

MINUTES

September 9, 1980
Board of Correction

A regular meeting of the New York City Board of Correction was held on September 9, 1980 at the home of Mrs. Rose M. Singer, 125 East 72nd Street, New York City.

In attendance were Chairman Peter Tufo, Vice-Chairman John Horan, Mr. Angelo Giordani, Mr. Wilbert Kirby, Mr. David Lenefsky, Mr. Jack I. Poses and Mrs. Rose M. Singer.

The excused absence of Mr. David Schulte and the unexcused absence of Rev. Samuel Holder were noted.

Board staff present were Michael Austin, Michael Cleary, Judith LaPook, Joseph Smith, Sherry Goldstein, Fr. Robert Harrison and Barbara Treen.

Also in attendance were Deputy Commissioner Ellen Schall of the Department of Correction and Michael Ciaffa of the Legal Aid Society's Prisoners' Rights Project.

Peter Tufo chaired the meeting and Barbara Treen was secretary.

The Chairman called the meeting to order at 3:00 p.m.

He briefly described the outline of the Department of Correction's "Master Plan". He stated that although he had been briefed by Deputy Commissioner Corrigan as to the future plans for the City's jail facilities, the Department could not make a formal presentation until the Mayor's Office had authorized release of the plan.

In response to Board questioning, Deputy Commissioner Schall discussed in general terms the relationship of the Department's projected PEG cuts to the master planning effort. In this context, she assured the Board of its continuing involvement in the planning process and conveyed to the Chairman that he would be briefed by Deputy Commissioner Corrigan as plans progressed.

Discussion ensued concerning Judge Lasker's order for the census at HDM to be reduced to 1200. Ms. Schall indicated that the State had agreed to accept 300 inmates by October 1, 1980. However, it is questionable whether this practice would continue beyond that date, so that a long term solution to chronic overcrowding at HDM is not yet at hand.

Deputy Commissioner Schall then responded to questions by the Chairman concerning the current status of budgetary negotiations. A discussion ensued about the nature of the PEG budget reductions, the relationship of the FY1981 budget to prior Department budgets and the necessity to reduce overtime through the hiring of new correction officers.

Deputy Commissioner Schall then commented on the Department's progress in complying with the minimum standards. She spoke specifically of efforts to improve the visiting process: HDM has visits at night in a new visit room; ARDC visitors can register before crossing the bridge which eliminates the bridge control problem; outdoor visits are to begin at ARDC on September 21, 1980. Ms. Schall claimed that the wait for a visit has been reduced to 1 hour on Rikers Island. She stated that ARDC and HDM now have very large recreation yards available so that jogging and calisthenics have become popular activities for inmates. In regard to compliance with lock-out requirements: HDM is now 45 minutes out of compliance. The Brooklyn House of Detention is in full compliance as cells are now kept open during meal times, however, the dayroom furniture has not yet arrived. There were no further questions for Deputy Commissioner Schall and she excused herself from the meeting.

The minutes for the June 18, 1980 meeting were approved. Due to the difficulty in reaching a quorum for meetings, Angelo Giordani suggested that the quorum be reduced to four. Peter Tufo made a motion that the necessary quorum be 4 when the Board's membership is less than nine. John Horan seconded the motion and it was approved unanimously.

Peter Tufo reviewed the major unusual incidents within the City's correctional facilities since the last Board meeting and described the two Brooklyn HDM incidents (8/15, 8/23) and the 8/27 incident at the House of Detention for Men on Rikers Island. Discussion followed concerning the increased use of force by both inmates and correction officers. David Lenefsky suggested that an analysis of past incidents might be extremely useful in this regard and that formal action by the Board would be appropriate.

Peter Tufo pointed to excessive overtime, attrition, and post changes as contributing factors to correctional staff unrest. It was agreed that a letter to the Mayor conveying the Board's concern about the proposed PEG cuts would be drafted.

Judith LaPook described the evolution of Judge Lasker's order to reduce the population at HDM and also reported on Buddy Jacobson's appeal of the Department's limitation of his contact visits with Audrey Barrett.

The Chairman indicated that he would be meeting with Commissioner Ward to discuss recent suicides at ARDC and related suicide prevention recommendations contained in the Board's recent correspondence. In addition, he stated that he would renew efforts with the Criminal Justice Coordinator to establish a revitalized Prison Death Review Board.

Michael Ciaffa from the Prisoners' Rights Project of the Legal Aid Society addressed the Board briefly about the Department's variance request concerning the removal of double bunk beds from HDM. He suggested that the Board set a time-frame by which the Department must come into compliance with outstanding issues.

The Chairman thanked him for attending and expressing his views on this important issue.

Judith LaPook presented staff's recommendations on the Department's variance requests. The Board then considered these requests (see attached Board determinations).

Michael Cleary reported on the Department's Inmate Grievance Resolution Program indicating that while there have been internal and operational problems, the program has been effectively resolving grievances. Staff will continue to offer technical assistance to the program.

Michael Austin called attention to a grant proposal targeted to the developmentally disabled inmate. He requested feedback from the Board and stated that a letter supporting the concept would be drafted unless there was any objection.

The meeting was adjourned at 4:25 P.M.