

MINUTES

APRIL 16, 1980 MEETING

BOARD OF CORRECTION

A regular meeting of the New York City Board of Correction was held on April 16, 1980 in the Conference Room of Fox, Glynn & Melamed, 299 Park Avenue, 30th Floor, New York, New York.

In attendance were Chairman Peter Tufo, Vice-Chairman John Horan, Mr. Wilbert Kirby, Mr. David Lenefsky, Mr. David Schulte and Mrs. Rose M. Singer.

Excused absences were requested and approved for Mr. Angelo Giordani and Mr. Jack Poses.

Board staff present were Michael Austin, Michael Cleary, Sherry Goldstein, Judith LaPook, Joseph Smith, and Jeremy Travis.

Peter Tufo chaired the meeting and Sherry Goldstein served as secretary.

The Chairman called the meeting to order at 2:30 p.m.

The minutes of the March 5, 1980 meeting were adopted unanimously.

The Chairman opened the meeting by announcing that Mr. Kirby's reappointment had been confirmed by the City Council and Mr. Horan had been reappointed by the Presiding Justices of the Appellate Division of the Supreme Court for the First and Second Judicial Departments.

Mr. Tufo then stated that he, Ms. LaPook and Mr. Schulte had spent a considerable amount of time discussing the Rikers Island Report and that now the report satisfactorily incorporates Mr. Schulte's comments. Therefore, the Board's Report would be approved unanimously. He stated the Board of Estimate vote on the land use planning element of the transfer was scheduled for April 24, 1980.

Michael Austin then discussed his letter to Deputy Commissioner Schall, dated March 12, 1980, concerning remaining compliance problems and Ms. LaPook's letter to Deputy Commissioner Schall dated March 26, 1980 concerning specific compliance problems within the hospital prison wards.

Mr. Cleary reported on the Inmate Grievance Resolution Program. He stated that Ms. Van der Mandele had completed staff hiring and that the Institute for Mediation and Conflict Resolution would be providing the training for program staff.

Ms. LaPook then discussed the three pieces of correspondence from Assistant Commissioner Dunkel on population trends for sentenced and detention inmates, window design and construction for the proposed replacement system.

A discussion followed on why the current detention population was at a three year high.

Mr. Lenefsky asked Mr. Schulte if the letter on the windows satisfied him.

Mr. Schulte stated it did not as they were still resisting actually testing the windows in a Rikers Island facility.

Ms. LaPook stated the Department's position is that the results of the tests that have been completed satisfy them.

Mr. Cleary described a new glass that the Department is testing that would be cheaper to replace than the Omnilite.

Ms. LaPook stated that the Department made a submission to Judge Lasker on the current status of the "Tombs" renovation plans and that Board staff was in the process of preparing a letter concerning that submission. She stated that recreation space was probably inadequate but that it might be the best that could be done within the existing framework of the Tombs structure.

Mr. Schulte asked if there would be ground recreation for the new facilities.

Mr. Lenefsky stated that urban jails don't lend themselves to softball games and other types of outdoor ground recreation.

Mr. Austin then indicated that Barbara Treen had been approved by the personnel committee for the Secretary to the Board position. He then spoke briefly about her background.

Mr. Tufo stated that an order attached to the Board package was issued reassigning deputy wardens throughout the system.

Mr. Lenefsky asked about the Brooklyn lock-out experiment.

Ms. LaPook answered that generally nothing has happened. Warden Bussetti is reluctant to implement the concept and Chief McMickens decided that it was untenable to have inmates eating on the floor. Warden Bussetti had a document from the health inspector stating it was a violation of the health code for anybody to eat on the floor.

First Deputy Commissioner Corrigan, Deputy Commissioner Schall, Associate Commissioner Keilin, Assistant Commissioner Hommel, Director of Classification Jeffers, Barbara Radin, and Rose Carol joined the meeting at 3:30 p.m. to present a status report on the Rikers Island transfer. First Deputy Commissioner Corrigan stated there were still two basic issues unresolved between the City and the State:

1. resolution of the 1400 bed problem or how the State will meet the need of housing City sentenced inmates and
2. timing of the cash flow from the State to the City.

He also stated that the Board of Estimate authorized the Department to enter into five consultant contracts, two of which were related to cost, i.e., an independent city appraisal of Rikers Island and cost verification of the figures, and three related to environmental issues, i.e., bulk studies, and generic environment prototype studies.

The Department presented a model of each of the new facilities on the selected sites.

The Department's request for a 5 month emergency variance from the optional lock-in standard as it applies to the male adolescent overflow population housed in the two main housing unit of CIFW and sentenced adolescents housed in C-76 was then considered. According to the Department, this variance should allow the adolescents to have outdoor recreation without violating the optional lock-in standard.

Ms. Schall stated that the staffing problem precludes simultaneous operation of the housing areas and the outdoor recreation area.

The Department's hiring and assignment schedule was discussed briefly.

Ms. Schall stated that Legal Aid was contemplating taking the Department back to court on lack of compliance with the consent decrees pertaining to the law libraries, lock-in/out schedules and classification.

Director Jeffers then presented her overview of the new classification process.

In this regard, mental observation inmates, staff training and centralization vs. decentralization were discussed.

Mr. Schulte questioned Assistant Commissioner Hommel about the windows for the Tombs. Mr. Hommel agreed to test the windows in an existing facility.

After the Department's staff left the meeting, the Board considered the Emergency Variance Request.

Ms. LaPook stated that Legal Aid Society was opposed to granting the variance for either institution.

After much discussion, it was agreed to grant a one month variance until the Board's next regularly scheduled meeting with respect to CIFW, on the condition that the Department maintain a detailed record of those adolescents whose requests to lock-in during recreation periods are denied. Also a mechanism should be developed to accommodate the requests of those adolescents who present compelling reasons for not participating in outdoor recreation. The variance request, as it pertains to C-76 was denied as the Board felt it had not received sufficient information to document the Department's inability to comply with the Standard.

The meeting was adjourned at 5:30 p.m.