

## **Running Minutes and Agendas for Task Force (most recent meeting first)**

### **Meeting - September 7th, 2022 1-3pm on Zoom**

Present:

Deb Lolai (she/her, The Bronx Defenders)

Mik Kinkaid (he/him, Legal Aid)

Josh Kingsley (he/him, NY City Council)

Dori Lewis (she/her, prev. Legal Aid)

Saloni Sethi (she/they, NYC Mayor's Office of Criminal Justice)

JoAnn Ward (she/her, NYC Commission on Human Rights)

Nicole Levy (she/her, Correctional Health Services)

Chelsea Chard (she/her, NYC Department of Corrections)

Tabytha Gonzalez (she/her, NYC Commission on Human Rights)

Heather Burgess (she/her, NYC Board of Correction)

Liz Munsky (NYC Department of Corrections)

Ronald Porcelli (he/him, NYC Unity Project)

Grace Detrevarah (she/her, Osborne Association)

Kimberly Mckenzie (she/her, Sylvia Rivera Law Project)

Shear Avory (they/them, New Pride Agenda)

Introductions: name, pronouns, organization.

Mik shared that the TGNCNBI report went out. [BOC](#) has it on their website, DOC told Task Force members they will post the report on their website soon.

Dori asked Chelsea about the DOC's response to the report. Chelsea shared that DOC is working on their response and will be done within their 90 day mandate.

Deb asked Chelsea about the newest Directive for TGNCNBI people in custody, which is still in draft form. Chelsea responded that DOC is working on the Directive in conjunction with their response. DOC also reported that they will not be sharing the draft Directive with the Task Force.

Mik shared an update from Paul Schechtman (Department of Corrections) that DOC wants to make sure their response to the report is intelligible. Their biggest concern is the lack of coordination with the courts, and DOC wants to make sure there is a contact person that defenders can reach out to after arraignment if/when OCA (Office of Court Administration) doesn't correct the gender on the securing order or if there was not an opportunity to safely ask about gender identity.

Mik shared an update from Brenda McKinney (NYC City Council). Brenda couldn't make the meeting but wants the Task Force to know that it is unlikely that the City Council will have a

hearing in the next 2 weeks. More likely the hearing will be held in October or November of this year.

Task Force members discussed the pros and cons of waiting for DOC's response to the report to have a City Council hearing. Shear says – no need to wait on the DOC, the issues raised in the report are not new. They also mentioned that there was never a hearing on the delay and lack of resources. The Task Force asked the City Council for that in November 2021. Shear mentioned that the news articles on the report were great.

Shear asked us to remember our own power as the Task Force and that we could hold our own hearing and focus on directly impacted people attending, etc.

Deb asked Chelsea and Liz: is there a benefit to delaying the hearing until DOC has a published response? Chelsea responded that yes, this would give DOC time to more fully prepare and engage in discourse.

Dori agreed with Chelsea, stating that a benefit to waiting is that DOC won't be able to dodge questions from Council members with "we are not authorized to share that until the release of our response."

The Department is required by Local Law 145 to respond to the report in no more than 90 days from its release. 90 days is November 14<sup>th</sup>. Mik's original email says Oct 13<sup>th</sup> – Mik says never got confirmation from BOC or DOC so hard to know. Shear adds on, there has been a lack of response, a lack of info, and a lack of resources.

Task Force members proposed the idea of having two City Council hearings. Josh stated it seems unlikely to have two hearings because of the demands on Council to have hearings. November seems more likely than October, especially with a response from DOC coming.

JoAnn proposed separating hearings into two topics: one a City Council hearing with DOC, CHS, and BOC (to focus on the agencies) regarding the report, one a City Council hearing on the Task Force's lack of resources.

Dori: So how do we go about scheduling? And let's also keep in mind Shear's idea of holding something with the community. Start with Rivera and Caban – and go from there

Mik, Shear, Kandra, Deb, Kimberly (pending confirmation), and Dori will begin outreach to City Council regarding support for the Task Force moving forward.

Mik will reach out to Brenda regarding the hearing: Task Force members agreed that this work is urgent, and some members don't want to wait for a hearing. But, if the hearing is held in November, the Task Force can respond to DOC's response.

Other issues: who are the current Task Force members and who is required by law? Most agencies, if not all, are covered already. The local law states that currently incarcerated people should be on the Task Force if practicable. In 2019, a person in custody at the time would join by phone.

Deb: can we try to have one or more incarcerated trans people from the Special Considerations Unit (SCU, housing for transgender people in custody) or other housing areas join Task Force meetings?

Liz will be able to distribute materials with information for folks in the SCU. and respond to specific questions, concerns, etc. DOC will gauge who in custody is interested and willing to join and willing to sign a consent form. Task Force members stated that it would be helpful to have consistency to arrange for movement.

Deb proposed some times for ongoing monthly meetings. The Task Force agreed on the **First Wednesday of every month 12-2pm.** Deb will send a recurring invite with a zoom link.

Structure: Shear wanted to know about the timeframe of information and data the Task Force requests. I.E. should there be a blanket request 2 weeks before every meeting?

More formal structure for the task force: Task Force members suggested rotating facilitators. Shear wants us to be respected and taken seriously and proposed implementing Chairs, a Secretary, and publishing of the meeting minutes.

The Task Force proposed developing a working group/committee on structure. Additional committee suggestions included: membership/outreach, drafting, implementation and next steps, and volunteers for facilitators. It was also suggested that the Task Force review the original mandate to determine what, if any, language is included regarding an ongoing update, publishing of the minutes, etc. The link for committee sign-up can be found below.

Task Force members volunteered BOC to publish the meeting notes, as BOC has done in the past. Heather agreed, pending approval from her supervisors. Task Force members also allotted three full business days for Task Force members, DOC, CHS, and BOC to review. Heather will then post the notes on the BOC website by the end of the business day the following Monday. Heather noted that if notes are incredibly detailed, there may be concerns about hitting the 3-day deadline. Task Force members voted and approved this motion. Chelsea, Liz, Josh, and Heather abstained from voting.

Concerns about notes: not required by Local Law 145 to be posted, but BOC did publish notes in October of 2019. DOC is concerned about confidentiality. Deb said it would be nice if there was anything confidential actually shared with us. Chelsea reiterated the need to have DOC agency review and redact in case something in the notes doesn't immediately flag to others as needing to be redacted. Shear says we should announce confidentiality beforehand, but BOC has the authority to release information shared in Task Force meetings and DOC often tries to overstep that. Shear stated that everything said should be public. Dori agreed, but proposed that we as a Task Force can decide after DOC says "this is confidential" if we want to hear it or we can't make a commitment to keeping the information confidential. Dori stated, ie. She has

been in a meeting when there is draft language being shared that they don't want public, so they just say that in advance. A vote was held to pass the motion to create a rule of saying "this is confidential" in the meeting prior to sharing anything requiring confidentiality. Ronald, Shear, Mik, Nicole, Saloni, Tabytha, Kimberly, Dori, JoAnn voted in favor. No hands were raised for "nay." Chelsea, Liz, Josh, and Heather did not vote.

Membership/outreach – Task Force members suggested that members can internally ask our respective organizations to give us the time to do this work and allow Task Force responsibilities to be written into their job description.

Shear suggested reaching out to people and organizations that work to interrupt pipelines, such as Black and Pink.

Task Force members suggested establishing City Council Liaisons for more effective and efficient communication.

Next report: projected release in August 2023, although there is no official deadline in the mandate. The Task Force would be looking at May for the beginning of the finalization process.

Deb volunteered to take notes at the monthly meeting, and if for whatever reason she can't she will assign the responsibility to others. Notes will be taken in a google doc that the Task Force and city representatives all have access to. Everyone will have the ability to request redactions if needed.

The end of each meeting will have 10 minutes of prep for the next meeting and space for data requests. Some data requests will be recurrent.

**Next Meeting: October 5th, 2022 12-2pm on zoom**

Proposed Agenda:

1. Reviewing committees. Sign up sheet shared with Task Force members on 9/7/22.
2. Update on City Council hearing.
3. Updates from Heather (BOC) on minutes.
4. Update on draft directive.
5. Housing data info & status of the SCU at AMKC - Chelsea said DOC will consider sharing this data.
6. Organizing around our own town hall.