

MINUTES

NOVEMBER 20, 1979 MEETING

BOARD OF CORRECTION

A regular meeting of the New York City Board of Correction was held on November 20, 1979, in the Conference Room of Fox Glynn & Melamed, 299 Park Avenue, 30th Floor, New York, New York.

In attendance were Chairman Peter Tufo, Vice-Chairman John Hoaran, Mr. Angelo Giordani, Mr. Wilbert Kirby, Mr. David Lenefsky, Mr. Jack Poses and Mrs. Rose M. Singer.

An excused absence for Mr. David Schulte requested by Mrs. Singer was approved.

Board Staff present by invitation were Michael Austin, Michael Cleary, Sherry Goldstein, Fr. Robert Harrison, Judith LaPook and Joseph Smith.

Peter Tufo chaired the meeting and Sherry Goldstein served as secretary.

The Chairman called the meeting to order at 1:00 P.M.

Mrs. Singer commended the staff for the quantity and quality of its recent work products.

The minutes of the September 18, 1979 meeting were adopted.

The Chairman opened the meeting by recapping the recent personnel changes in the Department. They are: Jacqueline McMickens, Chief of Operations; Ellen Schall, Deputy Commissioner for Program Services and Legal Policy (with minimum standards responsibility); Devora Cohen, General Counsel and Larry Finnegan, Inspector General. The Chairman continued by stating that he met with Deputy Commissioner Mark Corrigan and made it clear to him that the Board considered implementation of the minimum standards the Department's second priority after the Rikers Island transfer.

Mr. Smith then reported on the following recent unusual incidents: the suicides on October 16, 1979 at the Anna M. Kross Center and on October 22, 1979 in ARDC; the homicide on October 27, 1979 in HDM; the escape from HDM on September 24, 1979, the hunger strike that started on November 10, 1979 in 1B in HDM and the CERT team search of C-95/HDM on October 31, 1979.

Father Harrison described the situation in 1B at HDM that triggered the hunger strike. He stated that the inmates primary concerns were the denial of a second contact visit per week, the scheduling of religious services and recreation at the same time and the need for increased law library time. He said that the inmates were talking about hurting one of the correction officers if these matters were not rectified.

Mr. Tufo asked if he had reported that information to the Warden.

Fr. Harrison replied that he had called the Director of Operations' office and relayed this information to one of the Captains on duty.

Mr. Tufo stated that he was at C-95/HDM the night of the CERT search, and that the search was conducted professionally and without incident.

Mr. Lenefsky asked if the search officers were wearing proper identification tags as previously requested by the Board. In the absence of a definitive answer, Mr. Lenefsky stated that he thought we had a commitment from Larry Finnegan regarding search officers displaying some kind of identification and requested that staff look into this matter.

Mr. Tufo stated that it was an expensive search, costing approximately \$20,000. because it was done mostly on overtime.

Mr. Cleary stated that the Department is trying to build such costs into their regular operating budget.

Mr. Tufo reported that Diane Steelman was leaving the Board to work for the National Council on Crime and Delinquency and that Sherry Goldstein would replace her in the Minimum Standards Unit.

Judith LaPook then discussed recent developments in the Rikers Island transfer. She said that the report of Councilman Fred Samuel's Public Safety Committee, although not yet officially released, was generally favourable to the transfer with reservations about costs, particularly the amount of compensation from the State as well as the care of sentenced misdemeanants. She said that the report does not mention minimum standards and places heavy emphasis on the State side of the deal. Ms. LaPook stated that Councilman Valone is against the deal.

Mr. Kirby said the Board ought to stress the importance of minority contracts for construction related to the transfer.

It was agreed that at the appropriate time the Board would ask about plans for minority contracts.

release date
A discussion ensued about the most effective time for release of the Board's report on the proposed Rikers transfer. It was agreed that the best time to release it would be before the Board of Estimate Hearings.

Ms. LaPook stated that she was waiting for additional information from the Department before the report could be completed but anticipated that it would be finished in two weeks.

The Chairman reported that the County Lawyers Association was conducting an evaluation of the City's efforts to comply with the Board's minimum standards. He indicated that staff was preparing a detailed response to specific questions directed to the Board by the Association regarding standards compliance.

Michael Austin presented the staff report stressing the following: The Department is in the process of hiring a director for its grievance grant; the census at JODC is dwindling and JODC is in the process of being phased out; the Board staff is again focusing its attention on the development of a classification system for prisoners; the Rikers Island Planning Grant, which includes funds for the Board's Special Counsel position, was refunded with the understanding that if the plans for the Rikers Island transfer are discontinued the grant will be terminated and partial consent decrees were signed regarding the Women's House and HDM.

Ms. LaPook reported that she is now sitting in on meetings of the Tombs construction committee. She noted that the revised schematics for the first floor reflect two of the Board's suggestions: an access ramp for handicapped visitors and staff has been incorporated, and the child-play area has been relocated so that it is closer to the visit area. Additional revisions to the first and second floor plans are being made and will be delivered to the Board as soon as they are completed.

Ms. LaPook continued that a mock-up cell was examined twice and found to be unsatisfactory by all who examined it. She stated that the Board has been asked to sign off on plans for recreation space in the Tombs. The only available outside recreation space is on the roof and its size is limited. It is being proposed that the roof be expanded and that a retractable roof be placed over the outside area. Discussion followed on: the lack of standards regarding recreation space; the lack of information available concerning the number of people that will be using the space and how the space will be utilized and the pros and cons of a retractable roof.

It was concluded that the Board did not have enough information at this time concerning the issue and would not sign off on any plans until adequate information was presented. It was suggested that the Planning Group should come to the next Board meeting.

The Chairman then introduced Mr. Frank Schneider to the Board. Mr. Schneider is a consultant to the Board on mental health service delivery.

Mr. Schneider discussed the draft of the mental health service report and recommendations stemming from the Board's public hearings. He stated that a formal planning group was created in this area including representatives from all appropriate City correction and health agencies.

Mr. Tufo asked that Mr. Schneider include in the recommendations a section on 730 commitments.

Mr. Schneider replied that he would.

Mr. Tufo then authorized Mr. Austin to present the draft mental health report to the aforementioned working group at their next meeting.

Mr. Austin presented staff's recommendations on the Department's request for variances from minimum standards due to take effect on November 1. After lengthy discussion the Board acted on the Department's variance requests as reflected in the attached Board determinations.

The next Board meeting was scheduled for December 11, 1979 at 2:30 P.M.

The Board went into Executive Session at 3:30 P.M. and the meeting was adjourned at 5 P.M.