

NEW YORK CITY
BOARD OF CORRECTION
MEETING OF MAY 8, 1991

Members Present

John R. Horan, Acting Chairman
Judge William Booth
Louis A. Cruz, Esq.
David Lenefsky, Esq.
Barbara Margolis
David A. Schulte

An excused absence was noted for Rev. Irvine Bryer, Jr.

Representatives of the Department of Correction

Vito Turso, Deputy Commissioner
Robert Daly, General Counsel
Toni Bair, Assistant Commissioner
Hector Eugui, Deputy Chief
Eric Taylor, Division Chief

Others in Attendance

Michael Caruso, City Department of Investigation
John Guzman, New York State Commission of Correction
Patricia Thomas, New York State Commission of Correction
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
Mark Mooney, New York Post
Selwynn Raab, New York Times

The meeting began at 2:10 p.m.. Acting Chairman John Horan welcomed the representatives of the Department of Correction and other guests. Mr. Horan called for a motion to adopt the minutes of the Board meeting of April 10, 1991. The motion was made by Board member Judge William Booth, seconded by Board member Barbara Margolis, and approved by all Board members present.

Mr. Horan said that the Board was distressed by a number of incidents that had taken place since the last meeting. He said that both the State Commission of Correction and the City's Department of Investigation had issued reports regarding the disturbance at the Otis Bantum Correctional Center last August, and that Commissioner Sielaff's response to these reports was unsatisfactory. He noted that the Mayor had given Mr. Sielaff 30 days to prepare a formal response to the recommendations of both reports. Mr. Horan then stated that the Board, as part of its Charter mandate, had an interest in having its questions about the report's findings answered as well. Board Member David Lenefsky made a motion that the Board formally request both written and in person responses by the Commissioner. The motion was seconded by Board member David Schulte and passed by a unanimous vote of all Board members present.

Mr. Horan asked the Department to give the reasons for the delay in processing "state-ready" inmates and for an account of what efforts had been made to reduce the backlog of such inmates.

Mr. Horan then asked about the Department's position on the proposed cuts in the system's mental health budget. Assistant Commissioner Bair said that Commissioner Sielaff was not aware until recently that any reduction in the mental health budget had been proposed. Mr. Wolf then said that he had raised the issue in a meeting with the Commissioner the previous day. Mr. Bair acknowledged that this was the case, and noted that the Commissioner had mentioned to Deputy Mayors Mollen and Steisel that such a move would be detrimental to the City's correction system. Mr. Horan noted that while "mentioning" could be interpreted as one form of advocacy, he wondered whether the Commissioner should have taken a more forceful stand. Mr. Lenefsky said that he found the idea that a city official on the level of a Commissioner would be unaware of budget cuts that would have major implications for his agency's operation was incredible. He went on to say that, if this were true, it indicated a serious lack of management capability.

Mr. Horan then asked about the status of the variance bed-reduction program. Mr. Eugui reported that the Department had added 1118 beds since the program started, but had reduced variance beds by only 453 and was, therefore, approximately 111 beds behind schedule. He explained that this was due to the measles quarantine in March and that when the system population stabilized in the next 2-3 weeks, the Department would eliminate these variance beds. Mr. Schulte said that with these efforts in

mind he moved to renew existing variances. The motion was seconded by Board member Louis Cruz and approved by all Board members present.

Mr. Schulte voiced concerns about the decrease in inmate wages, saying that savings could be more easily achieved through other cuts. He said that the cuts might make the administration of an already unstable system even more difficult.

Division Chief Eric Taylor then gave a brief overview of the events surrounding the recent escape from the Manhattan Detention Center. At the time of the Board meeting, the inmate was still at large. Chief Taylor explained that he could not give an in-depth report on the matter because the Inspector General's office was currently conducting an investigation. He promised, however, that a detailed report on the escape would be provided to the Board after the IG's investigation and report are completed. Mr. Taylor also said that the same was true with respect to the allegations that inmate Cartagena had been beaten at the Anna M. Kross Center in mid-April.

Department Counsel Robert Daly then sought the Board's support of the Department's current legislative package, particularly proposed legislation to reduce the 28 day affirmation period for parole violators. Judge Booth moved that the Board support the package and the motion was seconded by Mr.

Lenefsky. All Board members present then voted to approve the motion.

Mr. Lenefsky then asked whether the new command discipline directive was in place. Mr. Bair said it was close to being implemented. Mr. Lenefsky said that if they were to be finalized before the next meeting, it was important for the Department to meet with the Board to discuss the proposed changes before they are implemented. Deputy Commissioner Turso agreed and volunteered the Department's cooperation.

Returning to the issue of state-readies, Judge Booth noted that it might be appropriate to evaluate the performance of Montefiore in light of the problems regarding their processing of medical forms for State-ready inmates. Hector Eugui said that there had been a problem, but that once it was brought to Montefiore's attention it was fixed promptly. He added that he has always found Montefiore to be quite cooperative.

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

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Mr. Horan asked the Department to give the reasons for the delay in processing "state-ready" inmates and for an account of what efforts had been made to reduce the backlog of such inmates.

Chief Eugui described how the processing of state-ready inmates had become centralized and how the bottlenecks in the processing of these inmates had developed. He said that once the backlog had been identified, the State increased the number of inmates it would accept, but noted that events such as the measles quarantine prevented a significant reduction in the size of the backlog. Executive Director Richard Wolf then asked Mr. Eugui what the size of the backlog was between January and March of this year. Mr. Eugui reported that in January it was 800, in February it was 1300-1400 and in March it grew to 1500. Mr. Schulte noted that the cost of housing these inmates made it imperative to reduce the backlog as quickly as possible, and asked when the Department anticipated eliminating it. Mr. Horan noted that while the Commissioner originally said the problem would be solved within a couple of weeks, that estimate had since been revised and the Department now said it would be several weeks before the backlog was eased.

Mr. Horan then said he wished to discuss the issue of visits. Mr. Schulte asked whether his understanding that the Department wished to abolish contact visits was correct. Mr. Horan said that the Department had not requested a variance to do away with all contact visits, but the request that it had made -- to modify the visit schedule-- had been withdrawn after the Legal Aid Society objected to the proposal.

Mr. Horan then asked about the Department's position on the proposed cuts in the system's mental health budget. Assistant Commissioner Bair said that Commissioner Sielaff was not aware until recently that any reduction in the mental health budget had been proposed. Mr. Wolf then said that he had raised the issue in a meeting with the Commissioner the previous day. Mr. Bair acknowledged that this was the case, and noted that the Commissioner had mentioned to Deputy Mayors Mollen and Steisel that such a move would be detrimental to the City's correction system. Mr. Horan noted that while "mentioning" could be interpreted as one form of advocacy, he wondered whether the Commissioner should have taken a more forceful stand. Mr. Lenefsky said that he found the idea that a city official on the level of a Commissioner would be unaware of budget cuts that would have major implications for his agency's operation was incredible. He went on to say that, if this were true, it indicated a serious lack of management capability.

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