

MINUTES
BOARD OF CORRECTION

MARCH 13, 1985

A meeting of the New York City Board of Correction was held on March 13, 1985, in the conference room of the Adolescent Reception and Detention Center, 14-14 Hazen Street, East Elmhurst, New York.

Members present were Chairman Peter Tufo, Vice-Chairman John Horan, Mr. Angelo Giordani, Mr. Wilbert Kirby, Mr. David Lenefsky, Mrs. Barbara Margolis, Mr. David Schulte, and Mrs. Rose M. Singer.

The meeting was called to order at 10:10 a.m.

Department staff present included Chief of Operations Gloria Lee, Deputy Commissioner Sharon Keilin, Deputy Commissioner Albert Gray, Special Counsel Robert Daly, Supervising Warden Monteiro, and Warden Otis Bantum.

Chairman Tufo thanked Deputy Commissioner Gray for assisting with arrangements for the meeting and facility tour. He announced that the Board would tour selected housing areas, including 3-Main, (the location of the recent homicide), a dormitory, and the Lower Dorm with its (planned) adjoining vocational training workshop. He requested that the Department brief the Board on the operation of the perimeter alarm system.

The Board and Department staff toured the facility. In 3 Main, Warden Bantum discussed the homicide, pointing out the "C" gates through which the alleged assailants passed to reach their victim in the north side dayroom. He noted that several blind spots exist in the dayroom so that the "A" officer cannot observe all activity therein.

During the inspection of the Lower Dorm, Executive Director Richard Wolf noted that the renovation was different from the plans presented by the Department and approved by the Board. Deputy Commissioner Keilin agreed, attributing the absence of direct sight lines from the officers station to the main bathroom facilities to a utility closet which would not be relocated. Mr. Schulte suggested that the Department move the showers and toilets to a location immediately behind the officers station to facilitate observation. Deputy Commissioner Keilin stated that architects had rejected this possibility as too expensive. She further stated that current plans call for an additional officer on two tours. The meeting resumed at 11:15 a.m., Inspector General Tyrone Butler and members of his staff and members of Warden Bantum's staff joined the meeting.

Chairman Tufo said that the Board would first meet with Department staff, then meet privately. He remarked that the Board felt that ARDC was the most problematic of the Department's facilities. The Board's 1984 report on violence in ARDC had raised

concerns which are receiving further study by staff. Chairman Tufo asked Warden Bantum to suggest ways for reducing the level of violence at ARDC. He asked Warden Bantum whether any Minimum Standards might be modified for ARDC inmates, whether the Board should appeal to OMB for additional funds, and whether the facility might benefit from a Board sponsored public hearing on violence in ARDC. The Board will make recommendations for change in its reports on the homicide and escape attempt at ARDC. Chairman Tufo said that the Board held no one individual person responsible for ARDC management problems.

Warden Bantum thanked the Board for offering assistance. He did not believe that the Minimum Standards were the cause of the facility's management problems. This Consent Decrees, however, did cause some difficulties. The Warden believed that level of violence had not changed much over the past year. He said that use of weapons by inmates was a longstanding problem at ARDC, and that the risk of homicide was always present whenever a weapon is used. He reported that the ceiling was being dismantled and replaced. As the old ceiling is removed, temporary light fixtures are being installed until a new ceiling can be put up. The Warden predicted that the number of inmate assaults would decrease after the ceiling was replaced. He noted that inmates at ARDC are more likely to have violent tendencies because inmates without behavioral problems are sent to CIFW. He said that the problems were caused by adolescent youths who cannot accept discipline in or out of jail. General population inmates in 4 building and inmates awaiting sentencing in 2 building, are the most violent.

Chairman Tufo asked whether or not adult inmates should be moved out of ARDC. Warden Bantum responded that few problems existed between adults and adolescents and that adults were subject to the same rules and movement policies. He believes that there is no need to remove the adults.

Mr. Schulte asked the Warden to comment on possible solutions. The Warden remarked that he did not have any ready solutions. He agreed that the level of violence was serious, but that an acceptable level of violence has never been determined. Mr. Schulte remarked that the acceptable level was zero, but the lowest attainable level should be the goal.

Chairman Tufo said that the Board has examined levels of violence and that there has been a significant rise in violent acts since 1983 and that this was unacceptable.

Mr. Horan remarked that there seemed to be a high turnover of ARDC officers and supervisory staff. He said that experienced officers should be assigned to ARDC and encouraged to remain there. Warden Bantum recognized this problem and said that more than 200 probationary officers and 17 probationary captains were assigned to ARDC. He could not, however, interfere with the COBA contract which allows all personnel to apply for transfer. He said that it was

personally difficult for him to ask an officer to remain at ARDC, especially when that officer has worked for many years in the facility. The Board might study whether rates of violence rise immediately after new recruits are assigned to ARDC. He remarked that in-service training was useful, and that the Department might consider expanding its training program.

Mr. Giordani asked whether in-service training included counseling for officers. He said that there should be an opportunity for officers to express their job-related problems. Counseling would alleviate the problems of low morale and burn-out. Warden Bantum said that 500 correction officers work "the wheel" at ARDC, and that their work schedule makes it difficult for them to learn the habits and problems of individual inmates.

Mrs. Singer said that officers should be trained to understand the unique problems of adolescent inmates. Warden Bantum said that recruit training lasts seven-weeks and covers a number of required subjects. It would be difficult to add an additional course on the psychology of adolescents. Training in mental health and suicide prevention is currently provided.

Mr. Kirby discussed the problems associated with inexperienced officers supervising inner-city adolescents. To reduce these problems, the Department should place officers at ARDC who are familiar with the lifestyles of inner-city adolescents and have more on-the-job experience. Mr. Kirby noted that the officers' contract would not permit this.

Chairman Tufo asked whether increased staffing might be advisable in the most problematic housing areas, and how much additional staffing might be needed. Warden Bantum said that the benefit of increased staffing would depend upon the experience of the additional staff. He said that he could not guarantee that additional staff would constantly patrol the housing areas as required.

Chairman Tufo asked Chief Lee for her comments. She responded that adolescents had always presented problems, but that their behavioral patterns had changed over the years. At one time in the past, inmates were more likely to set fires. At another time in the past, inmates were more likely to use razor blades as weapons. Violence has always been present, but its form has varied. She said that incarcerated adolescents are more violent now that state law treats them as adults. Mr. Lenefsky asked Chief Lee why the number of incidents had risen over a period of two years. Chief Lee said that changes in society were reflected in the jails.

Chairman Tufo remarked that the Board did not view ARDC staff as unaware or unconcerned about the level of violence in the facility.

Mr. Schulte said that it should be made unprofitable for inmates to demonstrate violent behavior in jails. Since judges review an inmate's probation report prior to sentencing, violent behavior by an inmate should be entered into that report.

Mr. Kirby said that ARDC's major problems stemmed from juveniles being incarcerated and prosecuted as adults.

Chairman Tufo welcomed Commissioner Jacqueline McMickens. He reiterated the Board's desire to explore with the Department any management initiatives that would benefit ARDC, including modifications to the Minimum Standards and appeals to OMB for increased funding.

Commissioner McMickens said that in her estimation the number of incidents at ARDC has dropped. ARDC was difficult to run because the size of the facility has increased. Supervising adolescents as adults is difficult. The Department is not able to offer or deny many privileges to inmates based upon their behavior. The Department is hiring a team of 3 consultants to study the problem of violence in ARDC. The Department, therefore, does not plan to implement significant changes until the consultants make their recommendations. She expressed an interest in having a Board member meet with the consulting team. Mace has been distributed to ARDC officers as a restraining aid. Commissioner McMickens remarked that mace had been helpful in the Brooklyn House of Detention and C-76.

Mrs. Singer remarked that the consulting team needs to consider the needs of adolescents. Commissioner McMickens stated that the needs of children were not adequately considered or addressed in New York City.

Chairman Tufo said that the Board was interested in comments from Department staff on the recent escape attempt. Mr. Schulte asked which individual was responsible for clearing the fence alarm. Supervising Warden Monteiro said that ARDC staff were responsible. He noted that ARDC procedures had been changed since the escape. In general, each institution is responsible for the security of its own yard. Rikers Island Security is only contacted as a backup. Facility officers patrol a building's yard and Rikers Island Security officers patrol the perimeter from a vehicle. Commissioner McMickens said that a signal is set off in the receiving room when someone penetrates the inner fence; the signal indicates that someone is inside a specific zone. Department staff had considered covering the inner fence with razor ribbon, but it was not necessary. The perimeter fences are important because the Department has long realized that the modules are not very secure. Warden Monteiro said that an infra-ray camera system will be installed. It will work by starlight and would be triggered by a fence alarm. Cameras could have been installed a few years ago, but camera technology was more expensive and less advanced than at present. Commissioner

McMickens said that the Department did not regard the recent incident as an escape, because the inmates did not leave the ARDC yard. No inmate has ever penetrated both outer fences. No inmates have entered the zone between fences without being detected. The inmates in the recent escape attempt had been detected.

Commissioner McMickens will consider requesting additional staff. She was willing to try modifying the classification system.

Counsel Barbara Dunkel asked how much time was spent on in-service training. Warden Bantum responded that officers received 40-50 minutes of training per day on the day tour. There is no training on the evening tour. Training included interpersonal training.

Commissioner McMickens said that a group of experienced officers had sent her a proposal for ARDC which included some interesting recommendations. Chairman Tufo said that Board staff would be pleased to participate in the consultants' evaluation, and to comment on the officers' proposal. Commissioner McMickens said that she was impressed with the Board's findings on ARDC violence. Board staff should account for population fluctuations and inmate length of stay. Ms. Dunkel said that Board staff did account for population levels in its findings, but that length of detention had not been evaluated. She added that if the Department could provide this information, Board staff would include it in its analysis.

Chairman Tufo remarked that the Board was willing to consider restricting inmate possession of jewelry and certain types of clothing. Warden Bantum remarked that inmates bring in sheepskin and leather coats during the winter and fights erupt over these items. Inmates acquire weapons for self-protection.

Commissioner McMickens noted that the Department had housed 72,000 people over the last year and only one homicide took place. She felt that the Department was doing relatively well. Findings on adolescent violence should be sent to the Board of Education, which keeps statistics on adolescent violence in schools.

Ms. Dunkel repeated the offer to share the Board's findings with the consultants and the Department and to work together on further analysis.

Chairman Tufo thanked Department staff for their participation. Department staff left the meeting.

Chairman Tufo asked Board members to read the document staff had prepared on ARDC violence while considering observations made at the facility. Mr. Schulte remarked that the bathroom arrangement for the Lower dorm was dangerous because the officers' view of the area was obstructed. He noted that the location of plumbing fixtures

may prevent the Department from making an opening in the bathroom walls to improve visibility. Mr. Wolf noted that the architect's analysis of the Lower Dorm would be shared with the Board. Chairman Tufo said that the Department had been willing to provide a "c" officer for the Lower Dorm.

Mr. Schulte said that he had noted several areas with exposed electrical wires which were labeled 'danger - 220 volts'. Mr. Schulte said that the Board was obligated to report this to the Department.

The Meeting was scheduled for Tuesday, April 2 at 2:00 p.m. Chairman Tufo asked that final reports on ARDC violence and the homicide be completed.

The meeting was adjourned at 12:45 p.m.