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OSWALD SUPPORTS SHIFT OF OFFICES

Would Quit Ex Officio Post
on Correction Commission

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ALBANY, Feb. 8—State Corrections Commissioner Russell G. Oswald said today that he would be willing to relinquish his role as chairman of the State Commission of Correction if the State Constitution were changed to allow him to do so.

Mr. Oswald appeared before the Select Committee on Correctional Institutions and Programs, which was holding public hearings on 42 proposals recently made by its members to overhaul the state's penal system.

He said the dual role of Commissioner of Correction and chairman of the commission was a heavy responsibility in light of all that had to be done in running the 18 state institutions.

"I should not be sitting in that position," Mr. Oswald said of the chairmanship.

Under the State Constitution, the commissioner of correction is designated as the chairman of the Commission of Correction, which is empowered to visit and inspect all state penal institutions, investigate conditions and insure humane treatment for inmates and investigate management and conduct of prison personnel.

Reorganization Proposed

A proposal made by the select committee would reorganize the Commission of Correction by dropping the requirement that the commissioner serve as chairman and by making it the policy-making body for state and local institutions.

Mr. Oswald said he did not agree that the commission should establish an office of inspector general or act as an ombudsman for prisons, as proposed by the committee. He added that 35 of the committee's 42 proposals were already under study by the Department of Correction and that some changes had already taken place.

Commissioner Oswald said that inmates had received new winter clothing under a Federal grant of \$1.9-million, that the food program had been improved and that new methods of dealing with mail had been introduced. He added that up-to-date criminal-law libraries had been installed at six facilities for use by the inmates.

Mr. Oswald suggested that the proposed office of inspector general be established within

the department, rather than within the commission, to study the operation of facilities, make investigations and follow through on policy matters. He also called for a closed-circuit television system in each penal institution to monitor prisoners on a 24-hour basis and to watch how corrections officers were treating prisoners.

The Commissioner added that the department had been hampered by a lack of funds and that 300 prison jobs had not been filled because of the job freeze. He said there was "little need for new legislation" to make the recommended improvements because current statutes gave the department broad and flexible powers.

The select committee, which was created by the Governor following the Attica rioting last August in which 43 inmates and prison personnel were killed, also heard testimony from members of District Council 82, the union representing 4,000 of the 4,300 prison guards.

Representatives of the correction officers said that, despite promises made after the Attica riots and in collective-bargaining agreements, no action had been taken on creating a maximum-maximum security facility for incorrigible prisoners and promised in-training courses for guards had not been started.

Carl Gray, executive director of District Council 82, said that many of the innovations proposed by the Commissioner "do not syphon down to the officers."

"The system brutalizes anyone who is exposed to it," Mr. Gray said.