

BOARD OF CORRECTION

MINUTES

FEBRUARY 14, 1989

Members Present

Robert Kasanof, Chairman
Judge William Booth
Reverend Irvine A. Bryer, Jr.
David Lenefsky
David A. Schulte
Rose M. Singer

Excused absences were noted for John Horan, Angelo Giordani, and Barbara Margolis.

Representatives of the Department of Correction

Michael Cleary, Executive Director Management Evaluation Division
David Frankel, Special Counsel
Robert Daly, General Counsel

Others in Attendance

John Guzman, Thomas Tiberia, New York State Commission of
Correction
Frank Reay, State Senate Committee on Crime and Correction
Evelyn Hernandez, New York Newsday

Chairman Robert Kasanof opened the meeting at 2:20 p.m. He moved for adoption of the minutes of the January 10, 1989 Board meeting. The motion was seconded by David Schulte and approved by all members present.

Chairman Kasanof reported that he had met recently with Kevin Frawley, Commissioner of the Department of Investigation. Mr. Kasanof described some of the steps that would be taken to improve security both in terms of access to the prisons and background checks for new staff and future Board members. He mentioned the Department of Investigation's serious concern about the introduction of contraband into the prisons, a concern that is shared by Chairman Kasanof and the other Board members. Chairman Kasanof said that he is willing to have Board representatives subjected to tightened jail security procedures so long as top level Department officials are subjected to the same procedures. Commissioner Frawley and his staff will review existing security procedures and perhaps recommend some changes.

Chairman Kasanof stated that he had sent a letter to all Board members concerning possible ownership or controlling interest in any business or commercial entity which does or is seeking to do business with the City of New York. Most Board members have answered his letter.

Chairman Kasanof and the Board executive staff are looking into some basic design changes in the present shield to make Board of Correction staff more easily identifiable in the jails.

Judge Booth raised the Mayor's proposal of using United State Military facilities for boot camps for first time drug offenders. Patterned after New York State's work camp, the idea would be to remove offenders from their local environment for a long enough period so that they may not return to drug activity. Judge Booth thinks this is an excellent idea because it will create much needed jail space by using U.S. Military facilities that are about to be closed. Chairman Kasanof agreed.

Chairman Kasanof next discussed the ongoing problem of shackling. This issue was discussed at the January Board meeting, where all present agreed that shackling should be used sparingly and only for high security reasons. He and Reverend Bryer have written a letter to Commissioner Koehler expressing their continued concern about shackling of inmates receiving medical treatment on civilian hospital wards. He commended Reverend Bryer for his visits over the past few weeks to out posted prisoners and stated that shackling ill and hospitalized inmates is inhumane and humiliating.

Chairman Kasanof recommends that there be a frequent system-wide review of shackling. He believes that this will reduce shackling without impairing security.

Chairman Kasanof then asked Richard Wolf, Executive Director, to describe the Department's variance requests. Mr. Wolf distributed a copy of a letter dated February 10, 1989 from Michael Cleary, Executive Director Management Evaluation Division, requesting an extension of the existing variances, and seeking a modification of the variance condition limiting to 76 the number of parole violators who can be housed at the North facility outside of the two "squeezed" parole violator dormitories, as well as increasing the overall parole violator capacity at the North facility from 250 to 300.

Mr. Wolf discussed the Department's request for approval of a variance from Section 10.2 (a) of the Board Minimum Standard on visiting for the Bibby Venture in the event of an emergency shortage of inmate housing which would force the Department to reactivate the Bibby Venture as detention housing at its current location at Pier 1 in Brooklyn. Inmate visits would be provided at the Brooklyn HDM since there is no visit house on the vessel or the surrounding upland space. The detainees would be transported from the Bibby Venture to the Brooklyn HDM for their visits. Additional transportation vehicles and staff, and additional visit house staff at the Brooklyn HDM, will be provided.

Chairman Kasanof asked the Department members if the Fire Department had approved the use of the Bibby Venture.

David Frankel, Special Counsel, stated that the Fire Department was in the process of inspecting the Bibby Venture and that the Department of Correction was waiting for the Fire Department's letter. He said that although the Fire Department approval "technically" was not required because as an international vessel the Bibby Venture was approved pursuant to the Safety of Lives at Sea (SOLAS) agreement, the Department is seeking Fire Department approval as an extra precaution.

Chairman Kasanof reminded the Department of Correction officials that he has asked for this inspection for months and asks the other Board members not to vote on any request regarding the Bibby Venture until this letter is in hand.

Mr. Frankel asked if the Bibby issues could be voted on now, but not acted on until the Fire Department's response is received.

Mr. Kasanof said that he did not want to consider any of the Bibby issues until the letter was received. No Board members moved to hear this issue.

The Board members present unanimously voted to approve the extension of all existing variances and to increase the parole

violator capacity at the North Facility from 250 to 300. They did not approve the request to remove the 76 parole violator capacity for non-squeezed dorms in the main building of the North Facility. This means that the balance of parole violators not squeezed in the two dormitories will have to be housed in the new cells.

It was agreed that the next Board meeting will be on Wednesday, March 8, 1989.

Chairman Kasanof thanked the representatives of the Department for their participation in the Board meeting, which was adjourned at 3:10 p.m.