

NEW YORK CITY
BOARD OF CORRECTION
MEETING OF JULY 10, 1991

Members Present

Judge William Booth, Chairman
John R. Horan, Vice-Chairman
Louis A. Cruz, Esq.
Stanley Kreitman
David Lenefsky, Esq.
Barbara Margolis

Excused absences were noted for Rev. Irvine Bryer, Jr., Peter Johnson, Jr., Esq., David A. Schulte.

Representatives of the Department of Correction

Allyn Sielaff, Commissioner
Gerald Mitchell, Chief of the Department
Ed Allocco, Deputy Commissioner
Allison Lewis-Smith, Deputy Commissioner
Vito Turso, Deputy Commissioner
Toni Bair, Assistant Commissioner
John Shanahan, Assistant Commissioner
Marian Tsugi, Assistant Commissioner
Leslie Keenan, Associate Commissioner
Hector Eugui, Deputy Chief
John Kane, Warden

Others In Attendance

John Guzman, New York State Commission of Correction
Jack Beck, Legal Aid Society
Jonathan Chasen, Legal Aid Society
Dale Wilker, Legal Aid Society
Leslie Hurdle, Mayor's Office of Operations
Mary Jo Mullan, Office of Compliance Consultants
Frank Reay, State Senate Committee on Crime and Corrections
George Jordan, New York Newsday
Selwynn Raab, New York Times

The meeting began at 2:15 p.m. Board Chairman William Booth welcomed the representatives of the Department of Correction (DOC) and other guests.

Mr. Booth called for a motion to adopt the minutes of the Board meeting of June 12, 1991. The motion was made by Board member David Lenefsky, seconded by Board vice-chairman John Horan, and approved by all Board members present.

Mr. Booth said that he and the Board's Executive Director Richard Wolf had accompanied Commissioner Allyn Sielaff and DOC staff to Albany to help secure approval of legislation supporting DOC efforts to ease jail overcrowding. He expressed disappointment that the legislative package had not been completely successful and said that he hoped that at least some of the proposals could be revived for the next legislative session. Commissioner Allyn Sielaff noted that many of the legislators seemed interested in the package and that he believes support for alternatives to incarceration is growing.

Mr. Booth reported on the status of proposed cuts to the prison health services budget. He said that when the final budget was adopted, most of the items slated to be cut had been restored.

Mr. Booth requested DOC staff report on their plans for new

facilities designed to house the increased number of inmates during the yearly "Fall peak". Assistant Commissioner John Shanahan reported on the DOC's building plans for new modular and Sprung structures on Riker's Island.

Mr. Booth then asked the Department to report on the continued increase in the number of State-ready inmates. He noted that Comptroller Elizabeth Holtzman had denied the Department's request for emergency funding to build new facilities based in part on the number of overdue State-ready inmates in the City system. Deputy Chief Hector Eugui reported that there were 2321 inmates now overdue. He said that Chief Gerald Mitchell and Mike Cleary had traveled to Albany to emphasize to the State the City's concerns regarding the number of overdue inmates. Chief Mitchell said the State committed itself to increasing the weekly "take-out" of inmates from the City system. He added that this take-out would also include a large number of women.

Mr. Lenefsky asked the Commissioner whether he thought that a court-mandated release of prisoners might be possible this Fall if the number of overdue State-ready inmates did not decrease. The Commissioner replied that he thought it was a very real possibility, and said that the Department's population projections for the Fall had been based on the assumption that the number of overdue inmates would be reduced to 300. Deputy

Commissioner Allison Lewis-Smith said the Department was contemplating filing a lawsuit to require the State to accept overdue inmates and asked for the Board's support in taking this action. Mr. Horan moved that the Board vote to support such a suit. The motion was seconded by Board member Louis Cruz and approved by all members present.

Mr. Booth asked Mr. Wolf if he wished to add anything to the Department's report. Mr. Wolf noted that the Department's population projections, however alarming, may have actually understated the possible bed shortage the Department will experience. Mr. Allocco agreed with Mr. Wolf's assessment and noted the possibility of an even more severe bed shortage than had been acknowledged. Mr. Lenefsky said the problem, if unabated, presented a public safety emergency.

Mr. Booth then reported on Board committee assignments and invited members to volunteer for any vacancies. He then asked Board members present to consider assignments to specific institutions. Mr. Cruz moved that the Board accept assignments to institutions as described by Mr. Booth. The motion was seconded by Board member Stanley Kreitman and approved by all members present. Mr. Booth then asked for volunteers to organize a tribute for former Board Chairman Robert Kasanof and for former Board member the late Rose M. Singer. Mr. Horan and Mr. Cruz volunteered to assist in such an effort.

Mr. Kreitman moved that Board members assume on-call duties in the event of emergencies in the system. Mr. Cruz seconded the motion and it was approved by all members present.

Mr. Booth then asked Mr. Wolf to present Board staff recommendations regarding pending requests for variance renewals. Mr. Wolf reported that the Department had informed the Board of a sharp decrease in the number of available Substance Abuse Intervention Division (SAID) counselors. Acting Executive Director for the SAID program David Mallach reported that the City had given approval for expedited hiring of the needed staff. Mr. Cruz moved to renew all existing variances. Board member Barbara Margolis seconded the motion and all members present voted to approve the variances.

Department staff then reported on the status of the High-Impact Incarceration programs, including the number of graduates, graduates offered conditional-release, staffing issues and populations to be targeted for future classes.

Mr. Lenefsky moved that the Board resolve to support the resumption of bail hearings on Riker's Island. Mr. Horan seconded the motion and all members present voted to approve it.

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