In late 1962, Glenn Kendall became Coxsackie’s third superintendent since the reformatory’s opening. He came to the institution as one of the pioneers of New York’s reformatory movement. He had gone to Wallkill Prison from Teachers College, in 1935, to conduct some of the first experimental educational programs, became one of the founding administrators of the Division of Education, and then became the first and only director of the Elmira Reception Center until moving to Coxsackie. And now, after twenty-seven years in the state system, Kendall was finally given the chance to administer one of the reformatories.

Kendall observed a deeply divided institution when he arrived. Educators, shop teachers, and counselors labored, as they had always done, to instill in young men any number of personal qualities they were seen as lacking: intellectual curiosity, public-spiritedness, work discipline, and more. Their students, in turn, continued to respond with a profound ambivalence to reformatory programming. Eager to learn and acquire desirable skills, they nonetheless responded with deep skepticism about both the capacity and the willingness of New York to provide these. Time and again, Kendall observed, the group logic of the inmate social system fought “the regular program” of the reformatory, and heaped contempt on the “squares” that bought what Coxsackie was selling.1

If prisoners shared a common hostility to the reformatory, Kendall discovered that this was still undercut by deep and profound racial conflict. “Race segregation is still strong” at Coxsackie, he observed, noting that old-timers on the staff claimed that it had existed since the beginning of the institution. Even the water fountains, he reported, were clearly demarcated by the prisoners for black and for white use. It is hard to estimate just how surprising the race conflict would have been to a system veteran like Kendall, but there is no question that he deeply objected to its existence. The “great emphasis on race prejudice”
at Coxsackie, he warned, was in direct contrast to “the official policy and procedures of no segregation or discrimination.” Reformatory officials, said Kendall, had been far too willing “to ignore the whole business” rather than address the conflict head on. One of his first actions was to order the creation of multiple outdoor yards, through which various housing divisions would rotate. In this way, he attempted to destroy what he called the yard-centered “padded” subculture of the reformatory, in which the single main yard was carved up into racially and geographically specific pads owned by various groups of inmates. Kendall also encouraged discussions, led by both teachers and willing guards, on the “evils of segregation and discrimination,” designed to counter the prevailing attitudes of reformatory inmates.

Kendall also sought to soften the hardest edges of the reformatory regime. Being witness to the physical brutality perpetuated by guards against the young men at the Nebraska reformatory where he first worked had left a lasting impression on Kendall. It was “a horrible experience,” the new superintendent recalled, “and I’ve never forgotten it.” For the first time, prisoners in solitary confinement at Coxsackie were to be given an educational program, to break up the harsh effects of their isolation. Under Kendall’s leadership, the flow of new programs continued as it had before: intensive psychotherapy for drug-addicted inmates, a new Explorer post for the reformatory, group counseling programs, and more. Where policies seemed counterproductive, Kendall worked to change them—one of his early decisions was to end the long-standing rule that chapel attendance was mandatory, a rule that was increasingly being resisted by reformatory inmates.

Kendall and the liberal reformers with which he came of age were bound together by a shared vision of a prisoner’s worth and humanity as well as a commitment to creating a space in which young men could develop the qualities of constructive citizenship. But there was simply no way that this vision could be realized in the context of a single reformatory. Even if Kendall had been able to overcome the resistance of prisoners and guards, which he could never wholly do, much of the effort to sustain Coxsackie continued to involve preserving the institution as disproportionately white and upstate. The pursuit of a reform-worthy population during Kendall’s tenure (see chapter 7) was an important part of what was ultimately a failing attempt to keep the politics of punishment at bay. By the time Kendall reached his mandatory retirement age in the summer of 1969, the New York State Vocational Institution had only eighteen months left as a reformatory but years of painful transition ahead as the vestiges of the reform idea were swept away by the mass incarceration floodtide.
Reformers in the Political Wilderness

The core elements of liberal reform in the New York prison system remained a strong presence in the Division of Education, the Elmira Reception Center, and the state reformatories—but they increasingly found themselves politically isolated both inside and outside the prison system. Prison reform rapidly faded as an issue after the Elmira Reception Center opened, with years of policy drift and fiscal inattention. Veterans of the prison system during this period recalled that state budgets were not at all satisfactory, and that the correctional system was systematically underfunded by the legislature. One post-Attica review concluded that the Department of Corrections was “unable to plan, to implement, or to evaluate new programs or to monitor the individual components of the system. Each facility was an isolated, autonomous fiefdom that used its limited resources primarily to tighten security.” The Prison Association of New York glumly observed that if all the recommendations of all the studies made since 1930 had been acted on, New York’s correctional system would be among the most outstanding in the nation. That it was not seemed painfully obvious.

Governors Averell Harriman (1955–1958) and Nelson Rockefeller (during his first two terms in office, 1959–1966) demonstrated no particular interest in corrections. Harriman returned the Democrats to the executive mansion, but his one term in office scarcely reminded anyone of the Roosevelt-Lehman years. Faced with massive Republican majorities in both legislative houses, a Democratic policy apparatus woefully underdeveloped since Lehman’s departure, and his own instinctive caution, few major legislative initiatives were forthcoming—his major area of interest was mental health, where he devoted his limited funds for new program development. As for Rockefeller, one insider observed, “The governor’s primary area of interest was the State University system . . . so no special attention was given to the Correction Department budget . . . when things are going smoothly, there is no need to get involved in program change, nor is there any need for the Governor’s special involvement.”

The person charged with making things go smoothly was Paul D. McGinnis, appointed commissioner of corrections by Harriman and reappointed by Rockefeller. McGinnis, according to a veteran of prison politics in New York, “had a reputation for ‘keeping expenses down’ and ‘things quiet’ within the institutions,” all of which meant little understanding or sympathy for new program investment.

The New York legislature proved just as disinterested in correctional matters under Harriman and Rockefeller. The legislature, dominated by Republicans, had little interest in promoting an expansion of liberal prison programs, though
they were far more likely to ignore than attack rehabilitative efforts. The Senate Penal Institutions Committee, which would eventually become a center of political activity, was for most of this period inactive. One aide recalled, “All correspondence from inmates was immediately discarded in the waste paper basket.” Charles McKendrick, educator, prison administrator, and liberal stalwart within the Department of Corrections, recalled that prior to 1967, he had never once been contacted by the state legislature, never been asked for any information, and never had a single state legislator visit his institutions.

But if drift and inattention were the hallmarks of state politics, there were certainly signs that the growth of liberal policy had come to an end. The fate of youth courts reveals growing political resistance to the expansion of reform. A system of statewide youth courts had been first proposed in 1942 as part of the Youthful Offender Act. Based on the pioneering efforts in New York City, these youth courts would have focused exclusively on adolescent offenders. The youth courts failed to make it into the final 1942 legislation; it took repeated efforts and fourteen more years before the legislature finally passed the 1956 Hughes-Farbstein Act, authorizing a separate youth court in every county in the state. Opponents delayed implementation by placing a hold on the act in early 1957, and then another hold in 1958. Critics, like the County Judges Association, decried the “flood tide” of adolescent crime, arguing that the youth court looked “like a further invitation for more young people to become criminals . . . extend a certain immunity to a greater number of persons responsible for a major portion of our crime, further clog our courts and add more labor to undermanned police departments.” The senate and gubernatorial campaigns of 1958 were replete with charges and counter-charges over the state’s growing crime problem, and the youth court rapidly lost its appeal. In early 1961, the youth court legislation, which had never been implemented, was repealed by the legislature.

Like tremors before an earthquake, the reformatory system of the 1950s and 1960s revealed signs of the coming era of mass incarceration. While overall prison populations remained relatively stable, growing numbers of young offenders were being swept into the system, based on their involvement in drug or gang activity. The designation of Great Meadow as an end-of-the-line institution revealed the limits of liberal ideals when confronted with large numbers of socially marginal inmates. Likewise, while the Rockefeller drug laws of 1973 are commonly seen as a pioneering step away from a rehabilitative logic for drug offenders and toward social exclusion, treatment interventions had been declared off-limits for gang members and criminal offenders since at least the North Brother Island experiment.
What appear, at first glance, to have been stable prison population levels before 1973, turn out to mask a growing use of incarceration as a tool of social policy. In adopting civil commitment for narcotic addicts in 1966, for example, the Narcotic Addiction Control Commission (NACC) took over one of the New Deal–era reformatories—Woodbourne—to house the many young men caught up in the system. Longtime addiction researcher Herman Joseph recalled, “The addicts called the facilities ‘candy-coated jails’ . . . and that is a very apt description.” Woodbourne was thus “converted” from a reformatory to a treatment facility, but with the same restrictions on inmates, the same layout, and even the same custodial staff (who remained in the employ of the Department of Corrections). The young inmates may have no longer counted as state prisoners, but this was a distinction without difference. Meanwhile, the New York City correctional system was staggering under a wave of short-term jail commitments, the product of aggressive policing of the city’s serious drug and crime problems. Overcrowded to the point of ungovernability, the city correctional system began shipping city prisoners to state facilities, a practice that added to the challenges of managing the state prison system. Even the Elmira Reception Center, by 1969, housed overflow inmates from New York City.

Coxsackie’s formal existence as a reformatory ended on January 1, 1971, with the creation of the Department of Correctional Services. The legislation that created the DOCS was widely mocked at the time for the many symbolic changes it introduced (including changing “prisons” to “correctional facilities” and “wardens” to “superintendents”), but it was hardly congenial to the older reform interests in the state. Indeed, it essentially dismantled the old reformatory system. No longer would the reformatories and the Elmira Reception Center function as an independent network within the larger state system. The New York State Vocational Institution became the Coxsackie Correctional Facility and was designated a general confinement institution, more specifically a “medium security” facility. (Elmira and Wallkill also became medium security; Woodbourne, for the moment, remained with the NACC; Great Meadow become maximum security; and Catskill housed overflow New York City inmates.) The DOCS also largely completed the sweep of any reformist veterans out of positions of authority within the system, though retirement and death had been taking many of them out of the system already.

The 1971 legislation produced profound bureaucratic disarray throughout the entire prison system. The post of deputy superintendent was replaced by three new positions: deputy superintendent of programs, deputy superintendent of security, and deputy superintendent of administration. The superintendent
position was removed from the civil service lists, and the person could be hired and fired at will by the commissioner of corrections, which theoretically gave Albany more power but actually just weakened the superintendent’s position and gave more power to local political interests, especially correctional officers. And it would be the correctional officers, working with the state legislature, who would lead the charge in redefining prison politics.

**The Rebellion of the Guards**

When Coxsackie opened, prison guards there and elsewhere in the system had very limited political power within their institutions and almost no external political presence. In the absence of any labor organization or collective bargaining, custodial staff was almost entirely at the mercy of wardens and superintendents, who wielded considerable power with little external oversight. Liberal reformers had been no more interested in empowering the guards than any other prison administrators had been. The creation of the Central Guard School was effectively a bid to exert even closer control over guard selection, training, and behavior.

Of course, prison guards were deeply embedded in their local communities, and it is there where their earliest, quite modest forms of political influence may be detected. At Coxsackie, guards were part of local bowling leagues, softball teams, fraternal organizations, American Legion posts—connections that paid off in 1942 following some escape attempts at the reformatory, including one in which two young men stole saddle horses used by guards to patrol the perimeter of the farm land, and another in which four inmates attacked a guard to obtain a set of keys. A local Greene County grand jury, undoubtedly with strong feelings for the guards, convened to make recommendations for the reformatory administration. Their report recommended that parole violators not be returned to Coxsackie, since “there are no walls” and the institution was “not properly equipped to handle more serious cases.” Further, they urged hiring more guards at the institution and modifying the buildings to eliminate routes of escape.

There is little indication that the grand jury recommendations were followed in any respect, and guard influence at Coxsackie remained limited until the emergence of a coherent union movement. The earliest stirrings of labor organization date at least to 1953, when the American Federation of State, County, and Municipal Employees (AFSCME) began to organize prison guards, though it did not have the right to collectively bargain labor contracts. An AFSCME committee investigated prison disturbances and concluded, “Low morale, in-
adequate pay and poor working conditions among the guard personnel [were] largely responsible.” The first local was established at Sing Sing in 1953, and within a short time, AFSCME Council 50 represented security personnel throughout the New York prison system. Almost immediately, Council 50 demanded the establishment of a forty-hour workweek for guards, pointing out that this had been achieved in private industry since before the war.23

Salary disputes occupied Council 50 much of the time. Prison guards were bitterly unhappy about Civil Service Commission decisions in 1954–1955 placing them in salary grade 11, rather than the requested grade 14. At that point, guard salaries began to seriously lag those of other prison employees, as well as those of New York City guards. Council 50 condemned the denials of salary grade changes as “cruel and heartless disregard of loyal, underpaid state workers.”24 A year later, guards seeking “dignity and job protection” marched on the state capitol, carrying signs demanding wage increases and a state-funded life insurance policy, along with more general recognition of their worth as “first class citizens.”25

Years of frustration with the Civil Service Commission came to a head in 1965, with the denial of yet another appeal. The Department of Corrections’ rejected appeal is a poignant reminder of the liberal framework that still dominated the Albany administration. Referring to the classification dispute as “perhaps the most important matter that has faced us in many years,” the department attacked the commission for “improper, inconsistent, illogical, [and] arbitrary and capricious conclusions.” The department pointed out in the appeal that guards remained stuck at grade 11, while teachers were at grade 12 and senior teachers at grade 15. “There are very few, if any, Correction Officers who are not actively and directly involved in a corrective and rehabilitative approach with all inmates . . . Education in its various forms is the driving core of the rehabilitative program,” the department noted, and “educational programs in correctional institutions could not survive one day without the efforts of the Correction Officers.”26

The failure of the Department of Corrections to use the rhetoric of rehabilitation to obtain better pay for guards pushed Council 50 further toward direct political action. Pickets went up in 1965 at a series of institutions, including Coxsackie, protesting the civil service denial of a grade increase. Early in 1966, Council 50 wrote to every state legislator, warning of “a condition of maximum low morale among the state correction officers.”27 The overwhelming focus of labor activity in this period was on the bread and butter issues surrounding wages, hours, and the other terms and conditions of employment, but there
were some signs that guards were beginning to define internal prison policy as a negotiable condition of employment. From the beginning of the reform period in New York, a substantial proportion of guards had resisted the imposition of extensive prison programs; the Central Guard School had been both an acknowledgment of this and an attempt to overcome that resistance. Among the high-profile educational reformers in prison administration was Charles L. McKendrick, a product of the Central Guard School who had been identified by the leading reformers as a kindred spirit and promoted steadily up through the system (while he pursued a master’s and a doctorate at Teachers College). Following two racial disturbances at Napanoch in 1960, Council 50 publically attacked Superintendent McKendrick for showing “too much leniency toward the prisoners”—while McKendrick dismissed the attack as part of Council 50’s ongoing public push for salary increases.28

These were minor skirmishes. It was not until 1969 that AFSCME finally won the right to represent correctional officers in the bargaining of new state contracts. At about the same time, correctional officers broke away from Council 50, which represented multiple categories of state employees, to start Council 82, composed largely through not exclusively of prison custodial workers.29 The first contract negotiations brought forth a torrent of officer demands over long-ignored aspects of their work lives: “improvements in salary, promotion, hours of work, retirement benefits, health and life insurance, special disability provisions, vacations, holidays, personal and sick leave, seniority, coffee breaks, and uniform allowances.”30 The earliest grievances at Coxsackie were likewise mostly grounded in day-to-day work issues: employees working two shifts within a twenty-four-hour period without receiving overtime, inadequate lighting for the employee parking lot, inadequate compensation for travel time from Albany to Coxsackie, and so on.31

The 1971 restructuring of the prison system produced considerable chaos and weakened traditional warden and superintendent authority, pushing Council 82 much further in the direction of demanding greater institutional control for officers and lobbying for prison policy changes. In the wake the Attica riot that same year, Council 82 presented the state with seven specific demands and threatened a system-wide lock-in of prisoners.32 At the heart of their demands was the quest to secure for officers a greater role “in determining what levels of security are required in each institution, how much inmate movement can be tolerated, which posts must be covered if the prison is to run a full schedule, and how security resources are to be deployed.”33
These demands were largely focused on the internal politics of prison governance, but Council 82 assumed a more substantial role in state-level prison politics as well. Russell Oswald recalled that officers of the 1950s and 1960s “were not politically oriented insofar as they did not use the press as their public arena or inform the press as to trouble within the institutions . . . . [Commissioner] McGinnis exerted too strong a control for that to occur.”34 While Oswald overstated the matter, it is true that correctional officers’ political interventions stayed largely behind bars.

Among the most important early successes for Council 82 involved their fight to deny Herman Schwartz nomination to head the State Commission of Correction. Governor Hugh Carey appointed Schwartz to head the commission, a prison watchdog organization of sorts. The announcement, in August 1975, was a low-key affair, which drew only modest press coverage and garnered generally favorable reviews.35 Many correctional officers, however, were enraged by Schwartz’s appointment and determined to prevent his confirmation by the senate. Most recalled Schwartz’s role in the Attica uprising as one of the first and most important outside intermediaries with the inmates in D yard. Although he had shown unquestionable courage at Attica, his willingness to negotiate with the prisoners, his concern for their well-being, his efforts to secure legal amnesty for most of the men involved, and above all his condemnation of the “inhumanity that men perpetuates against his fellow man in the name of justice” made Herman Schwartz the object of unrelenting hostility from officers. Council 82 made his defeat their number one political priority. John Burke, of the Council 82 Correction Policy Political Committee, wrote to legislators condemning Schwartz’s “ultra-liberal philosophies.” The nominee, wrote Burke, was “more concerned with the rights of criminals . . . than he is of the rights of victims of crime and the Correction Officers who work in the prisons and happen to be law-abiding citizens and tax payers.” His confirmation, legislators were warned, would have a “demoralizing effect on the silent majority of society.”36

In response to the furor, state senator Ralph Marino, head of the Committee on Crime and Correction, proposed hearings (“we have to see whether he’s gone too far”).37 Three days of contentious hearings in late February revealed just how much Schwartz had become “a symbol of the liberal attitude toward prison administration” and a lightning rod for conservative criticism of the penal system. Ultimately, the nomination failed, hinging on Marino’s deciding vote, which he withheld because he felt Schwartz’s record “indicates a propensity toward
an inmate’s point of view above and beyond his position as Correction Commissioner.”38 Liberals bemoaned the result; Tom Wicker called the defeat “one more entry in a long record of contempt and disregard by the state for its prisons and their inmates,” one that “raises the question of whether any real improvement in prison conditions is politically possible.”39

Correctional officers celebrated the defeat of Schwartz and continued to press their advantage with the state and individual institutional administrators. Council 82 executive director Carl Gray declared: “We are not patsies and we are not brutes and we will not take abuse from anyone.”40 Officers at Napanoch staged a wildcat strike in 1976 to force the institution to permit an institution-wide frisk for weapons, contrary to policy but strongly urged as a security measure. Council 82 dismissed prioritizing anything but security: “The present situation is one of warehousing only. Rhetoric about rehabilitation and programs are only that.”41 Thomas Coughlin became corrections commissioner in 1979, in the wake of a systemwide work stoppage by correctional officers. In his view, “The correction officers had received no real benefits from the Attica riot and they felt they were being ignored . . . I decided to bring some balance into the system by responding to the group I would consider my constituency—the correction officers and especially the union, because they were an organized, cohesive group—an enduring force.”42 An enduring force—nowhere was this truer than behind the walls of Coxsackie, where years of conflict came to a head in 1977 and provided the correctional officers with the definitive opportunity to put an end to what was left of the institution’s reform legacy.

**The War of 1977**

As a reformatory, Coxsackie had managed for years to control what sorts of prisoners it received, through the screening processes at the Elmira Reception Center and the extensive use of disciplinary or program transfers. Once Coxsackie lost its status as a reformatory in 1971 and became just another medium-security prison in the larger system, it lost all control over the inmate pipeline. As a consequence, the transition toward a largely African American and Puerto Rican population that had been taking place elsewhere in the system over the course of the entire postwar period took place almost instantly at Coxsackie. The inmates remained, for the time being, largely between 16 and 18 years of age, but now they were overwhelmingly young men of color. As late as 1969, white inmates accounted for more than 60 percent of the prison population at the institution; less than a decade later, they accounted for no more than 15 percent of the total. Guards told observers that the “character” of the population had changed
in recent years, and this was at least partly a euphemism for the declining presence of white, upstate youth.

Guards were not wholly wrong, however, to point out that there were some changes afoot in the prison population. With Coxsackie no longer part of a self-contained reformatory network within the prison system, it began receiving a much greater variety of inmates, including those with more serious criminal records. In addition, the rapid growth of the overall prison population in the 1970s, combined with the desire to implement a “fluid” system organized by security level, resulted in the Department of Correctional Services transferring large numbers of inmates every day, just to match the supply of prisoners with available prison space. One legislative report estimated that as many as five hundred state inmates were in transit on buses on any given day—the equivalent of one medium-size prison in the system. As a consequence, correctional officers felt that Coxsackie had large numbers of transient inmates with no attachment to prison programs as well as more serious offenders who presented a security risk. The prison farm, once the pride of the institution, was barely functioning by 1977—when Coxsackie tore the barn complex down in 1981, it had to import minimum-security inmates from Camp Summit to do the job.

Unfortunately, critics charged, elements of the correction officer workforce at Coxsackie responded to these dramatic changes by accelerating the systematic abuse of prisoners. Now, more than ever, verbal abuse and physical brutality were said to have taken on strongly racial elements. Attorney Elizabeth Gaynes, who entered Coxsackie as a representative of Prisoners Legal Services in late 1976, observed the inability, as she saw it, of the older officers, “to adjust to these inmates.” According to Gaynes, Coxsackie featured “physical and verbal abuse by corrections officers, particularly white officers against black inmates,” and did so at “a much higher percentage than I have encountered at other prisons.” She later testified, “I have been told by guards that my clients are animals, retards, black bastards, lower than animals; that ‘these people aren’t like us,’ that I must be unable to sleep at night knowing I’m helping these niggers.” Commission of Correction chairman Stephen Chinlund, who had replaced Herman Schwartz, further acknowledged that the actions of the most racist elements of the guard force had created a split, even “among captains, lieutenants, and sergeants, leaving the line staff in a difficult position of not knowing who to follow and what to do.”

Violence against inmates, as before, tended to concentrate around solitary confinement, and inmates were beaten when taken to solitary, much as they had been for decades. It did not help matters much that, at some points in the
The early 1970s, there was not a single black officer at Coxsackie. One of the early black officers, Dirome Williams, observed that racism was prevalent: “I’m used to feeling alienated. I have a better rapport with most prisoners than with most guards.” When asked if officers routinely beat inmates, he admitted, “The honest truth is, yes, they do.” Even Commissioner of Corrections Benjamin Ward, appointed in 1975, acknowledged, “there is racism in the prison system, and it’s obviously a problem at Coxsackie.”

Coxsackie’s prisoners were, in turn, as angry and politicized as their reformatory counterparts had been in years previous. Just as the correctional officers discovered, the prisoners had learned to take their case to the media and to outside advocacy groups. Days after the bloody retaking of Attica prison in 1971, one Coxsackie inmate wrote: “We are the victims of mental harassments, intimidations and threats. Brothers are denied the right to convene together under the Islamic doctrines . . . They have a form of Jim Crow sub-rules here, which they use to suppress us . . . We need your help Brother. It’s time Black people start sticking together, fighting together, and dying together, if need be.”

Prisoners at Coxsackie engaged in a series of protests around labor behind bars. In 1972, kitchen workers, angry over their low wages (at that point, between 25 and 40 cents per day), went on strike. The resulting conflict included two incidents in which windows were broken and toilets damaged in housing units, and authorities used tear gas on about eighty inmates to restore order. One prisoner, already in solitary confinement, was gassed after he “began shouting and threatening guards.” Work stoppages at Coxsackie continued to be a tool of resistance in other circumstances as well. When authorities instituted a rule, in 1973, that inmates be required to eat all the food they took at the prison mess hall, prisoners refused to work once again.

Black inmates, who for decades had been subject to attacks and beatings from the majority white reformatory population, began to return the violence. Now overwhelmingly in the minority, white inmates found themselves vulnerable and victimized. Even a prisoners’ attorney conceded that, since black inmates “cannot act against the white guards . . . they coerce white prisoners to give up their commissary, take property, provoke fights, and so forth.” One thing had not changed—Coxsackie was still at the boiling point of racial conflict, and still more so than the so-called “adult” prisons in the system.

January 1977 brought three new developments that would intertwine with one another over the course of the year and lead to a final reckoning for what was left of the old reformatory’s liberal legacy. In the second week of January, Vito Ternullo was appointed superintendent of Coxsackie, switching institu-
tions with Superintendent Theodore Reid. Ternullo was well known to the veteran staff of Coxsackie, and his appointment immediately raised concerns among ranks of the correctional officers. As much as anyone, Ternullo was identified with the educational reform regime. He had begun his career at Coxsackie as a teacher in 1950, briefly moved to the Albany office, and then returned to Coxsackie in 1956 as a guidance supervisor and then director of education. In 1960, Ternullo returned to Albany, where he rose through the ranks to head of the Division of Education in 1969—the same post previously occupied by Glenn Kendall and Price Chenault, and the post at the very heart of the reform network in New York. When the division ceased to exist after the 1971 reorganization, Ternullo took on a series of warden and superintendent positions.53

Ternullo was, by most accounts, a hard-working, serious prison administrator, who tried his best to sustain a reformist orientation at Coxsackie, despite many obstacles. Elizabeth Gaynes of Prisoners Legal Services, a fierce critic of New York’s prisons, called Ternullo accessible and fair, someone from whom she “got honest, immediate answers, thorough investigations, undivided attention, and kept promises.” Like the reform figures who had built Coxsackie, Ternullo believed that prisoners had real capacity for growth and development—and that communication and humane treatment were essential parts of that process. He gave full support to the institution’s educational and vocational offerings. Ternullo further determined to supplement underdeveloped prison programs by encouraging volunteer services at Coxsackie.54

From the correctional officers’ point of view, one of Ternullo’s most objectionable decisions was to cultivate the Inmate Liaison Committee (ILC). In the wake of the Attica uprising, ILCs had been organized at institutions as a way of managing inmate grievances and communicating with the administration. Each institution, of course, would end up determining whether the ILC would be a fully functioning part of prison operations or a dead letter. Ternullo gave the ILC its own office and granted them the privilege of direct phone communication with the superintendent’s office. As one supervising officer pointed out, “My COs don’t have that privilege.”55 Although the ILC claimed to be functioning effectively, stopping fights and serving a peacekeeping function, officers saw prisoners being given a wholly inappropriate opportunity to challenge institutional policies and practices—precisely the sort of dispute that had brought down Thomas Mott Osborne and the Mutual Welfare League over six decades earlier.

Within days of Ternullo’s arrival, a second critical event set the tone for the year to come. On January 19, two prisoners apparently attacked an officer, Jose
Colon. What happened next became the subject of intense and bitter dispute for months to come. Most accounts describe one of the inmates being taken to solitary and beaten by a large group of officers. Prison authorities, including at least one representative from the central offices in Albany, happened to discover the beating in progress. Attorney Lewis Oliver claimed that the prisoner’s hands were strapped together, his pants down, and his shirt being ripped off while other officers kicked and beat him. One lieutenant, George Frees, was heard to yell, “Shove the motherfucker in the corner, if he moves, kill him.”

In the aftermath of the beating, the department chose to bring charges only against Frees. Frees was not disciplined but was required to admit having “acted in a manner not normally expected of a supervisor.” From the prisoners’ perspective, this amounted to nothing more than a slap on the wrist—the beatings at Coxsackie had been, ever so briefly, exposed to the central administration and then largely ignored. When Frees was appointed, in June, as chairman of the Adjustment Committee (responsible for disciplining inmates), it marked “the end of respect for the prison discipline process by the prisoners.” Inmate Lewis Oliver claimed, “Every prisoner who comes before the committee knows that Frees is morally corrupt and not worthy of respect.”

From the officers’ perspective, the reaction to Frees was equally incomprehensible. The inmate being beaten had, after all, just been accused of attacking a correctional officer. Superintendent Ternullo had reportedly refused to speak with Frees afterward, or allow him into his office, and almost certainly supported charges being brought in Albany. Frees’s tires were slashed in the employee parking lot. A group of officers’ wives charged that all the staff involved in the beating were “hounded, harassed, and threatened with being brought up on charges.” The conflict between Frees and Ternullo took on aspects of an open power struggle between two longstanding elements of the reformatory—the educational and rehabilitative structure and the discipline-oriented guard force.

Just five days after the Frees incident, on January 24, Council 82 began negotiations with New York over a new contract for correctional officers. The negotiations kicked off “with an exchange of demands submitted by both sides” and continued on through February and March. During the negotiations, reports of attacks by prisoners on correctional officers surged, and the correctional officers took their case to the media. Coxsackie officers demanded a shakedown search of the entire institution, threatening to take “appropriate action” if Ternullo did not respond. Union local president William Tobin charged that officers were “confronted with knives, razor blades and homemade blud-
geons, while the system does nothing to protect us.”

Department of Corrections spokeswoman Ruby Ryles complained to the press that “every possible incident, including those so minor that they wouldn’t have been reported in the past,” was being reported as negotiations continued for a new guards contract with the state, a charge categorically denied by Council 82 field representative Robert Walker. Council 82 policy chairman Robert Maloney did, however, request that all local officers “send to me any material they may have or are able to obtain in regards to the above items including number of officers hurt, amount of time lost, number of inmates involved in assaults.” Certainly the inmates felt that the contract negotiations were a high point of tension with the officers, and that guards looking for “good press and pressure for their negotiations” were either initiating or blowing up incidents with prisoners.

As negotiations wore on, Council 82 locals began to threaten a strike if collective bargaining reached an impasse. Union locals at the former reformatories were among the most militant and helped precipitate a major crisis in April. Negotiations over a new contract had been brought to a conclusion and approved 18 to 5 by the union negotiating committee when three Council 82 locals sought a court injunction against the agreement. Although union leadership managed to thwart the tactic at the last minute, Council 82 entered a period of instability, during which time more conservative elements clearly gained an upper hand; Executive Director Gray resigned before the end of the year.

The conflict at Coxsackie spilled over into state politics. Following a mess hall riot in March, in which four correctional officers were injured, state assemblyman Clarence D. Lane called for an investigation of conditions at the prison, citing public “outrage” over “privileged treatment” given inmates. Lane’s charges prompted Commissioner Ward to concede that the public was “rightfully outraged over the privileged treatment presently extended to hardened criminals at our state corrections facilities.” Lane pushed state senator Ralph Marino to hold hearings on Coxsackie, supported by seven other Republican assemblymen. Critics called the hearings a “political charade” and an attempt by Republican politicians to embarrass a Democratic administration.

Into the middle of this tumultuous year, the Department of Corrections dropped a bomb on Coxsackie with its preliminary budget proposal for the coming fiscal year. In the budget, Commissioner Ward proposed significant cutbacks to prison programming, most notably ending the practice of all-day programming, which had been the norm at Coxsackie since 1935. In a June
memorandum, Ward stated, “It is my firm intention to reduce the cost of Corrections,” and “any program that calls for a full day of academic or vocational schooling with industrial or maintenance work is to be recommended for elimination.” Industrial production, on the other hand, “should be expanded” throughout the system.  

Deputy Commissioner Mark Corrigan called for a “moratorium on the seemingly endless consideration of correctional rehabilitation,” noting, “all we have discovered about rehabilitation is that we are not doing it.” New York prisons, Corrigan argued, must undertake a “shift away from the issue of rehabilitation.”  

For the former reformatories, the focus on cost reduction and prison industries threatened to finally dissolve what remained of the distinction between their institutions and big house prisons like Auburn or Clinton (where Ward’s proposal would have little or no impact). Prisoners were “well acquainted with the evils of economic exploitation and the coercion of their labor for minimal reward,” observed one critical response, meaning the proposal would not be “well received by those whose consent is necessary for its implementation.”  

Leon Van Dyke, an educator, prominent Albany civil rights figure, and employee of the Department of Correctional Services, attacked the proposal as a justification for a custodial model of correction, “under the guise of saving money.” Van Dyke doubtless spoke words that program staff in Coxsackie would have seconded when he concluded, “Within the DOCS there are sensitive, intelligent persons (working as guards and counselors, administrators and secretaries) who agonize over the present situation. But they will remain silent and frustrated as long as they feel that no one cares, or that they may lose their job for being honest. These people are as brutalized by the system as the inmates.”  

These were the feelings that led to the December radio announcement at Coxsackie, announcing the end of full-day programming in strongly negative terms and setting off the hostage-taking incident the following day (see introduction). The end of the hostage episode marked the definitive point at which the institution finally turned away from whatever liberal ambitions had once animated Coxsackie; however lightly these ambitions had touched the lives of some prisoners, it had nonetheless been a struggle to extinguish them. The state sent in an “executive team” to restore order to the prison, removed Ternullo as superintendent and several of his close aides as well. His departure was universally mourned among prisoners’ rights organizations; Elizabeth Gaynes declared his removal to have been a “victory for those who believe that the corrections officers should be able to hold life or death grips on the policies, programs, and administration of a prison.” She concluded, “By the removal of
Mr. Ternullo,” the department “has rewarded the Coxsackie officers for their insubordination, violence and racism.” Ternullo had not been lenient, one prisoner observed; he had merely been a human being: “There doesn’t seem to be any place for human beings in the Department of Corrections.”

Behind prison walls, the dismantling proceeded apace. “Guards have the power now,” inmates reported, and the officers reminded prisoners that “Ternullo ain’t here no more.” The prison was locked down for three days, while more security staff was added, new regulations imposed, and troublesome inmates transferred out of the institution. The old Inmate Liaison Committee was disbanded, its prized office taken away, and some of its members transferred out of the institution. Over the protests of some program staff, volunteer programs were either scaled back or eliminated. New security measures included an end to freedom of movement around the institution, with escort squads now required to march prisoners in double-file lines from one area to another; a new alarm system; and a block-housing system that allowed for more inmates to be forcibly or voluntarily confined to cells. Frees’s Adjustment Committee, which in December had adjudicated 273 cases and handed down 116 days’ worth of solitary confinement, handled 743 cases in January and imposed 528 days of solitary.

Senator Marino and the Crime and Correction Committee scheduled public hearings on Coxsackie for mid-February 1978 and made certain that they would serve as a strong endorsement of a get-tough approach to prisoners and prison administration. At the hearings, the committee subjected Commissioner Ward to some extremely harsh questioning; this despite Ward’s continued eagerness to criticize Ternullo and liberal corrections. “All of us instinctively know,” Ward testified, that prisoners were confined for the purposes of punishment, and not to be rehabilitated. Once again, he called for abandoning “the fiction of rehabilitation,” on the grounds that it “will stop inmates from being outraged when we tell them we’re rehabilitating them but really only discipline.” He criticized Coxsackie for attempting to be “some kind of reform school spin-off” instead of providing stricter security and supervision, placing blame squarely on the remnants of the old reform system, rather than on custodial staff. Employing convoluted logic, Ward claimed that the real source of anger among Coxsackie inmates was not racism, brutality, harsh discipline, or regimentation—but the hypocrisy of a system that claimed to be helping inmates. This revolt against hypocrisy, he claimed, was “the same thing youth experienced in the Columbia University riots or the Vietnam protests.”

Most other participants at the hearing issued more straightforward calls for cracking down on resistant prisoners and soft administration. Senator Marino,
reviewing Ternullo’s rules for negotiating with prisoners who did not want to leave their cells, opined: “If I tell an inmate to get the hell out of a cell he ought to go get out of a cell, and if not get a couple of guards to take him out.” Assemblyman Clarence Lane condemned the Ternullo approach to running Coxsackie, observing, “Your philosophy and policy are powder puffs. When the facility deteriorates to the point where people are afraid to go to work in the morning, it is a bad situation.”

The real stars of the Marino hearings were the officers’ wives. Not long before the hearings, roughly forty women whose husbands worked in prisons (mostly at Coxsackie) gathered at St. Patrick’s Elementary School in Catskill to form a new organization, the Coxsackie-Hudson Women for Correction Reform. Assemblyman Lane and Council 82 local head Valentine Kriel were also in attendance. Lane happily reported that the new Coxsackie superintendent was “hard nosed and stiff armed” and that Coxsackie was “on the road to recovery.” Despite Lane’s assurance, the women were primarily concerned about preparing for the hearings; their two primary goals were the removal of Ward and the restoration of the death penalty in New York State.

As members of the Coxsackie-Hudson Women for Correction Reform picketed outside the Legislative Office Building in Albany, their representatives entered Hearing Room A to deliver the most forceful attacks of the entire proceedings. Everything that officers were unable to say, their spouses delivered directly to the state senators. “The Department,” they testified, “has taken all the respect and controls from the Correction Officer whether he’s experienced or ‘New Jack’ . . . A carpenter can’t build a house without a hammer,” they argued, “and a Correction Officer can’t run a division without disciplinary controls.” They mocked the pretense of inmate programs, questioning “what inmate picnics, inmate parties, free busing for inmate visitors, free housing for inmate conjugal visits, free box lunches for inmate visitors, free postage and social security checks for inmates have to do with rehabilitation . . . If their families couldn’t help these inmates for the 16, 18, 25, 35 or even 50 years they already spent with them, what good is a monthly visit.” Commissioner Ward received the same unsparing treatment. Noting that Coxsackie’s farm, “once a show place,” had “deteriorated into a neglected eye-sore,” the officers’ wives mocked Ward’s observation that city boys shouldn’t have to work on the farm since it has no relevance to city life: “Perhaps they should practice muggings and rapings—which is what, in fact, they do since the officers are prevented from and forbidden to do their jobs.” This was the officers’ viewpoint, raw and unfiltered, and it dominated the proceedings.
Back at Coxsackie, inmates were reportedly feeling “lousy, depressed, and scared.” Inmate Terry Stanford declared the “peace” at the prison to be a façade: “You scare people enough and you get control over them. They’ve got control right now. But that’s all it is, control. There’s no respect. There’s tension and fear. It works now because the fear is new. Eventually you’re not afraid. And then you’ll fight. It can happen here again.”\textsuperscript{83} And, in one sense, Stanford was right—Coxsackie would and does remain a troubled and dangerous institution.

In less than a decade after Glenn Kendall’s retirement, the New York State Vocational Institution and the other reformatories had been erased from the correctional landscape. The structures were still there, of course, but none of them was ever again anything but a small part of a rapidly growing prison system for adult male offenders. As the Coxsackie Correctional Facility became, first, a medium-security prison and later a maximum-security facility, visitors could read the inscription “New York State Vocational Institution” above the front entrance without any idea of what that might have meant. The continuity of the physical structure should not be mistaken for political continuity. Though prison programs would (and do) continue at Coxsackie, the politics of punishment—both inside and outside the walls—were resolved decisively in favor of custodial interests. Liberal ambitions had given birth to the reformatory, and reform-minded staff had battled for decades to realize those ambitions behind bars. The failures of liberalism behind bars were more notable than were its successes, but the ultimate defeat of reform mattered as well. The new dominance of prison administrative regimes centered on security and custody helped pave the way for the era of mass incarceration.
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