

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

MARCH 5, 1973

A regular meeting of the Board of Correction was held on Monday, March 5, 1973, in the 14th floor conference room, 100 Centre Street, New York, New York.

Present at the meeting were Messrs. vanden Heuvel, Dribben, Becker, DeMonte, Kirby, Schulte, Reverend Wilson, and Mrs. Singer. Also present by invitation of the Board were John M. Brickman, Executive Director of the Board; Greg Harris, Director, Clergy Volunteer Program; Joel Sperber, Director, Literacy Program; and Maureen Barden, Research Assistant, Legal Advocate Program.

Present from the Department of Correction were Benjamin J. Malcolm, Commissioner; Jack Birnbaum, Deputy Commissioner; George Camp, Assistant Commissioner; Richard Aneiro, Assistant Commissioner; A.L. Castro, Director of Public Affairs; Arnett Gaston, Executive Assistant to the Commissioner; and Warren Reid, an Executive Intern assigned by the Board of Education to the Department.

Mr. vanden Heuvel acted as Chairman and Ms. Barden acted as Secretary of the meeting.

The meeting was called to order at 3:15 p.m. by the Chairman. Upon motion duly made and seconded, the minutes of the meeting of February 5, 1973, were approved as amended. Upon motion duly made and seconded, a request for an excused absence from Mr. Carrion was accepted.

Mr. Brickman reported that he was exploring the possibility of a combined written and videotaped format for the 1972 Annual Report. The videotape would be approximately 30 minutes in length, and would consist of a discussion of the Board's aims and programs, with cuts to scenes of activities in progress. As examples, he cited a clergy volunteer meeting an inmate, or a reading teacher with a pupil. The program would be distributed to educational television networks in an effort to publicize the work of the Board. Mr. Brickman stated that funding the project was his major concern. He declared that the cost would be approximately \$2,000, of which he believes \$1,000 is presently available. The Chairman noted that any fund-raising assistance Board members could provide would be most helpful. Mr. Dribben stated that a written report must be sent to the Mayor. It was agreed that a summary report of 1972 activities would be prepared before March 31 and submitted to the Mayor with a statement that a multi-media report is in preparation.

Mr. Brickman reported on the Inmate Liaison Committee which is being formed at the Manhattan House of Detention, as a result of the Rhem v. Malcolm lawsuit. He said that the arrangements made jointly by the Department of Correction and The Legal Aid Society provide a place on the Committee for one representative of the Board of Correction, but for no other outside agencies. It was agreed that the Board should ask to have one Board member, accompanied or represented by a staff member, assigned to the Committee, and that a member of the Clergy Volunteer Program should be independently assigned in addition. The Chairman stated that it had not been decided who would represent the Board.

Mr. Harris distributed a memorandum describing the Clergy Volunteer Program's February and March operations. Mr. Harris stated that he had investigated the U.S. Air Force Boys' Base Program. The Chairman said that expansion of such programs is an important national mission, since military bases provide structured, disciplined environments for training and working with large numbers of young probationers. Mr. Dribben noted that probation is under City and State jurisdiction while the military is a Federal agency. The Chairman agreed that the measure would have to be initiated jointly by legislators from several levels. He said that he would call upon Senator Burdick to begin special hearings to introduce and explore the proposal.

Mr. Harris described the C.V.P.'s serious problems in renewing agency passes for C.V.P. participants and the problems volunteers were having in entering institutions. The Chairman said that he would raise the issue with Commissioner Malcolm later in the meeting.

Mr. Becker arrived at 3:45 p.m.

The Chairman stated that the Board's most important function is to hold correction officials accountable for their actions. He noted that there has been no report as yet on the Tombs escape, or on the planning for the new Adolescent Remand Shelter.

Mr. Dribben reported that students at the Adolescent Remand Shelter do not get to their classes on time, and Mr. Brickman said that he would investigate the matter.

Mr. Brickman presented a list of prospective candidates for the Board's Certificate of Appreciation acknowledging the prison work of citizen volunteers. There was general agreement that the Board would present a limited number of awards at a ceremony, and that the rest would be distributed subsequently. Some discussion ensued as to which volunteers would be asked to attend the ceremony, and the following were selected: Mary Jean Alexander, Gerald Singleman, Elizabeth Susman, Benny Andrews, Dr. Vincent Dole, Joseph Dunay, and Father Louis J. Rios. Mr. Sperber asked about awards for Literacy Program volunteers, and Mr. Brickman said that they would be included in a later group,

since they had been working for only a few months. Mr. Brickman asked Board members to notify him of any other potential candidates for certificates.

Mr. Dribben reported that the Decorators' Club of New York wished to donate \$1,000 to the Tombs for a special project. The group wrote to Commissioner Malcolm for suggestions, and the funds will be used for refurbishing the visiting room to include a play area for children.

Mr. Brickman reported that the Legal Advocate Program had prepared a study of the experience of the Hispanic defendant in the Criminal Justice System, which would be released in the near future. He also said that the report on the Correction Aide program was in progress. Mr. Brickman noted that he has had no word from the Department about the telephone or mattress situations.

Mr. DeMonte asked about the Ossakow case and about the remaining Queens correction officers against whom charges are still pending. Mr. Brickman said that retired Justice James McNally was the hearing officer, but that he did not know the status of the proceedings.

Mr. Sperber reported on the Literacy Program. With respect to Commissioner Malcolm's letter, he stated that more than 138 inmates have been involved in the Program to date. Mr. Sperber declared that the principal problem in expanding the Program is not a shortage of volunteers, but the inability of the institution to provide additional tutoring space.

Mr. Schulte asked about the status of the Department's new psychiatric institution, and the Chairman replied that bids are being let. Mr. Schulte noted that Bellevue plans to abandon the building which presently houses the Department's psychiatric ward. He suggested that the building might be suitable for the Department to take over, saving the cost of constructing an entirely new building.

Mr. Brickman reported on the status of the Civil Jail, and said that after the building had been inspected for safety, the Fire Commissioner had "ordered" the Chairman of the Board of Correction to fix certain physical hazards, including a defective sprinkler system. He said the Fire Commissioner had been directed to the proper authorities at the Sheriff's office.

Mr. Brickman addressed the Board on the occasion of Mr. vanden Heuvel's retirement as Chairman. The staff agreed, he said, that working under Mr. vanden Heuvel's leadership had been a challenging and exciting experience. He added that more had been accomplished in the City's prisons during the two-year period of Mr. vanden Heuvel's chairmanship than in many prior decades. On behalf of the entire staff, he wished Mr. vanden Heuvel well. The Board echoed and endorsed Mr. Brickman's sentiments.

At 4:25 p.m., Commissioner Malcolm and his staff arrived.

The Commissioner said that Assistant Commissioner Camp had prepared a report in response to the Board's letter concerning volunteers. Mr. Camp declared that the Department's efforts over the past two years to open its institutions to volunteer activity were reflected in a six-week survey his office conducted on volunteer activity. His figures covered both general and clergy volunteers. In the six-week period studied, 413 general volunteers from 46 agencies spent just under 1000 hours serving more than 3500 inmates; 590 clergymen from 87 different churches spent over 1000 hours with almost 6500 inmates. While expressing the hope that volunteer activity will continue, Mr. Camp stressed the Department's view that volunteer work is by nature unpredictable and must supplement rather than replace the efforts of correctional personnel to provide basic services to inmates. He added that new services introduced by volunteer groups might subsequently become part of the Department's own program.

Mrs. Singer asked whether the Department had attempted to coordinate volunteer services in order to eliminate overlapping. Mr. Camp said that his survey, which will be available to the Board when completed, was a first step in this direction. Deputy Commissioner Birnbaum added that the Department is trying to computerize its program operations to obtain an overview of services. Mrs. Singer suggested the formation of a council of volunteer organizations which would meet regularly to discuss and compare their activities. The Chairman said that in order to identify gaps and overlaps, the Board would evaluate volunteer services in one institution over a given period and make a report to the Department.

Mr. Harris reported on the difficulties experienced by clergy volunteers in renewing their Department of Correction passes, and said he feared that some members would leave the program if the renewals were not processed immediately. Commissioner Malcolm gave several reasons for the delay, and the Chairman said that the Board staff would type the passes if such assistance would expedite their issuance. Messrs. Brickman and Harris agreed to work out with the Department whatever procedures are necessary to obtain new passes for clergy volunteers.

Mr. DeMonte asked whether the cases of the seven correction officers in the Queens House of Detention case had been resolved. Commissioner Malcolm said that Captain Ellis, who had pleaded not guilty, was being tried. Concerning Warden Ossakow, he estimated that penalties against him, including fines and other sanctions, would amount to some \$7000 or \$8000.

Commissioner Malcolm reported on the mental health unit to be established at Branch Queens. He said that extensive renovations are under way and that patients from the 6th floor of the Rikers Island Hospital will be moved to the building when it is ready. The Department plans to house suicidal inmates in dormitories and others in rooms.

Mr. Dribben echoed Mr. Brickman's earlier remarks concerning the Chairman's tenure, and wished him well on behalf of the Board members. Commissioner Malcolm and Deputy Commissioner Birnbaum expressed the Department's thanks for the Chairman's unflinching efforts to bring the problems of prisons to the attention of the public. The Chairman replied that he had experienced great personal fulfillment in his work as Chairman, and said that prisons, in reflecting the human problems of our time, do more for us than we for them.

The meeting was adjourned at 5:10 p.m.