

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

October 2, 1972

A regular meeting of the Board of Correction was held on October 2, 1972, in the 14th floor conference room, 100 Centre Street, New York, New York.

Present at the meeting were Messrs. vanden Heuvel, Dribben, Schulte, Kirby, Rev. Wilson, and Mrs. Singer. Also present by invitation of the Board were John M. Brickman, Executive Director of the Board; Peter A. Lesser, Executive Secretary of the Board; Kenneth Nochimson, Legal Advocate; Greg Harris, Director of Clergy Volunteer Program; and Debby Powers, Criminal Justice Coordinating Council.

Present from the Department of Correction were Benjamin J. Malcolm, Commissioner; Jack Birnbaum, Deputy Commissioner; Richard Anerio, Assistant Commissioner; Ronald Zweibel, Esq., Director of Legal Affairs; Arnett Gaston, Executive Assistant to the Commissioner; Mr. Thomas Pratt, Executive Interne in the Office of the Commissioner; and Father John O'Leary, Chaplain at the Manhattan House of Detention. Mr. vanden Heuvel acted as Chairman and Mr. Lesser as Secretary of the meeting.

The meeting was called to order at 3:22 p.m. Upon motion duly made and seconded, the minutes of the meeting of September 25, 1972, were approved.

Mr. Harris presented a copy of the progress report of the Clergy Volunteer Program and discussed it. The Board asked Mr. Harris to provide a copy of the first newsletter which was published by the inmates of the Manhattan House of Detention.

The Chairman noted that Mr. Harris and Jeffrey M. Siger, Special Counsel to the Board, were going to Notre Dame University in South Bend, Indiana, for a presentation of the Clergy Volunteer Program to a national conference. The Chairman also reported that he would be addressing a national Baptist convention in Poughkeepsie, New York, on October 13.

The Chairman then discussed the Chaplaincy Task Force, headed by Reverend Wilson, and its report. The Chairman reported on the background of the report, and the area of disagreement between the Board and the Board of Rabbis. The Chairman noted that there would be another meeting with the Board of Rabbis this week and that he hoped that some accommodation could be reached before the final report was issued.

Mr. Dribben suggested that the United States Army Chaplain school located at Fort Hamilton, with a student population of 300, could become involved in on-the-job training in the prisons, and he asked that Mr. Harris get in touch with the Commandant to explore the possibility of establishing such a program.

Copies of the memorandum regarding Psychotic yet Competent Detainees were distributed to the Board.

The Chairman noted that 40 new probation officers would be hired this week. The Chairman also asked that Mr. Schulte investigate the feasibility of using the Ossining State facility for City prisoners, and asked that he arrange a meeting with the State Commission of Correction.

Ms. Powers and Mr. Kirby noted that neither had visited the Greenhaven State Prison for the meeting which was reported in the previous Board meeting. It was noted that Ms. Terry Strauss, formerly of CJCC, had attended and that all involved agreed that the necessary parties were not represented at the meeting, i.e., big business and City officials.

The Board agreed that the next meeting would be held on November 6, 1972, at 3 p.m. at the Brooklyn House of Detention. The December meeting will be held on December 4, at a place to be decided.

Mr. Nochimson noted that District Council 37 was joining in the union-supervised release program in the borough of Manhattan.

A formal request was made of the Criminal Justice Coordinating Council for copies of all reports relating to prisons that have been issued in recent months. It was noted that the report of Learning Systems, Inc., which the Board has not been able to review, would be of particular interest. Ms. Powers agreed that she would report back to the Board on the matter.

Father O'Leary reported on the Manhattan House of Detention.

At 4:23 p.m., Commissioner Malcolm and his staff arrived. The Commissioner discussed the Legal Aid Society suit concerning the Manhattan House of Detention now pending against the Department of Correction. The Commissioner suggested possible alternative detention facilities, including the former NACC Sheridan Center. He declared that he was especially afraid of possible repercussions from the State if a federal court order were issued to reduce the Tombs' population. He also discussed problems regarding the treatment of inmates with mental health problems in the Tombs. The Department, he declared, took the position that no treatment of any sort is possible in the present atmosphere in the Manhattan House of Detention. The Chairman volunteered to send the Commissioner data on post-conviction cases.

Deputy Commissioner Birnbaum reported on the Education Facilities Laboratories' conference regarding the new Adolescent Remand Shelter. Commissioner Malcolm noted that he would like a lengthier training program period. The present correction officers' training program is one month, and the Commissioner would prefer a minimum of two months.

The Commissioner asked for the Board's support in attempting to bring inmates who are being held in upstate facilities back to New York City.

Commissioner Malcolm reported that the Department is in the process of writing a proposal for the establishment of a work-release center at the Sloan House YMCA. The program will house 60 individuals in a co-ed work-release program. A contract for one year has been agreed upon, with an option for a second year. Commissioner Malcolm noted that he needs people from the upstate facilities to allow a greater selectivity in the selection of work-release residents, as well as to enable him to start the 72-hour furlough program.

In discussing the disparity of sentencing between boroughs, the Board proposed a study within one borough for one month to see the disparity within that borough. Deputy Commissioner Birnbaum noted that the institutional facilities in Queens and the Bronx are already on electronic data processing equipment, which will enable the Board to conduct such a survey rapidly and that, as of October 5, 1972, the Manhattan House of Detention will also be on EDP.

The Commissioner then discussed the capital budget for Fiscal Year 1973-74, and a general discussion ensued regarding new projects and the repercussions of the projects on other facilities.

In connection with the Department's Legal Education Project, a separate meeting between Deputy Commissioner Birnbaum, the Chairman, and Mr. Brickman was proposed for the near future.

The Department reported that members of the U.S. Army medical reserve unit will visit Rikers Island on October 8, 1972, to survey the area in the hope that a future agreement between the Department and the Army reserve unit can be established.

A discussion then ensued concerning Mr. Dribben's proposal for a Board of Correction Award and recognition certificate. It was suggested that there be three-way coordination between the Department, the Board, and the Correction Officers Benevolent Association for the presentation of future awards.

Deputy Commissioner Birnbaum reported that the Department has received \$15,000 from the Criminal Justice Coordinating Council for executive staff retreats, to be held on two or three weekends in the near future for the executive members of the Department and the heads of the institutions.

The Board volunteered to assist the Department in the writing of the proposal for the Sloan House YMCA work-release facility, and the Commissioner noted that he welcomed the Board's help and suggested that the Board be in touch with Commissioner Camp. It was noted that there was a two-to-three week deadline on the proposal.

Deputy Commissioner Birnbaum reported on the progress of training programs now underway in the Department. There is a two-week program for new captains and assistant deputy wardens, and there are in-service programs for all officers. There will also be a managerial executive training program. It was noted that there is a concentration on human relations training.

Upon motion duly made and seconded, the meeting was adjourned at 6:13 p.m.