



**NEW YORK CITY
BOARD OF CORRECTION**

September 14, 2021 PUBLIC MEETING¹ MINUTES

ATTENDEES

MEMBERS PRESENT

Jennifer Jones Austin, Esq., Chair
Robert L. Cohen, M.D., Member
Felipe Franco, Member
James Perrino, Member
Steven M. Safyer, M.D., Member
Jacqueline Sherman, Esq., Member

Margaret Egan, Executive Director

MEMBERS ABSENT

Marco Carrion, Member

DEPARTMENT OF CORRECTION (DOC)

Vincent Schiraldi, Commissioner
Kenneth Stukes, Chief of Department
Dana Wax, Chief of Staff
Daniel Ades, Deputy Chief of Staff
Stanley Richards, First Deputy Commissioner of Programs and Operations
Sarena Townsend, Deputy Commissioner of the Investigation Division
Francis Torres, Deputy Commissioner for Programs
Maureen Danko, Deputy Commissioner
Alexandra Frank, Assistant Commissioner
Daniel Chavez, Assistant Commissioner
James Boyd, Assistant Commissioner of Internal Communications
Justin Von Bujdoss, Executive Director of Chaplaincy
Steven Kaiser, Executive Director of Policy and Intergovernmental Affairs
Corey Forster, Director of Legal Affairs
Nancy Goldman, Training Management Specialist/Curriculum Developer
Tanisha Mills, Warden
Amarilys Rodriguez, Executive Coordinator
Nancy Li, Policy, Policy and Oversight Specialist
Jason Kersten, Press Secretary
Patrick Remy, Captain

¹ Due to the coronavirus/COVID-19 pandemic, this special meeting was conducted virtually.

Rinzin Dorjee, Grant Writer

NYC HEALTH + HOSPITALS - CORRECTIONAL HEALTH SERVICES (CHS)

Jeanette Merrill, MPH, Director, Communications and Intergovernmental Affairs

Ashley Smith, MPA, Chief of Staff

Charmaine Brown, Deputy Director

OTHERS IN ATTENDANCE

Latia Mitchell, Office of the Mayor

Edgardo Acevedo, Office of the NYC Public Advocate

Joseph Thomas, Officer of the Mayor

Zachary Katznelson, Independent Commission on Criminal Justice and Incarceration Reform

Daniele Gerard, Children's Rights

Tobin Kassa, Children's Rights

Meredith Giovanelli, Children's Rights

Mary Werlwas, Legal Aid Society Prisoners' Rights Project (LAS)

Kayla Simpson, LAS

Michelle McGrath, LAS

Alexandra Smith, LAS

Sophie Gebreselassie, LAS

Stefen Short, LAS

Jennifer Parish, Urban Justice Center (UJC)

Minister Dr. Victoria A. Phillips, Jails Action Coalition (JAC)/UJC

Kelsey De Avila, Brooklyn Defender Services (BDS)

Simone Spirig, BDS

Irene Cedano, BDS

Claudia Forrester, BDS

Kathleen McKenna, BDS

Hanna Perry, BDS

Karan Kukreja, Queens Defenders

Chrysi Prakas, Queens Defenders

Jennifer Bacon, Queens Defenders

Samantha Tucker, Queens Defenders

Michelle Minkin, Queens Defenders

Emily Gordon, Queens Defenders

Kathleen Rende, Queens Defenders

Shanaz Chowdhury, Queens Defenders

Sahar Shams, Queens Defenders

Candace Pond, Queens Defenders

Casey Dalporto, New York County Defender Services

Theresa Freitas, New York County Defender Services

Ashley Quinones, New York County Defender Services

Nikki Woods, New York County Defender Services

Rachel Wallace, New York County Defender Services

Natalie Fiorenzo, New York County Defender Services

Gabrielle Falcone, New York County Defender Services

Christopher Boyle, New York County Defender Services

Dorothy Weldon, New York County Defender Services

Celia Joyce, New York County Defender Services

Wendell Walters, Osborne Association

Allison McCullough, Osborne Association

Lizbett Mendoza, Osborne Association
Emily Appel, Osborne Association
Tanya Krupat, Osborne Association
Claire Berkowitz, Osborne Association
Erik Perry, Osborne Association
Benny Boscio, Correction Officers' Benevolent Association (COBA)
Roddy Richardson, COBA
Keisha Williams, COBA
Antoinette Anderson, COBA
Ashaki Antoine, COBA
Julia Solomons, Bronx Defenders
Lillian Barreto, Bronx Defenders
Charlotte Pope, Girls for Gender Equity
Scott Paltrowitz, HALT Solitary Campaign
Joan Pleune, HALT Solitary Campaign
Sarita Daftary, Freedom Agenda
Brandon Holmes, Freedom Agenda
Roger Clark, New York Campaign for Alternatives to Isolated Confinement (CAIC)
Nicole Weinberg, Women's Community Justice Association (WCJA)
Bria Agard, WCJA
Kelly Grace Price, Close Rosie's
Jon McFarlane, VOCAL-NY
Jan Ransom, The New York Times
Annette Spellen, Community Board 4
Laura Limuli, Youth Justice Network
Robert James, Youth Justice Network
Lenu Mishra, CJE
Chelsea Chard, FDM
Patricia Bailey, DANY
Nili Ness, Queens Public Library
Michael Carey, Brooklyn Public Library
George Joseph, WNYC
Anna E. Friedberg, Tillid Group
Daisy Fernandez, Independent
Christopher Weiture, Independent
Bernardo Caceres, Independent
Sophie Cohen, Independent
Rosa Palmeri, Independent
Michael Sheftman, Independent
Erica Bond, Independent
Pearl Ayamba, Independent
M.J. Williams, Independent
Brian Stone, Independent
Elizabeth Mayers, Independent
Nick Pinto, Independent
Steve Martin, Independent
Jennifer Bacon, Independent
Robert Stevens, Independent
Christopher Fitzgerald, Independent
Madison Levin, Independent
Anna Gee, Independent

Anna E. Friedberg, Independent
Daisy Fernandez, Independent

Opening Remarks/Announcements

On behalf of the Board, Member Felipe Franco (“Member Franco”) convened the meeting and addressed the current conditions in the jails. He said the Board is deeply concerned about people in custody and people who work in the jails. He urged the city and all stakeholders to decarcerate as the population of detained people has surpassed pre-COVID levels and the Department faces an ongoing staffing crisis. See this portion of the video recording [here](#).

Approval of June 8, 2021 Minutes

Member Franco asked for a motion to approve the draft minutes of the Board’s June 8, 2021 meeting. Upon Dr. Cohen moving the item and Member Sherman seconding it, the minutes were unanimously approved, 5-0 (Members Cohen, Franco, Perrino, Safyer, and Sherman). See this portion of the video recording [here](#).

DOC Updates

DOC Commissioner Vincent Schiraldi addressed the conditions in the jails, including the ongoing COVID-19 pandemic, the rising jail population, and the Department’s staffing shortages. See this portion of the video recording [here](#). The Board’s response to Commissioner Schiraldi’s remarks is available [here](#).

DOC First Deputy Commissioner of Programs and Operations Stanley Richards and Assistant Commissioner Alexandra Frank described the Department’s approach to providing programming to young adults. See this portion of the video recording [here](#).

Public Comment on Variance Requests

The Board’s Executive Director, Margaret Egan (“ED Egan”), introduced five variance requests from DOC regarding the individualized use of restraints in punitive segregation, the Secure unit, young adult Enhanced Supervision Housing (“YA-ESH”), commingling, and separation status. See this portion of the video recording [here](#).

The Board heard public comment on the five DOC variance requests from Sarita Daftary (Freedom Agenda), Kayla Simpson (LAS), and Victoria Phillips (JAC). Public comment is available in the video recording [here](#).

Seven-Day PSEG Restraint Review Variance Request

► Board Discussion

Board discussion on the variance request, including the Department’s response, is available [here](#).

► Board Vote

Member Franco called for a motion to vote on the limited variance request. After Member Sherman moved the item and Dr. Safyer seconded, the Board unanimously approved the variance, 5-0 (Members Cohen, Franco, Perrino, Safyer, and Sherman).

See the Board’s vote on the variance [here](#). The final record of variance is published [here](#).

Secure Unit Variance Request

▶ Board Discussion

Board discussion on the variance request, including the Department's response, is available [here](#).

▶ Board Vote

ED Egan read out loud the existing conditions to the variance. See this portion of the video recording [here](#).

Member Franco called for a motion to vote on the limited variance with conditions. After Dr. Safyer moved the item and Member Sherman seconded, the Board unanimously approved the variance, 5-0 (Members Cohen, Franco, Perrino, Safyer, and Sherman).

See the Board's vote on the variance [here](#). The final record of variance is published [here](#).

YA-ESH Variance Request

▶ Board Discussion

Board discussion on the variance request, including the Department's response, is available [here](#).

▶ Board Vote

ED Egan read out loud the existing conditions to the variance. See this portion of the video recording [here](#).

Member Franco called for a motion to vote on the limited variance with conditions. After Member Perrino moved the item and Member Sherman seconded, the variance failed to pass with four votes in favor (Members Franco, Perrino, Safyer, and Sherman) and one vote in opposition (Member Cohen). See this portion of the video recording [here](#).

Commingling Variance Request

▶ Board Discussion

Board discussion on the variance request, including the Department's and CHS's response, is available [here](#).

▶ Board Vote

ED Egan read out loud the existing conditions to the variance. See this portion of the video recording [here](#).

Dr. Cohen proposed an additional condition for CHS to report within two months its plans for developing young adult specific mental health programming. Member Franco called for a motion to vote on Dr. Cohen's condition. After the item was moved and seconded, the Board unanimously approved the condition, 5-0 (Members Cohen, Franco, Perrino, Safyer, and Sherman). See this portion of the video recording [here](#).

Member Franco called for a motion to vote on the limited variance with conditions. After Member Sherman moved the item and Member Perrino seconded, the Board unanimously approved the variance, 5-0 (Members Cohen, Franco, Perrino, Safyer, and Sherman).

See the Board's vote on the variance [here](#). The final record of variance is published [here](#).

Separation Status Variance Request

▶ Board Discussion

Board discussion on the variance request, including the Department's response, is available [here](#).

▶ Board Action

ED Egan read out loud the existing conditions to the variance. See this portion of the video recording [here](#).

Member Franco called for a motion to vote on the variance request. No Board members motioned to open the floor for a vote on the variance request and therefore, the separation status variance failed to pass. See this portion of the video recording [here](#).

DOC Update on Rule Implementation

DOC First Deputy Commissioner of Programs and Operations Stanley Richards and Executive Director of Policy and Intergovernmental Affairs Steven Kaiser provided an update on the Department's implementation of the Board's restrictive housing rule. See this portion of the video recording [here](#).

COVID-19 Update

ED Egan provided background on COVID-19 in the jails. See this portion of the video recording [here](#). See the Board's PowerPoint presentation published [here](#).

CHS and DOC provided an update on COVID-19 in the jails and responded to the Board's questions. See this portion of the video recording [here](#).

Public Comment

The Board heard public comment from Jennifer Parish (UJC), Christopher Boyle (New York County Defender Services), Scott Paltrowitz (HALT Solitary), Simone Spirig (BDS), Rosa Palmeri (Independent), Kelly Grace Price (Close Rosie's), Roddy Richardson (COBA), Lenu Mishra (CJE), Kayla Simpson (LAS), Ashaki Antoine (COBA), Irene Cedano (BDS).

The public comments portion of this video recording is available [here](#).