

MINUTES

BOARD OF CORRECTION

May 3, 1983

A regular meeting of the New York City Board of Correction was held on May 3, 1983 at the Board's offices at 51 Chambers Street, Manhattan.

Members in attendance were Chairman Peter Tufo, Vice-Chairman John Horan, Barbara Margolis, David Schulte and Rose M. Singer.

Excused absences were approved for Angelo Giordani, Wilbert Kirby and David Lenefsky.

Board staff members in attendance were Michael Cleary, Alison Estess, David Johnson, Judith LaPook, Deirdre Nurre, Barbara Treen and Rolando Torres.

The meeting was called to order at 2:20 p.m. by Chairman Peter Tufo.

Deirdre Nurre acted as Secretary.

Michael Cleary reported on budget and staffing matters. The two staff positions which the Mayor's office had originally intended to eliminate from the Board's FY 1984 budget have now been reinstated. This new proposal allowing the Board to retain its 19 current positions must now be adopted by the Board of Estimate and the City Council.

Michael Cleary then announced that Mr. Leonard Tropin had been hired as a consultant to assist the Board in preparing an update of the Board's 1982 report on the delivery of mental health services in the City's jails. Mr. Tropin has had extensive writing and public relations experience, most recently at the National Council on Crime and Delinquency. Ms. Diane Steelman, a former Board employee and most recently Director of the Correctional Reform Project at the National Council on Crime and Delinquency, has also been hired as a consultant. Ms. Steelman will continue the work begun by Board consultant Carol Shapiro on population management strategies and techniques which might alleviate overcrowding in New York City's jails.

Judith LaPook reported that the Legal Aid Society had filed a lawsuit on behalf of prisoners at the Correctional Institution for Men (C-76). This is the first lawsuit challenging prison conditions in New York City's jails brought on behalf of sentenced prisoners as well as detainees. Ms. LaPook reported that the Board would be submitting documentation on conditions at C-76 to the Legal Aid Society and Corporation Counsel based on Board staff on-site

observations. She also reported that with the recent decline in the inmate census, detainee overflow population had been virtually eliminated at C-76 making C-76, once again, strictly a sentenced facility. The C-76 sentenced dormitories have been capped at 80 prisoners per dorm as a result of the decreasing census.

Ms. LaPook also indicated that the Department of Correction has plans to improve the operation of C-76, including the establishment of the C-76 outer dormitories as a wholly separate complex called the North Facility as well as the establishment of a mental health dormitory within C-76 itself. As presently proposed, this dormitory would house both adult and adolescent mental observation prisoners which would violate the Board's standards as well as State law. It was the sense of the Board that while this limited commingling for therapeutic reasons might justify the granting of an amendment to the Board's standards, the Board could not condone a practice which was impermissible under State law. It was suggested that the Board explore with the Department the possibility of a legislative change to permit this practice.

Judith LaPook also discussed the status of the HDM litigation before Judge Lasker. In her opinion, Lasker's deliberation is likely to continue for some time. The City must inform him if it needs a decision on an immediate basis.

Chairman Peter Tufo explained the current status of the Mental Health Standards promulgation process. The Board is currently waiting for a cost estimate from the Office of Management and Budget. The promulgation does not have the active support of Dr. Sencer, Commissioner of Health, since his position is that the Department of Health should not provide services within the jail system. Chairman Tufo will meet with Sara Kellermann, Commissioner of Mental Health, Mental Retardation and Alcoholism Services, and Dr. Sencer on May 7 to discuss this matter. Victor Botnick, an aide to Mayor Koch, has expressed intentions of expediting the City's response to the Standards. The Department of Mental Health continues to be receptive to the promulgation of these standards.

Judith LaPook reported on the Mental Health Task Force's recent conference on the use of psychotropic medication in jails and the ability of medicated prisoners to stand trial. Attendance was excellent with representatives of many agencies present. Because the Task Force has long been closely associated with the Board, the conference's success reflected well on the Board's history of involvement in prison mental health issues.

Deirdre Nurre summarized her research on suicides in the New York City correction system from 1978 to 1983. She discussed the various factors which were examined and the possible significance of the findings. Judith LaPook indicated that Board staff had been working closely with John Rakis, the Department of Correction's Director of Suicide Prevention, in designing this study and in the initial data gathering. Judith LaPook recommended that this study

continue as a joint Board/Department effort. Peter Tufo recommended that the Board conclude the study on its own and release its findings publicly. Staff was directed to consider both alternatives in order for the Board to make a finding at a later date on the best method for completing the project.

Michael Cleary announced that John Rakis has submitted a grant application to state and federal sources to fund a volunteer visit program within ARDC. The project's aim is to help reduce or eliminate suicides by providing visits to adolescents who do not already receive visits from family or friends. Barbara Treen reported that this is a joint effort of the Department and Montefiore Hospital and, if approved, a full-time staff person would be hired to run the project. The Board agreed to write a letter of support for the grant application.

Barbara Treen discussed the Best Western skills training program. She and Sandy Adelman of the Board of Education's Manpower Development Training Program on Rikers Island applied for and received a grant from the National Institute of Corrections to observe the trained working staff at the Arizona State Penitentiary for Women. Best Western employs incarcerated women as reservation agents, booking reservations through computer terminals which are located within the penitentiary. Ms. Treen contacted personnel within the Department of Correction and the Mayor's office who all met at the Board conference room on April 28. Board member Barbara Margolis was present. Once the concept has been reviewed by concerned agencies, the proposal committee will meet again to discuss development and implementation in New York City.

Ms. Treen then up-dated the Board on the case being litigated currently which concerns incarcerated mothers. Correction law mandates that any woman incarcerated must be allowed to have her child (born while in custody) with her until the child is one year old. The City is currently in violation of this law. In the past week Judith LaPook and Barbara Treen discussed calling a meeting with Deputy Commissioner Goldman and organizations interested in augmenting services to mothers and pregnant women at CIFW and extending a letter of invitation. Mrs. Singer expressed concern that she was not kept abreast of these developments. Chairman Tufo assured Mrs. Singer that any perceived exclusion was not deliberate and would not occur again.

David Schulte raised the issue of the letter which the Board submitted to Judge Lasker on the HDM litigation. He regretted that the 10 recommendations to Lasker were submitted as a unanimous Board position when he had expressed reservations about some of these recommendations.

Barbara Treen raised the issue of work release and announced that a new program director of work release had been named. Rose Singer and David Schulte expressed interest in further developments in this area.

Ms. Treen then explained a joint project to be developed with the Department of Correction and the New York University Tisch School for the Arts involving a video film for inmate orientation. Peter Tufo recommended that an explanation of the Minimum Standards be included in the film concept. As a further orientation project, Ms. Treen explained that the Board should develop a resource directory of community services which would be available to the inmates.

Judith LaPook discussed a meeting she had with DOC Deputy Commissioner Bob Goldman and DOC Counsel Devora Cohen, regarding DOC cooperation with various BOC projects.

Judith LaPook updated the progress of the Office of Compliance Consultants. Board of Correction field staff has worked closely with OCC to monitor such areas as Law Library.

Judith LaPook discussed the standard regarding the provision of personal hygiene items. Ms. LaPook asked for direction from the Board on the issue of replenishing these items. Specifically, was it the Board's intent that such items would be resupplied to all prisoners or only indigent prisoners? There was a general sense of the Board that the current definition of indigency (less than \$3 per week) was unrealistic but that non-indigents need not receive free replenishments.

The Board went into executive session at approximately 4:30 p.m.

Meeting was adjourned at approximately 4:45 p.m.