

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

February 7, 1972

A regular meeting of the Board of Correction was held on Monday, February 7, 1972, in the 14th floor Conference Room, 100 Centre Street, New York, New York.

Present at the meeting were Messrs, vanden Heuvel, Dribben, Schulte, DeMonte, Becker, Carrion, and Kirby, Rev. Wilson and Mrs. Singer. Also present by invitation of the Board were John M. Brickman, Executive Director, Board of Correction; Lesley J. Spector, Executive Secretary, Board of Correction; Sally Howlett, Administrative Assistant, Board of Correction; Steven Richter and Kenneth Nochimson, Law Internes, Board of Correction; and Terry Strauss, Research Assistant, Criminal Justice Coordinating Council; Benjamin Malcolm, Commissioner, Department of Correction; Jack Birnbaum and George Camp, Assistant Commissioner, Department of Correction; Joseph D'Elia, Director of Operations, Department of Correction; A.L. Castro, Director of Public Affairs, Department of Correction; James Latham, Acting Director of Legal Affairs, Department of Correction; Arnett Gaston, Assistant to the Commissioner, Department of Correction; Michael J. Dontzin, Counsel to the Mayor. Mr. vanden Heuvel acted as Chairman and Miss Spector as Secretary of the meeting.

The Chairman called the meeting to order at 4:10 P.M. The Board members and the invited guests were introduced.

Commissioner Malcolm stated that one of the great problems in working together to bring about change in the prison system is that there has been a breakdown in communications. He suggested that the Board meet once a month with the executive staff of the Department to discuss mutual problems. He further suggested that such meetings be held on the first Monday of each month.

The Chairman stated that the first Monday of every month would be agreeable to the Board, and added that the Board was grateful for the opportunity for such meetings.

The Commissioner stated that he felt that some of these meetings should be held in the institutions around the City.

The Commissioner declared that the Department is studying the Board's 14-point agenda for 1972. He stated that the Department will be announcing an amended visiting procedure, but will discuss that procedure with the Board before it is released publicly.

The Commissioner stated that the Department was prepared to move forward within the next few days to announce the formation of an inmate council at the Correctional Institution for Women.

He added that this council would be pilot project for six months and that if it was successful, it would be expanded to other institutions. He asked the Chairman to appoint a member of the Board and a member of the Clergy Volunteer Program to sit on the council. The Commissioner stated that he felt there were some dangers in the creation of such councils but that we must be willing to take some risks if we hope to effectuate change. He stated that it might be useful to have a rotating council rather than having the same group of inmates participate at all meetings.

The Commissioner stated that he would like the opportunity to meet with the Chairman and members of his immediate staff to further discuss the 14 points.

Mr. Dontzin stated that he felt that a press conference should be held at City Hall to announce the formation of the inmate council. He stated that he felt it was important for the Department to be shown to the public in a good light and that it should receive credit when it begins innovative programs. Commissioner Malcolm stated that one of the problems that the Department has had is that it is always on the defensive and that is counter-productive to the Department's progressive goals.

The Commissioner declared that the Board and the Department should work together to solve problems before either agency goes to the newspapers. The Chairman stated he thought it would be useful for him to meet with Commissioner Malcolm and Mr. Castro to discuss the question of the media and the prisons.

The Chairman stated that Rev. Wilson is Chairman of the Board's Task Force on the Chaplaincy, and that Task Force expects to have a report prepared within four months. He further stated that he felt the report could be helpful to the nation as well as to the City. He added that the report would not be released until it was discussed with the Department.

The Chairman stated that another task force had been established to study the State parole system, and that the Board was also considering a task force to study the problems of homosexuals in prison.

The Chairman declared that Miss Howlett was working on a project concerning the mentally retarded in prison. He declared that the Board was working with Ted Lucas, Director of Mental Retardation Services for New York City, on an application for federal funding to create programs specifically geared to the retarded in prison.

The Chairman declared that he had met with Miss Ades of the Department concerning prison libraries and the Board will work with the publishing industry to create model libraries in the prisons. He added that the Board would work with the Department in organizing the distribution of books to the institutions.

The Chairman stated that he would like to create a task force to go to the State Reformatory to see how it compared to New York City's Reformatory. He stated that Mr. Schulte had



visited the State Reformatory in the past and found it to be poorly run.

Commissioner Malcolm stated that he hoped to have an Assistant Deputy Warden visit the State facility to ascertain whether the City is meeting State standards. He stated that there has been some unrest at the Reformatory since the Legal Aid Society has been working there. He further stated that he hopes Legal Aid lawyers are not telling Reformatory prisoners that they can return to court and be released because the Reformatory is not meeting State standards. The Commissioner added that he did not think the City would have a problem in meeting State standards.

The Chairman stated that it would be a tragedy if the City did not have a Reformatory in the metropolitan area, and that the Board might be able to assist with programming in the institution. He suggested that he and the Commissioner meet with representatives of the Legal Aid Society.

Mr. Dontzin stated that he would be meeting with the Presiding Justices to ask them to sentence people to places other than the Reformatory when the Reformatory reaches 100% of capacity.

Commissioner Malcolm stated that he felt efforts should be made to institute massive remedial education programs in all the prisons, and that he planned to meet with Board of Education Chairman Robinson to see how such a program could be started.

The Chairman stated that he had met with Chancellor Scribner concerning such programs. He further stated that Mr. Abraham Lass had put together a program of retired teachers instructing at the Reformatory.

Mr. Kirby suggested that the Commissioner be in touch with Mr. Norman Palmer, Director of the College Adapter Program at CUNY, a program in East Harlem who might be in a position to help.

The Chairman stated that he had been in touch with Senator Javits and that the Senator would try to get additional funding for the MDTA program.

Mr. D'Elia asked that the Board clear prison visits with him. The Chairman stated that the following was his understanding: Members of the Board and approved members of the staff could visit unannounced at any time and would have access to any area of the institution. Mr. D'Elia stated that the Chairman's understanding was correct, but that he was referring to visitors that the Board and staff occasionally bring with them. He added that those visitors could be cleared with him by telephone. Mr. Brickman stated that Board staff members often had difficulty gaining access to the housing floors between the hours of 4-5:30 P.M. Commissioner Malcolm said he would prefer that unless it was an emergency, staff members not go up to the floors during that time because there is a change of officers and an inmate count during those hours.

Mr. Dribben stated that he thought greater attention should be paid to conditions in the City's court pens, and the Chairman asked Mr. Nochimson to begin looking into the problem.

The Chairman stated that the problem of overcrowding is something that the Department is unable to deal with. He added that former Chief Judge Charles Desmond will argue before Appellate Judge Stevens the Board's case concerning the Sheridan facility at 75 Morton Street. He stated that he had asked State Correction Commissioner Oswald to intervene. He further stated that it now appears that the 90-day rule, scheduled to be implemented in May will be watered down by the State Legislature.

Commissioner Malcolm stated that he would be meeting with the Presiding Justices of the Appellate Division to discuss the possibility of moving certain inmates out of City institutions. He further stated that the Department supports the Board in its efforts to secure the Sheridan facility as an adjunct detention center to the Tombs. He added that the City's prison census has been higher in the last two months than ever before.

At this point, the staff of the Department and Mr. Dontzin left the meeting.

Upon motion duly made and seconded, the minutes of the meeting of January 10, 1972 were adopted as amended.

The Chairman stated that he had not known that Morris Oslyn was no longer warden of the Reformatory. Mr. Dribben stated that he used to receive a memorandum on all Departmental personnel changes. The Chairman asked Mr. Brickman to be in touch with the Department to request that such memoranda be sent to the Board office.

Mr. Brickman then stated that it would be desirable for the Board to move its bank account from the Chemical Bank, New York Trust to the American Bank and Trust Company, and offered bank resolutions to effect the change. Upon motion duly made and accepted, the bank resolutions were approved, and the Secretary was ordered to attach copies of the resolutions to the minutes of this meeting.

Mr. Brickman stated that the Board was again having difficulty in getting its money from the State. Miss Spector declared that the Board staff had not been paid since December and that the Board had to negotiate a \$5000 bank loan to pay December salaries. The Chairman asked Miss Spector to prepare a memorandum of the facts so that he could discuss the matter personally with the Controller.

The Chairman stated that he and the three new Board members had had lunch at the Tombs. Mr. Becker declared that the new members were returning to the Tombs on


Tuesday, February 8, at the invitation of inmates on the 10th floor. Mr. Carrion stated that many Spanish inmates told him that there were no Spanish books available to them.

The Chairman stated that on February 17th, he would testify before the United States Human Right Commission concerning problems faced by Spanish people.

The Chairman stated that he felt the Board could meet on the first Monday of every month immediately following the meeting with the Commissioner and his staff.

The meeting adjourned at 6:15 P.M.

Respectfully submitted,

  
Lesley J. Spector  
Executive Secretary  
Board of Correction