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Jail union chief gains \$195,000

Albany County settles free-speech case with corrections officer

By MICHELE MORGAN BOLTON
Staff Writer

Caption: Hoyt

ALBANY - Albany County has agreed to pay \$195,000 to a county correction officer and union president who claimed his leave of absence to handle union business was revoked in 2002 a day after he publicly questioned Undersheriff John Mahan's fitness for public service.

Correction Officer Ron Hoyt had accused Mahan and other county officials of violating his free-speech rights.

He was prepared to take the case to trial. But a notice posted on the U.S. District Court's Web site Friday indicated the case was settled, and closed. Hoyt, who works in booking at the county jail, said he was euphoric, and confirmed the settlement amount: "When it comes to sticking up for what is right, there is no one on God's green Earth who will keep my mouth shut."

His attorney, Bob **Keach**, who is known for his go-rounds with area sheriffs' departments, said: "I'm quite happy that the fight I put in on his behalf led to a well-deserved and appropriate victory."

The \$195,000 will be covered through the county's liability insurance. Albany lawyer Michael Smith, who represents the defendants, said the case was settled at the recommendation of the county's insurance carrier.

"It was, quite frankly, because it was cheaper to settle than to continue to litigate," he said. "It was a simple, economic decision. And there was no admission of wrongdoing whatsoever."

Hoyt was the full-time president of Council 82 in 2002, the parent organization of Local 775 that represents correction officers at the jail.

His leave of absence was revoked a day after comments he made during the County Legislature's Feb. 13, 2002, meeting.

Originally, the case naming former Deputy County Executive Christopher Andreucci, Sheriff James Campbell and Mahan as defendants was dismissed in 2004 by visiting Senior U.S. District Court Judge Lyle E. Strom of Nebraska.

It was reinstated in January by the U.S. 2nd Circuit Court of Appeals in Manhattan.

Hoyt claimed that Mahan removed a sheriff's employee from a position he bid for by seniority because Mahan didn't like the employee. Hoyt claims Mahan then lied to the union.

During that 2002 legislative meeting, he told lawmakers the department's second-in-command should resign or be fired.

Despite his pleasure with the settlement, Hoyt said he still expects retribution.

"Unfortunately, I don't think this is the last lawsuit," he said. "I've filed 140 grievances since I took over again as president last year. Management just doesn't get it. You can't just push your employees around and not expect something to happen."

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