

MINUTES

APRIL 8, 1981

BOARD OF CORRECTION

A regular meeting of the New York City Board of Correction was held on April 8, 1981 at the offices of the Board of Correction, 51 Chambers Street, New York.

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

The excused absence of Mr. Angelo Giordani was noted.

Board staff present were Michael Austin, Michael Cleary, Judith LaPook, David Johnson, Sherry Goldstein, Fr. Robert Harrison, Thomas Prendergast and Barbara Treen.

Also in attendance were Deputy Commissioner Mark Corrigan of the Department of Correction and his executive assistant Marcia Goffin, and Mr. Theodore Katz of the Legal Aid Society.

Peter Tufo chaired the meeting and Barbara Treen was secretary.

The Chairman called the meeting to order at 2:25 P.M.

Mrs. Singer moved that the minutes of the February 25, 1981 meeting be approved, and they were adopted unanimously. Chairman Tufo introduced the new Director of Field Operations, Mr. David Johnson, to the members of the Board.

Thomas Prendergast reported on his investigation into the circumstances surrounding the two suicides in March at the Anna M. Kross Center. He found the response of the Department in both instances to be appropriate. In the course of the investigation it was discovered that some housing areas in A.M.K.C. did not have manual resuscitators present (ambubags). David Johnson will do a survey throughout Department facilities of the availability of ambubags. Michael Austin reported that the Department presently had plans to purchase face masks to replace ambubags.

David Johnson reported on his investigation into the possible homicide of a detainee who was being held at C-76 for methadone detoxification. Inmate Joseph Green was moved to Elmhurst Hospital as a medical emergency and died there two days later of a fractured skull suffered while at C-76. This investigation was delayed because Elmhurst Hospital did not inform the Department of Correction that the inmate had arrived at the hospital with a fractured skull. One person has been arrested for homicide and another is about to be arrested and charged with homicide. Both were housed in the same area as Green. It was recommended that the hospital provide the Department with more complete information concerning the condition of inmates transferred in emergency situations as soon as such information becomes available.

Chairman Tufo reviewed some recent developments concerning Thomas McCreary. He was arrested in January and charged in connection with an attempted escape from the Metropolitan Correctional Center. However, all charges against him have now been dropped and he has been released.

The Chairman outlined some of the proposals which the Board has made since the last meeting to reduce overcrowding. He stated that the Board's public statements and his own extensive media exposure, coupled with comments from the State Commission of Correction, created a climate resulting in the issuance of an eight-part mayoral plan to reduce overcrowding.

One facet of the Mayor's plan calls for the construction of prefabricated modular units to house overflow inmates. The Board will reserve judgment on the use of these units until it can determine whether the Department will be able to secure and service these areas adequately. Judith LaPook reported on the status of litigation concerning the overcrowding, and the Board's submission to Judge Lasker on the proposal to use the modular units.

Deputy Commissioner Mark Corrigan of the Department of Correction presented the Department's request for a variance from the standard requiring 75 square feet of floor space per inmate in a detainee dormitory. He further discussed the Mayor's plan to address overcrowding, including the planned use of modules for temporary housing.

The Board went into executive session with the representatives of the Department of Correction. The meeting reconvened with full staff at 4:30 P.M.

Mr. Katz of the Legal Aid Society addressed the Board in opposition to the Department's variance request.

After a discussion of alternative responses to the variance request, it was agreed that staff would prepare a draft decision reflective of Board opinion and poll individual members.

The meeting was adjourned by the Chairman at 5:00 P.M.

Personal property was destroyed, confiscated, strewn about, thrown in toilet bowls or ransacked. The CERT Team was equipped with night sticks and the inmates felt they were there to "Beat Heads", which was alleged in several instances. It was felt that some inmates were provoked to resist and were then beaten. The fact that no meaningful programs are offered was also mentioned, as well as the menu and quality of the food, and the long delays connected with visits. The council ended after two hours with the promise that these matters would be looked into. I then returned to the office and informed Mike Austin of the above.

The Inspector General's Office was contacted about these allegations and they are investigating this matter. We will continue to work with the IG's office to insure that appropriate guidelines for CERT operations are adhered to. Also, Rolando will continue to monitor the facility to better determine the cause and effects of Monday's operation by the CERT Team. The need for sufficient superior officers on the scene of these operations to insure adherence to standard operating procedures is vitally important and would alleviate questions of impropriety.

cc. Michael Cleary, Deputy Executive Director, Board of Correction