

2 N.J. corrections officers awarded \$6.3M in discrimination lawsuit



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TRENTON — A Mercer County jury has awarded a total of \$6.8 million to two senior correction officers who said they were harassed and subjected to bogus disciplinary charges by black supervisors.

The jury on Thursday found the state Department of Corrections violated New Jersey's Law Against Discrimination when it transferred the two officers, Joseph Milutin, 46, and Robert Healey, 52, and failed to address hostility directed at them and other white officers at a program for nonviolent offenders in New Lisbon.

"My clients complained about this for seven years and it was all buried," Gina Mendola Longarzo, a lawyer for the officers, said today. However, Longarzo said, "when African American officers made complaints, they investigated it with a speed and with ferociousness that would make your head spin."

In addition to damages for pain, suffering and lost pay, the jury awarded the officers \$3 million each in punitive damages against the department, according to the verdict. Longarzo said to her knowledge the award was one of the largest in a reverse discrimination case in state history.

A spokesman for the Corrections Department referred questions to the Attorney General's Office. Christopher Porrino, director of the state Division of Law, said the Attorney General's Office would appeal the decision but declined further comment.

According to the suit filed in Mercer County Superior Court in 2006, Healey and Milutin were assigned to the New Lisbon facility, where young, non-violent offenders are provided with education and treatment for substance abuse.

In 2005, the suit said, the two officers took part in punishing inmates with exercise and lectures after a soda was removed from a refrigerator for the use of them and their colleagues.

The next day a supervisor, Bettie Harris, called for an an investigation after receiving a report from another supervisor, Derick Loury, that the officers had abused the inmates and acted outside the scope of their duties, the lawsuit said. Harris, who now goes by the name Norris, and Loury are black, according to the suit.

Soon afterward, Healey and Milutin were transferred to the Albert C. Wagner Youth Correctional Facility in Bordentown, where they said in the suit they were subjected to "demeaning and unproductive" work assignments. But their requests transfers or other jobs were denied, according to the suit, and they were called "crackers".

In October 2005, the suit said, Harris administratively charged the two officers with abuse of an inmate and conduct unbecoming of a public employee, but a month later a hearing officer dismissed the charges after finding the department's witness not credible.



Despite the finding, however, Healey and Milutin said in their lawsuit that they were not permitted to return to their jobs in New Lisbon and were referred to by supervisors as "concentration camp commando" and "beat down crew."

The two officers further charged that the actions taken against them were intended to avail their black colleagues in New Lisbon — and not themselves — of more overtime.

Healey, a correction officer for 22 years, and Milutin, an 11-year veteran, still work for the department.

Harris is currently director of the Division of Operations under Corrections Commissioner Gary Lanigan and earns about \$123,000 a year. Lousy, an associate administrator at the Central Reception and Assignment Facility, earns \$119,000.

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