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NEW YORK CITY
BOARD OF CORRECTION
MEETING OF FEBRUARY 20, 1991

Members Present

Robert Kasanof, Chairman
John R. Horan, Vice Chairman
Judge William Booth
Rev. Irvine Bryer, Jr.
Louis A. Cruz, Esq.
David Lenefsky, Esq.
Barbara Margolis
David A. Schulte

An excused absence was noted for Rose M. Singer.

Representatives of the Department of Correction

Sharon Keilin, Deputy Commissioner
Vito Turso, Deputy Commissioner
Robert Daly, General Counsel
Toni Bair, Assistant Commissioner
Hector Eugui, Deputy Chief

Others in Attendance

Christian Covington, Council of the City of New York
Donald McKeever, New York State Commission of Correction
Mary Jo Mullan, Office of Compliance Consultants
Frank Reay, State Senate Committee on Crime and Corrections
Evelyn Hernandez, New York Newsday
Shaun Assel, Village Voice
Craig Wolff, New York Times

The meeting began at 2:15 p.m. Chairman Robert Kasanof welcomed the representatives of the Department of Correction and other guests. Mr. Kasanof noted that Board member Rose Singer was not present but was doing well after her recent illness. Mr. Kasanof called for a motion to approve the minutes of the Board meeting of January 9, 1990. The motion was made by Board member Louis Cruz, seconded by Board member Judge William Booth and approved by all Board members present.

Mr. Kasanof announced that the Health Care Minimum Standards were now ready for promulgation and that First Deputy Mayor Steisel and Deputy Mayor Mollen had written to the Board endorsing the Standards with the understanding that their implementation would be phased in consideration of the City budget crisis. Mr. Kasanof then invited motions to vote on adoption of the Standards. Board member David Lenefsky made a motion for a vote, Mr. Booth seconded the motion and the Standards were approved unanimously by Board members present. (Note: After the meeting, Mrs. Singer voted by telephone in support of the motion.)

Mr. Kasanof said that he wished to note the contributions made by Board member David Lenefsky, Executive Director Richard Wolf and Deputy Director Maddy deLone to the completion of the Health Standards. Mr. Lenefsky said he appreciated Mr. Kasanof's

remarks but wanted to emphasize the real work on the Standards was accomplished by Mr. Wolf and Ms. deLone. Ms. deLone explained that the Standards could not have been completed without the assistance of the Departments of Correction and Health and the Mayor's Office. Ms. deLone said that Leslie Hurdle of the Mayor's Office was particularly helpful.

Mr. Cruz made a motion that the Board adopt a resolution creating a subcommittee of the Board which shall have the duty to recommend the appointment, disciplining, and termination of members of the Board's executive staff. The resolution stated that the recommendations of the Personnel Subcommittee, which shall be made up of three members of the Board, shall be voted on by the Board. It stated further that no action regarding the appointment, disciplining, or termination of any member of the Board's executive staff shall be taken except in conformity with this resolution. The motion was seconded by Board member John Horan and adopted on the unanimous vote of all members present.

Mr. Kasanof said that the Department's General Counsel, Robert Daly, had written to the Board requesting a variance for the off-site provision of mental health care services for inmates at the George R. Vierno Center (GRVC). Mr. Schulte noted that, though perhaps not the fault of the Department, it was a unsatisfactory arrangement. Mr. Booth agreed that it was an unsatisfactory arrangement, but went on to say that the lack of

mental health services constituted a real emergency and therefore he felt it appropriate to move for a vote to approve the variance. Mr. Cruz then expressed his concern regarding the provision of health services to inmates housed at GRVC. Ms. deLone explained that the situation is being carefully monitored. Board member Reverend Irvine Bryer then seconded the motion to approve the variance and it was approved by all Board members present.

Mr. Kasanof said he wanted to open discussion on the matter of existing variances. He said that while fiscal year-to-date admissions to the system were down 24% as compared to fiscal year 1990, the population of the system continued to increase. He said this problem might be due to increased time required for processing cases. He said that over time the continued granting of emergency population variances so that they have, in effect, become regarded as normal operating procedure has begun to trouble many Board members. He explained that the Board would vote on a gradual and systematic reduction in the number of variance beds that would be tied to the current plans for expansion of system capacity which, when completed in August, 1991, will add 2,235 beds to the system. He proposed that the Board reduce the number of beds by a ratio of one variance bed to every two new beds added to the system. Mr. Kasanof then invited a motion to vote on the variance reduction plan. Mr. Horan made the motion and it was seconded by Mr. Booth.

Mr. Daly said that the Department had not taken variances for granted and had always worked on the presumption that variances were not permanent. He expressed some reservations about meeting specific deadlines but said the Department would work to bring down as many beds as possible. Mr. Kasanof said that while the Board had recommended a two-for-one reduction, it would not prohibit variations as long as steady progress was made toward the goal of eliminating the existing "squeezed" beds. Mr. Schulte noted that if the Department's census grew, the Board would be willing to consider emergency variances. All Board members present then approved the motion to adopt the emergency variance reduction plan.

Deputy Commissioner Keilin then reported on the status of down cells in the system. She first clarified the reporting procedure for down cells. She said that work on the cells down due to asbestos-related problems at the James A. Thomas Center would begin the following week. She also reported that the Office of Management and Budget had freed the Department of certain fiscal year restraints in ordering replacement parts. In addition, the Department hired a new civilian director of maintenance with extensive experience in large plant management. Finally, Ms. Keilin acknowledged that the Department had replaced broken toilets with porcelain toilets at the Anna M. Kross Center in order to put those cells into service as soon as possible.

She noted that the Department was, nevertheless, committed to increasing the use of steel fixture replacement parts.

Mr. Cruz said that he was concerned about the adequacy of educational services provided at the Adolescent Reception and Detention Center and requested that the Department report on them at the next meeting. Vito Turso agreed that it would be useful to make a presentation on educational issues, and related issues such as trade programs.

Assistant Commissioner Bair said the Department would notify Mr. Schulte promptly when the health facility at GRVC was in service.

Chairman Kasanof thanked the representatives of the Department of Correction and others present for their participation. The meeting was adjourned at 3:30 p.m.