

## **Meeting - November 1, 2023 12-2pm**

Saloni facilitating

Matt taking notes

### **Attendance:**

Saloni Sethi (she/they) ENDGBV

Dori Lewis (she/her) volunteer at Legal Aid Society

Mik Kinkead (he/him) Legal Aid Society

Kandra Clark (she/her) Exodus Transitional Community

Matt Graham (he/him) Commission on Gender Equity

Melanie Weniger (she/her/they), Commission on Gender Equity

Chelsea Chard (she/her) DOC

Sahar Moazami (they/them) New York City Council

Shaquana Pearson (she/her), BOC

Lucas Marquez (he/they)

Michael Griffin (he/him), CCHR

Kimberly (she/her) SRLP

Liz Munsky (she/her) DOC

Natalie Fiorenzo (she/her) New York County Defender Services

Valerie Greisokh (she/her) DOC

### **Agenda:**

Opening

Follow up Questions for DOC

Follow up Questions for CHS (CHS is not able to attend, so we can go over the response Nicole provided to us)

Follow up Question for BOC

Update from Drafting Subcommittee

Update from Legislative Subcommittee

Any other updates/announcements?

Closing

### **Follow-up Questions For DOC:**

In the October meeting we asked who made housing decisions and we were told that the Directive is followed. The Directive only names the PREA Coordinator and the warden or warden's designee. Is that correct? Are there no other people "in the room" making a housing decision?

Chelsea: yes, there are other people involved, e.g. Liz, custody management, health care provider information, other information, no one else comes to mind...maybe a coordinator from Liz's team, PREA Unit, leadership from female facility, leadership from another facility may be called

Mik: the report we are mandated to produce as the Task Force would be better if we had the information on who makes these decisions.

Liz: the directive you all are looking at is not most current; the current one does lay out a little more about who is in the call: Liz (always on the call, or an LGBTQ

coordinator sits in, and they meet with the people in custody); members of the unit; leadership staff, e.g. female facility, sometimes other facility AC; we always reach out to CHS, and have had conversations with them about joining the calls—there are barriers (HIPPA), so they haven't joined but do provide information;

Mik: The Directive I'm referencing is current as of 10/22/19. The part I'm looking at is in Definitions and Terms, R, the Special Considerations Determination Unit definition. It says that unit "shall consist of the PREA Coordinator or designee; and Warden or designee."

Liz: that's the most current directive

Dori: Is custody management involved?

Chelsea: yes, they're always involved, even if not on the call

Dori: can population management overrule the decision?

Chelsea: committee is making the decision, and then custody management is making the ultimate decision depending on other factors laid out in the policy—not a democracy.

Liz: if differing opinions, we talk it out until we're all comfortable; sometimes reassess the individual after collecting necessary information; consensus model.

In the October meeting we asked about staffing of the SCU. The Directive says that all SCU officers should be steady. Are you able to give us an approximate number as to who staffs the SCU and whether and when they have had training on TGNCNBI identities and interactions?

Chelsea: we addressed this last time; premise of question is a bit flawed: every officer gets training, including the treatment of TGNBI folks (this is an in-person training, not the virtual DCAS training required by all city employees). It's not just a pool of officers who are at that unit; there are officers who have taken trainings from Liz or previous iterations; there isn't a number of officers assigned to one unit—always at least an A-post officer and B post.

We understand from BOC that the tele-type allowing binders as permissible items was submitted and adopted. Are there plans to update any instructions on the "Institutional Uniforms" page or other places regarding the ban on compression-style attire? ("None of the inmate's personal clothing will be permitted in the facility – this includes sweatpants, non-uniform sweatshirts, athletic shorts, head gear, hats, or caps and compression-style attire." [Here](#)) and the corresponding Directive which appears to be either in Directive 4000R-A under E Clothing under the "undergarments" category or in "Attachment D of Directive 4508R-E Control and Search of Contraband" (which doesn't appear to be on the NYC DOC website).

Chelsea: the items list has been revised if a teletype has been issued. The teletype is read aloud to all staff for 21 consecutive days. That information can be distributed to officers as needed; individuals in custody, it still stands that they can't bring in their own clothing; chest binders are available for distribution as needed; people can request items from DOC.

Mik: will it be listed some place public?

Liz: permissible items list on website will be updated soon, a bit less of a priority than internal. We have also added that to our LGBTQ disclosure form that's given

to all people who disclose identity: list of majority of logistical services we can provide, incl. Requesting items; also added to our pamphlet that's added to our orientation; people are being educated that they can receive binders from the department; we had a great surge of request for binders: handed out all 20 in 2-3 weeks, so I have a new request in for over 100 more (could take 10-12 weeks) so trying to get donations more quickly; we have a waiting list;

Mik: The teletype hasn't been shared with us so we don't know, is there a limit to binders per person?

Liz: it's two

In trying to find a publicly available list of Attachment D Mik found that [Directive 4020R-B](#) has definitions of male, female, and transgender that are confusing and seem to be in opposition to the definitions in Directive 4498R-A. The directive also leaves out any intersex or non-binary person who does not identify as male or female. Is there a plan to bring these into alignment?

Chelsea: yes, down the road. Making priorities with edits due to limited bandwidth; we're in the process of updating related directives, and Liz will give guidance;

Liz: to update a directive takes 6 months to a year: different allies for approval (inside and outside orgs);

Mik: this definition would violate the PREA rules as it states that genitalia is the foundation of sex, and it would violate the Executive Order from the City which mirrors the NYC Human Rights Laws. Not saying that this would be a strong lawsuit, but it does leave the Department open to one if this isn't fixed as it suggests that DOC views gender identity and makes decisions about housing outside of the requirements.

We had asked for a tour of the SCU in January and then again in May and were told no, is there an opportunity to see the SCU and the unit within OBCC soon?

Chelsea: we are only providing tours for officials and people who are required to have access at this point

Liz: we do have a date for our first post-COVID resource fair: Dec. 15; RMSC, meet people at the facilities; helps connect people in custody to services they never knew existed; will send out another email;

In March we had asked about placing information on the Task Force within the LGBTQ folder of the tablets provided to people in custody – has there been an answer or response to that?

Liz: I recently met with the tablet coordinator, we do have our own folder on their that includes re-entry packet and a few other pieces; we can absolutely add some information on the task force, possibly do the information that's on the City's website if people feel that's sufficient (will make a PDF of the screen and have it populated into their tablet folder);

Mik: we also talked about adding the BOC contact (line for complaints) to reach out to this task force; is this most accurate? We don't have an incarcerated person's point of view on this task force, which the law requires us to do.

Kandra: tablets, is DOC allowed to provide podcasts from providers that talk about specific issues, e.g. voting and the power of civic engagement;

Chelsea: not sure what specific criteria are; we have entertainment; we'll follow up

Valerie: we have a team that's focused on voting and civic engagement; will make the connection; we have resources on the tablet and will consider others as well;

Kandra: another great resource to add to tablets: <https://council.nyc.gov/crystal-hudson/wp-content/uploads/sites/117/2023/06/The-Marsha-Sylvia-Plan-NYCC-LGBTQIA-Caucus-6.1.23.pdf>

### **Follow-up Questions For CHS:**

*CHS was unable to attend so we did not ask these questions.*

We want to check to see if the following has been able to be supplied to the taskforce:

- The new intake brochure provided to people at EMTC and RMSC:
  - Mik: will send these out to everyone.
- The 24B Transgender Care Policy updated in June 2022
- The 1-pager created by the Gender Responsive Team

We had the following questions we would like to follow up on:

- Did you receive any answer as to how HRT levels are determined for new intakes who know they take HRT but cannot provide you with a dosage? And how quickly is such a decision made?
- Is Dr. Subedi able to come to a meeting?
- We were told there is a SMI program that staffs the re-entry facility, were you able to find the name of the organization?
- Is there any more information available on the Gender Responsive Team and the services?
- Liz: TWIGS is CHS, was the first name; name wasn't ideal so it was changed to "gender-related services," which is also expanded; team has always been CHS, has the same goals in mind;

### **Follow up Question for BOC:**

[Do we have a specific person appointed to this Task Force now?](#)

Was Heather, so right now Pearson is attending in transition until they finalize who the person will be; there will always be a BOC rep;

[Is there a BOC point person for updating the website with our notes and other information?](#)

Pearson: Assistant Director is aware and is working on who will be updating the information;

Mik: there was some talk of adding BOC complaints number to tablets so people know how to send complaints to the task force;

Pearson: I will inquire with direct supervisor; we don't do that with other groups; complaints go to us and we resolve them; who would it go to on the task force?

Mik: could go to whole task force, or could revise TF law and appoint someone to be secretary; or the BOC appointee could be the contact;

**Updates:**

DOC: Liz's team held two national coming out day events: one at RMSC: communal conversations, dance party, open space; one at OBCC: looked different because of risk and danger of being visibly out; ran two consecutive groups: one discussing identity pieces, and a more national coming out day event. Will also be doing World AIDS Day events

Mik: Leg subcommittee is doing two things:

Updating TF creation bill—waiting to hear back from the drafters

728: CM Powers's housing bill; awaiting to see what edits they take

Drafting subcommittee:

Having a stumble and need more folks, please reach out if you can join

Commission on Gender Equity: with END Gender-Based Violence, will share details of events for 16 Days of Activism against Gender-based Violence