



NEW YORK CITY  
BOARD OF CORRECTION

Statement before the New York City Council

Committee on Finance  
Hon. Julissa Ferreras-Copeland, Chair

Committee on Fire and Criminal Justice Services  
Hon. Elizabeth Crowley, Chair

May 9, 2016  
By Martha W. King, Executive Director  
New York City Board of Correction

Good afternoon Chair Ferreras-Copeland, Chair Crowley and Members of the Committee on Finance and the Committee on Fire and Criminal Justice Services. My name is Martha King. I am very pleased to be speaking with you today for my first time as the Executive Director of the Board of Correction. Today, I am joined by one of our Board members who was appointed by the City Council, Stanley Richards.

This afternoon I'd like to explain the Board's Charter mandates, history, and then our exciting expansion and new resources. These new resources will strengthen the Board's effectiveness and re-position the Board as a national model for jail oversight and one of the City's important levers in creating smaller, safer, fairer, and more humane jails.

The New York City Board of Correction (BOC) is a nine person, non-judicial oversight board, which regulates, monitors, and inspects the correctional facilities of the City. The Mayor, City Council and presiding justices of the Appellate Division of the Supreme Court for the First and Second Judicial Departments (in joint nomination with the Mayor) appoint its members. Our chair, currently Stanley Brezenoff, is selected by the Mayor. Our dedicated Board members are appointed to terms of six years with staggered expiration dates and are not compensated.

The Board is one of, if not the, earliest civilian oversight board of adult jails. The Board's original appointees began in 1957. In 1977, the Board's role was expanded, and it became more independent gaining its own staff and budget. Chapter 25, Section 626 of the City Charter details broad powers for the Board. We have unfettered access to the Department of Correction's records, as well as the power to inspect and visit any part of the facilities under the Department's jurisdiction. The Board also has the authority to issue subpoenas, conduct hearings, require the attendance of witnesses, and compel production of documents. The City

Charter outlines the Board's central functions:

- To establish and ensure compliance with minimum standards “for the care, custody, correction, treatment, supervision, and discipline of all persons held or confined under the jurisdiction of the Department of Correction;”
- To investigate any matter within the jurisdiction of the Department;
- To establish procedures for hearing inmate and staff grievances or complaints;
- To evaluate the performance of the Department of Correction; and
- To make recommendations on areas of key correctional planning.

The Board established its Minimum Standards on conditions of confinement in 1978, on mental health care in 1985, and on health care in 1991.

### **FY 16 and FY 17 Budgets**

When I arrived at the Board at the end of June 2015, there were 16 staff and it had been operating for six months without any management team. The Board currently has 18 people on staff spread across its lower Manhattan and Rikers Island offices. Our FY16 budget authorizes a headcount of 30 and the FY17 budget authorizes a headcount of 38 and an overall budget of approximately \$3 million.

With new resources in FY16: we revised the organizational chart and hired four people: a Special Assistant, General Counsel, Director of Research, and Urban Fellow. We currently have open postings for five different roles corresponding to a total of ten positions: a Deputy Executive Director for Monitoring and another for Research; a Program Associate for our monitoring team; an Information Technology Associate; and Monitors or Standards Specialists.

With new staff leadership, funding, and Board members, along with increased public attention and significant jail reform efforts underway, we are in a period of welcome growth and change toward creating a stronger, more effective Board of Correction. The additional funds have allowed us to re-organize and create three divisions to ensure that we effectively meet our mandates. These three divisions are: Office of General Counsel; Monitoring; and Research.

The additional funding and support of the Council and Mayor's Office will allow the Board to excel in three major ways:

**1. Updated, tailored and expanded regulations:** FY 17 funding includes two new staff for our General Counsel. This expanded team will carry out the Board's active regulatory agenda. We recently released a FY17 regulatory agenda in the City Record. We will release regulations intended to prevent sexual violence shortly. Then we will address and regulate restrictive housing in the jails. We will also comprehensively revise our mental health standards. These are each major important oversight efforts that will ensure the Board's regulations are forward thinking and tailored to today's reforms in the jails.

**2. More research, data analysis and public reporting:** New funding includes four additional staff to support our analytical capacity. We have created a new and stronger research department led by a Deputy Executive Director to carry out our commitment to evaluating and analyzing operations and outcomes in the jails, increasing transparency, and sharing data. We believe this

is crucial to successfully maintaining compliance with Board Standards and other regulations. For instance, over the past year we have issued quarterly reports on punitive segregation reforms. This month we issued our first monthly report on visit restrictions and the results of our own visit appeal responses.

Our new staff and approach will also involve relying on H+H and DOC to work with us to release regular monitoring and progress data reports, which will show compliance success or challenges. For example, this summer the Board will release its first Key Performance Indicator (KPI) Dashboard. The Dashboard will monitor compliance with 12 Minimum Standards in the adolescent and young adult jails including areas such as behavioral health and health services, law library, recreation, education and programs. We hope this will be an unparalleled tool for transparency and for the Board, H+H, DOC and other partners to use in management and quality improvement. Another example of this work is a new monthly report on health and mental health care access delivered by H+H.

**3. Strengthened and structured monitoring:** New funding will grow our staff in the jails by at least seven. It also allowed us to create a new structure with a Deputy Executive Director dedicated to this work and bringing our management and Board closer to our daily oversight activities. Our monitoring staff working in the jails has a combined 146 years of expertise and experience. They conduct daily site visits at all jails on Rikers and the major borough facilities. These staff resolve and refer inmate and staff complaints, monitor compliance with the Minimum Standards and other regulations, investigate and intervene on deviations from regulations and policy, and help to smooth the delivery of basic services and calm tensions in the facilities. These new staff will allow us to conduct random monitoring on off hours and weekends. It will also support more consistent visits to the courts pens and hospital wards as well more coverage of the largest jails. With this increased number of staff we will also create a comprehensive new training program unique to the Board and conduct topic driven surveys and audits.

Independent civilian oversight of our jails is critical, even in this moment of reform. There are few governmental institutions that are as closed and opaque as jail and prison. As the Board's 60<sup>th</sup> anniversary approaches in 2017, this Administration and City Council have shown increased commitment to a strong, active, and effective Board of Correction. With these new resources and our broad access, oversight and regulatory powers, the Board is poised to play an important role in reform, and we look forward to collaborating with the City Council and its many members who are engaged on these issues.