we need to expand, but probably close to 80% of our total budget goes to custody and care, so that doesn't leave an awful lot for the other programs. So there is an area in which we basically are always looking for support.

SENATOR LIPMAN: Commissioner, I think there has just been a bill that passed both houses -- I don't know if the Governor gets to sign it this session -- making an appropriation for vocational education and corrections. You know it, don't you, Loretta? It's Assemblyman Joe Charles'.

COMMISSIONER FAUVER: The Voc-Ed Commission? Yes.

MS. LEFFERTS: I just want to thank you all for coming and showing us another side of the picture than what we saw at the other public hearing. Maybe we could have had just one big public hearing. (Laughter)

Thank you.

SENATOR LIPMAN: Leah, did you want to say something?

MS. HEALEY: I just wanted to tell you that we are having this transcribed, and I would be more than happy to send you a copy of the transcript once we have it.

MS. SEHAM: I'll just add my thanks. I appreciate your spending the time with us. I think talking with you has been very educational for us.

COMMISSIONER FAUVER: Well, thanks. We appreciate the opportunity, and I think that also, I would invite the Commission members to schedule a visit to any of our institutions, anytime you want to, or possibly, more specifically, the St. Francis units, since medical care has been an issue. I would be glad to arrange it.

SENATOR LIPMAN: That would be nice, to see that. We'll keep that in mind, as long as Mr. Walton doesn't have us strip-searched when we come in there. (Laughter)

COMMISSIONER FAUVER: If he does, it will open an opportunity for another woman very quickly. Let's put it that way.

SENATOR LIPMAN: All right. I want to thank you, too, and to say I am sure that-- Well, I always thought we had a well-run corrections institution system, if I may put it that way. Otherwise, we would have had more riots, more upsets. Despite our crowded conditions, I think generally speaking, we run a good shop. However, you know there is always room for improvement. We investigate a lot of women all over the State. We wanted to find out, by our investigation, if there is improvement that we could make for female inmates in correctional institutions. I think we have heard some areas in which you need help, and that you would appreciate maybe advocating for this kind of help from you for the female prisoners. Certainly, I feel like we have been greatly enlightened. I want to thank all of the institutional employees who came with you. Some, we have worked on a little harder than others, but I think we gave them a break because he's the Affirmative Action officer. You didn't have to talk. (Laughter) But we appreciate your coming with your Commissioner, and all I would like to say right now is, keep up the good work. If there is any area, as other Commissioners have said here, where we can help, please do let us know.

COMMISSIONER FAUVER: Okay. Thank you, Senator.

SENATOR LIPMAN: We do have a good reputation. (Laughter)

(HEARING CONCLUDED)

