

**NEW YORK CITY
BOARD OF CORRECTION**

July 13, 2006

MEMBERS PRESENT

Hildy J. Simmons, Chair
Michael J. Regan, Vice Chair
Stanley Kreitman
Richard Nahman, O.S.A.
Alexander Rovt
Paul A. Vallone, Esq.
Milton L. Williams, Jr., Esq.
Gwen Zornberg, M.D.

An excused absence was noted for Member Rosemarie Maldonado, Esq.

DEPARTMENT OF CORRECTION

Martin Horn, Commissioner
Carolyn Thomas, Chief of Department
Mark Cranston, Commanding Officer, Office of Policy and Compliance (OPC)
Florence Hutner, General Counsel
Judith LaPook, Chief of Staff
Ronald Greenberg, Director, OPC
Vaughn Crandall, Special Assistant

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Jason Hershberger, M.D., Director, Mental Health, CHS
Farah Parvaez, M.D., Medical Director, Correctional Public Health Services
Robert Berding, Director, Clinical Services, CHS
George Axelrod, Director of Risk Management, CHS

OTHERS IN ATTENDANCE

Paul Annetts, State Commission of Correction (SCOC)
Robert Celandra, City Council
Don Doherty, Division Vice President, Prison Health Services, Inc. (PHS)
Lisa Freeman, Legal Aid Society, Prisoners' Rights Project (PRP)
Richard Hallworth, President and CEO, PHS
Becky Penney, Group Vice President, PHS
F. Roffredo, SCOC
Eisha Williams, Legislative Financial Analyst, City Council
Milton Zelermyer, PRP

Chair Hildy J. Simmons called the meeting to order at 9:35 a.m. A motion to approve minutes of the May, 2006 Board of Correction meeting passed without opposition.

Chair Simmons thanked the Departments of Correction and Health and Mental Hygiene for arranging and participating in the Board's informative and productive June visit to Rikers Island. She requested that the October BOC meeting be rescheduled to October 5, 2006, as opposed to October 12th, and all agreed. Commissioner Horn said he would be unable to attend, but would send a representative. Chair Simmons said that BOC Executive Director Richard Wolf has prepared a briefing memo regarding proposed amendments to the Minimum Standards. She said the memo will be distributed next week, and that thereafter all Members who were not on the Minimum Standards Review Committee should have briefings with one of the Committee members and Mr. Wolf, hopefully before the end of July. Chair Simmons said the goal was to have a conversation about the recommendations at the Board's September meeting, at which all BOC Members will be "up to speed".

BOC Health Committee Chair Gwen Zornberg, M.D. presented a report, as follows:

The Department of Health met with members of the Health Committee to discuss the treatment and diagnosis of tuberculosis, and the connection between the City's health and the health of prisoners on Rikers Island. The TB variance has expired, and we will see what progress has been made before the variance is approved at a future Board meeting. The psychotropic medication variance has resulted in improved prescribing practices, including shortening to five days for scheduled drugs. Everything is moving forward smoothly.

Board Member Richard Nahman, O.S.A., who attended the meeting with the Health Department, said he was impressed with the cooperative spirit that exists between the Health Department and the Board.

DOHMH Mental Health Director Jason Hershberger, M.D., said the Department is pleased with the results of the variance. He said it allows inmates housed in general population to receive psychiatric follow-up for non-scheduled psychotropics for up to 28 days. He said this is consistent with the community standard, and frees up resources for other interactions with patients. Chair Simmons said she assumes DOHMH is continuing to monitor the variance, and will periodically report to the Board. A motion to renew the variance for six months was approved without opposition.

Board Member Stanley Kreitman, Chair of the Minimum Standards Review Committee, presented a report, as follows:

The review process began in June, 2005, and is now completed. The Committee met seven times, three times with DOC representatives. The

16 standards were established in 1978. All were reviewed. BOC staff has prepared a 20-page memorandum explaining why the Committee recommends changing some standards and not changing others. All Members should read the memo two or three times because some of the issues are complicated. The memo is easier to read than the Minimum Standards themselves. The Committee would like to review all of its proposals with the Board at a meeting, whenever the Chair sees fit to do so.

Chair Simmons thanked Mr. Kreitman for his leadership, and all the Committee members for their hard work. She encouraged the Board Members who have not been part of the process to consider the Committee's proposals and Mr. Wolf's briefing memo, which will be distributed next week, to be their "summer reading", and urged the Committee members to reread the documents. She said that all Members who have not served on the Committee should be briefed by Members who have so served. She said that Members who have questions or would like additional information should call or email Mr. Wolf or Mr. Kreitman. Chair Simmons said it is her goal that the proposed revisions be discussed by the full Board at its September meeting. She said that once the Board votes its intention to change the Standards, it must publish the revisions, conduct a public hearing, review the comments it receives and determine whether to reconsider some of the proposals, and then to publish a final version of the changes. Chair Simmons again thanked the Committee, the BOC staff, and the DOC staff for everyone's hard work.

DOC Commissioner Martin Horn presented a report, as follows:

The Department expresses its gratitude to the Board for its serious and conscientious efforts on all Standards issues. The proposed revisions are welcomed by DOC. On the whole, the City and its citizens will be better served by the changes, which will result in a safer, more secure, and more drug-free correctional environment. Some people will take umbrage when they read about the proposed changes, but an equal number will praise the changes. The Department has kept the unions informed and DOC expects they will support the changes, and be disappointed that some other proposals were not adopted.

FY 06 just ended, and it was a good year. DOC operated within budget, and begins the new fiscal year with a good budget, having received 68 additional officers to assign to the most problematic dormitories. These officers will not be assigned to fixed posts. Reported stabbing and slashing incidents increased slightly over the previous year, but remained below the two years prior to that. "A" assaults on staff also were higher than FY 05, but lower than or equal to FY 03 and 04. There were fewer inmate suicides than the previous year and no inmate homicides, and there was one escape from the Manhattan court house. The facility, formerly

known as the Bernard B. Kerik Center, again will be called the Manhattan Detention Complex (MDC). Also, the Adolescent Reception and Detention Center (ARDC) has been renamed for former Chief of Department Robert N. Davoren.

Mr. Kreitman asked about DOC staff's reaction to the renaming of MDC. Commissioner Horn said he read in press accounts that staff felt the renaming was appropriate. Mr. Kreitman added that an article in *The Chief* newspaper discussed the issue.

Chair Simmons asked the Board's new Director of Field Operations, Kenneth Armstead, to present a report. Mr. Armstead reported that he began in his new position on May 22nd. He said that all BOC staff have been trained in CityTime, the City's new, automated timekeeping system. He noted that he and Mr. Wolf have been conducting computer training sessions for the field staff. Mr. Wolf said that because BOC is a small agency, it has become a "test animal" for the new CityTime system, which will eventually be implemented at the large agencies, including DOC. Mr. Armstead said that he, Mr. Wolf and Deputy Executive Director Cathy Potler, are conducting "refresher training" for the six BOC field representatives, including report writing. He noted that field staff have been trained to use DOC's Inmate Information System (IIS). He reported that Chief Lamont arranged for BOC field staff to receive Red Cross disaster training at GMDC, and that Senior Deputy Commissioner John Antonelli's office, together with Warden Panagi at the Training Academy, are arranging for BOC staff to participate in training at the Academy. Mr. Armstead said that he has excellent working relationships with DOC officials (many of whom he has known for 19 years), and added that he "loves" his job. He said that Mr. Wolf had arranged for him to apply for the Corrections Leadership Program at the National Institute of Corrections (NIC), in Longmont, Colorado. He said he was told that 250 people have applied for the program's limited slots. Mr. Wolf said that Mr. Armstead will be one of the 24 candidates accepted into the program, which is fully funded by the NIC. Mr. Armstead noted that the program will run from September 19th through September 29th. Finally, Mr. Armstead reported that he has rotated the field staff into new facilities, that field staff response time to complaints has been reduced to one week, and that coverage has been increased in the court pens and the Vernon C. Bain Center (VCBC).

Vice Chair Michael Regan noted that Board Member Paul Vallone had advocated for an incumbent field representative to be given consideration for the Director of Fields Operations position, and he said that Mr. Armstead's performance and report indicates that Mr. Vallone's advice was well-taken.

Mr. Wolf reported that the Board's computer consultant is working to streamline and modernize the BOC databases, and he almost has completed his work. Mr. Wolf noted that computer communications between the Board's Rikers Island field office at 51 Chambers Street remain unresolved, and are being

worked out between the Department of Information Technology and Telecommunications (DOITT) and DOC.

Board Member Richard Nahman, O.S.A. asked who will fill Mr. Armstead's vacant field position. Mr. Armstead said he is reviewing resumes, and the interview process will begin soon. Mr. Wolf said the posting will remain open until enough paper-qualified applicants submit resumes to enable the interviewing process to begin.