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April 3, 2020

**VIA ELECTRONIC & U.S. MAIL**

Governor Philip Murphy  
Office of the Governor  
125 West State Street  
P.O. Box 001  
Trenton, New Jersey 08625

**Re: Policemen's Benevolent Association Local #105  
HEALTH AND SAFETY DEMANDS**

Dear Governor Murphy:

Please allow this letter to inform you that this office represents Policemen's Benevolent Association Local #105, (hereinafter referred to as "PBA Local #105" or the "Local"), the sole and exclusive representative of those rank-and-file Correctional Police Officers employed by the Department of Corrections (hereinafter referred to as "the Department") and the Juvenile Justice Commission (hereinafter referred to as "the Commission") for purposes of collective negotiations concerning salaries, wages, hours of work, and other terms and conditions of employment. Over the last several days, our office has sent correspondence to the attention of the Commissioner for the Department and the Acting Director for the Commission in regard to operations and the health and safety of personnel in light of the COVID-19 pandemic.

Specifically, requests were made by our office for the authorization and implementation of Hazard Pay, for the establishment of a dedicated COVID-19 testing facility, for restrictions to be placed on inmates confined to New Jersey's Residential Community Release Program and most recently, for a Departmental quarantine of inmates housed in main correctional facilities. All of the issues that

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have been advanced by the Local are to advocate for the health and protection of the uniformed custody staff, the civilian staff that works behind the prison walls and the inmates themselves.

In regard to the request for Hazard Pay and the dedicated testing facility, it is my understanding that these two issues were referred to your office for review on March 25, 2020 and March 27, 2020 respectively. Neither issue has been addressed as of today's date despite the fact that that these issues are of great importance to the thousands of Correctional Police Officers that are employed by the Department and the Commission.

In addition to the foregoing, we have not received a response regarding our demand that restrictions be placed on inmates confined to New Jersey's Residential Community Release Programs (RCRP). Presently, inmates confined to RCRPs are leaving each facility to work in the community on a daily basis. Each time one of these inmates leaves a facility, they risk being exposed to COVID-19, contracting COVID-19 and then exposing and infecting countless inmates, civilian staff and custody staff to the deadly virus. Current policy dictates that should one of the RCRP inmates become exposed or infected, they are thereafter transferred to one of the Department's main correctional facilities in order to be quarantined and treated. Transfers such as these not only expose and potentially effect the inmates and staff at the RCRP where the inmate was originally assigned, but also the inmates, civilian and custody staff at the main correctional facilities. This risk of infection must be mitigated.

Like our demand regarding the RCRPs, our request that a Departmental quarantine of inmates housed in main correctional facilities be put in place has also gone unanswered. As I am sure you are aware, the Federal Bureau of Prisons adopted Modified Operational Guidelines to restrict inmate movement within each of their correctional facilities. The State of Pennsylvania has also adopted such measures in an effort to save lives and "flatten the curve". Common sense dictates that exercising correct social distancing to slow the spread of the virus is extremely difficult to achieve within a correctional facility. However, if movement of inmates is restricted for a finite period of time, the professionals that work inside the correctional facilities believe that such measures will have a positive effect on thwarting the spread of the virus. While we recognize that placing inmates in a "state of quarantine" for fifteen (15) days may not be a popular decision, many of the social restrictions that you have imposed on our State's citizens have also been unpopular. Keeping this in mind, the vast majority of the general public recognizes that these un-pleasantries are a temporary necessity to defeating the virus just as this "inmate quarantine" is also necessary to save the lives of our members.

Each of the letters that were sent specified the justification behind the request. While we recognize that your Administration is being pulled in many directions by the pandemic, the safety and health of the State's employees that work behind the walls of the correctional facilities must be prioritized. Furthermore, your inaction in responding to the requests of our State's uniformed employees leaves us with the inescapable conclusion that we are being ignored and that the health and safety of our members' is inconsequential. This lack of action and unresponsiveness is unacceptable and will no longer be tolerated.

Finally, the sworn law enforcement officers that make up this Local are working with inadequate Personal Protection Equipment (PPE). Despite the fact that our members have made numerous internal requests for additional PPE, no action has been taken. In addition to the PPE being inadequate, our officers have not even been properly supplied with the requisite personal hygiene cleaning agents that are needed to protect them from the virus. The lack of State supplied hygienic cleaning agents has caused our Local to expend thousands of dollars to source hand sanitizer for our officers. The fact that our Local has had to undertake these actions and expenditures is inexplicable, totally unacceptable and leads members to believe, true or not, that our State's Governor does not care about their well-being or the well-being of their families.

Based on the foregoing, PBA Local #105 hereby demands the following:

- That the restrictions on the RCRP inmates detailed in our firm's letter of March 30, 2020 be immediately implemented;
- That inmate movement within the main correctional facilities be restricted in accordance with the guidelines adopted by the Federal Bureau of Prisons and detailed in our firm's letter of April 1, 2020;
- That all sworn uniformed personnel that work for the Department and the Commission receive Hazard Pay as detailed in our letter of March 25, 2020.
- That the Department, the Commission and representatives from your office immediately meet with the Leadership of the Local to discuss the inadequate supply of PPE and establish and implement a plan that is agreeable to the Local to remedy this problem.

The conditions inside the correctional facilities and the health of our work force is moving toward an ominous state of affairs. While the Department issues daily reports on positive employee test results, our Local believes that the released numbers are artificially low as their count differs greatly than the count being kept by our Local.

I thank you for your anticipated cooperation and we look forward to hearing from your office shortly.

Sincerely,

**CRIVELLI & BARBATI, L.L.C.**

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FMC/fc

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