

MINUTES

BOARD OF CORRECTION

January 17, 1983

A regular meeting of the New York City Board of Correction was held on January 17, 1983 in the Board's conference room at 51 Chambers Street.

Board members in attendance were Chairman Peter Tufo, Vice-Chairman John Horan, Angelo Giordani, Wilbert Kirby, Barbara Margolis, David Schulte and Rose M. Singer.

Board Staff members in attendance were Michael Austin, Michael Cleary, David Johnson, Judith LaPook, Alison Estess, Sherry Goldstein, Dierdre Nurre, John Pagan, Barbara Treen, Rolando Torres, Melba Wiggs and Board consultant Carol Shapiro.

Sherry Goldstein served as secretary.

Peter Tufo called the meeting to order at 2:45 P.M.

An excused absence was approved for David Lenefsky.

The minutes of the previous meeting were approved.

Peter Tufo announced with regret that Michael Austin was resigning as Executive Director. Mr. Tufo commended Mr. Austin for his dedication and for having fulfilled all of his commitments to the Board.

Mr. Austin stated that in addition to being proud of the Board's achievements in recent years, he was particularly grateful for the good friendships he had made at the Board and the support he had received from the Board members and staff.

The Board passed a resolution expressing their gratitude for Mr. Austin's contributions to the Board.

Board consultant Carol Shapiro then discussed alternatives to incarceration that might be implemented in New York City to relieve overcrowding in its jails. According to Ms. Shapiro, before any of these options could be developed and utilized the current City jail population must be analyzed to determine exactly who is presently incarcerated on what types of charges and for how long. Once this information is available then it would be possible to determine which alternative programs (e.g. restitution, community service sentencing, intensive probation, pretrial supervised release), would be suitable for use in New York City.

After discussion regarding the current overcrowding problem and the merits of some of the proposed alternatives to incarceration, Board staff was authorized to continue to explore the feasibility of these alternatives for New York City for further consideration by the Board.

Michael Austin referred the Board to a letter from Charles Bethel of the Center for Community Justice regarding his assessment of the effectiveness of the Inmate Grievance Resolution Program and for expanding and improving the program in the future. He suggested that the Board use this letter as a blueprint for dealing with the grievance program in the future.

Judith LaPook then reported on Department of Correction requests for amendments and variances from the Board's minimum standards.

At 3:45 P.M. First Deputy Commissioner Richard Koehler, Chief of Operations Jacqueline McMickens, Deputy Commissioner Robert Goldman, Nandita Dhar and Captain Manny Toro of the Department of Correction and Michael Ciaffa of the Legal Aid Society's Prisoners' Rights Project joined the meeting to discuss the amendment and variance requests.

Richard Koehler restated the Department's request for an amendment to the visit standards. He argued that the Department had focused top management attention on the ARDC visit pilot project and proved that they could make it work, and also that visitors preferred the new schedule.

Peter Tufo stated that even if the Board granted this amendment, the Department would have to get Judge Lasker to approve this new plan.

Commissioner Koehler stated that the Department does not believe it needs Judge Lasker's approval.

Michael Ciaffa agreed that Judge Lasker's approval is necessary since current Federal Court orders require the Department to expand the current visit schedules and lengthen visits, not reduce the number of visiting days as proposed in this requested amendment. Mr. Ciaffa also stated that the proposed schedule reduces the frequency of visit contacts, reduces visiting options and that the length of waiting time and the inadequacies of visit areas themselves further serve to discourage visiting.

Commissioner Koehler indicated that great improvements had been made in visiting under Commissioner Ward but that the Department also had a responsibility to reduce spending.

Peter Tufo noted that the Board had granted two of the three amendments the Department had requested as part of its P.E.G. and had asked the Department to conduct the visit pilot in order to observe its management and ascertain visitor and inmate preference. He reiterated the long held philosophy of the Board that visits are extremely important to inmates as well as Department administrators.

The compromise plan which had been proposed by Board staff then was discussed.

Commissioner Koehler said it was not acceptable since full alphabet visit days would result in unacceptable levels of overtime which would offset required savings.

Commissioner Koehler then asked for a renewal of the emergency variance to permit 58 detainees per dormitory in AMKC. Commissioner Goldman stated that the Legal Aid strike was still having an impact on the inmate population resulting in overcrowding.

In response to a question from Wilbert Kirby, Commissioner Koehler acknowledged that the Department was facing longterm overcrowding problems beyond those caused by the Legal Aid strike.

Michael Ciaffa stated that overcrowding problems existed before the Legal Aid strike and that he felt Judge Lasker would not tolerate continued overcrowding following the strike.

The representatives of the Legal Aid Society and the Department of Correction left the meeting while the Board deliberated on the amendment and variance requests.

Following discussion, a continuation of the recreation variance was approved for six months.

The emergency variance on the detainee multiple occupancy areas in AMKC was approved for five days.

The Board was divided on the visit amendment request. An additional compromise was suggested that would keep the four day schedule with one half of the alphabet on each day, but which would allow inmates to split their two hour week day visit in half so that instead of one two hour visit with one set of visitors they would be able to have two one hour visits with two sets of visitors.

The representatives of the Department rejoined the meeting. Peter Tufo asked whether they would consider a variation from the requested visit schedule which would permit inmates to split

their two-hour visits into two separate visits.

Commissioner Koehler agreed to study this proposal and report the Department's position to the Board within one week.

The meeting was adjourned at 5:00 P.M.