

NEW YORK CITY  
BOARD OF CORRECTION

April 9, 1997

MEMBERS PRESENT

Louis A. Cruz  
Stanley Kreitman  
David Lenefsky  
Barbara Margolis  
David A. Schulte

Excused absences were noted for Vice-Chair John Horan, and Members Canute Bernard, M.D. and Peter J. Johnson, Jr.

DEPARTMENT OF CORRECTION

Michael Jacobson, Commissioner  
Tom Antenen, Acting Deputy Commissioner  
Antonio Figueroa, Deputy Commissioner  
Fredrick Patrick, Deputy Commissioner  
Roger Parris, Assistant Deputy Commissioner  
Ronald Galletta, Bureau Chief  
Sheila Vaughan, Assistant Chief

HEALTH AND HOSPITALS CORPORATION

Audrey Compton, M.D., Acting Executive Director  
Andrew Harris, Associate Executive Director  
Arthur Lynch, Director of Mental Health

OTHERS IN ATTENDANCE

Erica Goodman, Finance Division, City Council  
Tracy Lucas, SCOC  
Dale Wilker, Legal Aid Society  
Milton Zelenmyer, Legal Aid Society

Board member David Lenefsky convened the meeting at 1:10 p.m by expressing his good wishes to the Board's recently retired Chair, William H. Booth. Mr. Lenefsky welcomed Dr. Audrey Compton, the Health and Hospitals Corporation's (HHC) Correctional Health Services' (CHS) new Acting Executive Director.

Board Member David A. Schulte discussed his visit to 1 Top at GMDC. Mr. Schulte described a problem that he has reported on for the last eight years whereby the mechanism that opens and closes the cell doors has been broken. Mr. Schulte reported that this circumstance has resulted in DOC being obliged to assign an extra officer to work in the dormitory costing the City approximately two million dollars over the last eight years. Mr. Schulte added that the Department has wanted to expand its drug treatment program to include adolescents in an ARDC sprung, but can do this only if the Department reduces the number of officers from three to two. In Mr. Schulte's view, three officers are necessary to remain in the sprung with the adolescents; Mr. Schulte suggested that the machinery in 1 Top be fixed to enable the extra officer to be freed up to work in the adolescent sprung.

Commissioner Michael P. Jacobson responded by acknowledging that the problem in 1 Top existed for longer than eight years costing the City even more than the estimated two million dollars mentioned by Mr. Schulte. Deputy Commissioner Antonio Figueroa reported that in the past, numerous vendors have tried to fix the electronic mechanism but have been unable to do so. He stated that only the vendor who installed the system can fix it, and this has complicated the process and delayed repairs. Mr. Figueroa further explained that the Department must enter into a "sole source" contract which the City frowns upon since there is no competition; this entails an elaborate process that will take six to nine months and then one and a half months to repair 1 Top.

Commissioner Jacobson stated that this entire process has been very frustrating, but that it will be fixed in nine months.

Mr. Schulte asked why the Department did not fix the manual lever in 1 Top which had been repaired in other housing areas. Deputy Commissioner Figueroa explained that Department staff had not been able to fix it in 1 Top, even though they had been able to do so in other areas.

Mr. Lenefsky asked for an update regarding the variance enabling the Department to reduce the number of officers working in the GMDC SAID sprungs. Assistant Chief of the Compliance and Management Unit Sheila Vaughan responded that there have been no incidents or injury reports since the "C" officer was removed.

Mr. Schulte asked if the SAID program was having any positive effect on inmates once they are released or is it just "busy work"? Commissioner Jacobson answered that if it reduces violence, that is a good result. The Commissioner added that the Department is collecting data on re-arrests of inmates who participate in the program and once that information is available, he will provide it to the Board.

Mr. Lenefsky asked about the status of the smoking ban. Commissioner Jacobson responded that the ban is coming; it will be in the Executive Budget because additional funds will be needed to implement it.

Mr. Lenefsky asked for an update on the privatization efforts by the Department. Commissioner Jacobson stated that the only area identified for potential privatization is fleet maintenance. He added that it is in the "pre-RFP" stage. The Commissioner stated that the only other area which he wants to explore is the privatization of property - centralizing the storage of inmate property - as long as the Department can obtain the necessary mandate relief.

Mr. Lenefsky asked for a time frame on these two initiatives. Mr. Jacobson replied that he does not know, but will get back to the Board. Executive Director Richard Wolf informed the Members and Commissioner that based upon the Board staff's trip to Los Angeles, staff have information on the Los Angeles County Sheriff Department's centralized system for storing inmate property and have shared that information with

Criminal Justice Coordinator Katie Lapp. Mr. Wolf stated that he was very impressed with its system and would be happy to provide the Commissioner with that information.

Member Stanley Kreitman expressed his outrage at the Health and Hospitals Corporation's decision to reject all bids in its Request For Proposal (RFP) process to privatize the entire health delivery system in the jail. Mr. Kreitman discussed the history of the RFP which is as follows: Mr. Kreitman learned that Montefiore's contract is about \$80 million; approximately four years ago the City issued an RFP and only Montefiore submitted a proposal; Mr. Kreitman met with former Health Commissioner Hamburg who agreed that the RFP process was flawed and explained that a new RFP was being prepared; Correctional Health Services' (CHS) staff discussed for months the second RFP process - describing its review of the degree of responsiveness to the RFP and not looking at prices; and finally learned that all bids were rejected. Mr. Kreitman underscored the waste of City funds with respect both to the RFP process itself and the cost of the Montefiore contract. Mr. Kreitman requested that the Board obtain the price of each bid to compare with the cost of Montefiore's contract. Mr. Kreitman also asked for more information regarding the renewal of Montefiore's contract.

Acting Executive Director Audrey Compton suggested that Mr. Kreitman, Executive Director Richard Wolf and Deputy Executive Director Cathy Potler meet with HHC Sr. Vice President Donna Lynne and Dr. Compton to discuss these issues. Mr. Kreitman expressed his desire to meet in an open forum.

Mr. Lenefsky asked Dr. Compton if a new RFP would be issued. She said that it will be issued sometime in the future, but that in the meantime HHC is beginning the process of re-negotiating contracts with the vendors. Dr. Compton explained that much greater emphasis will be placed on requiring greater efficiency and supervision by its vendors. CHS Associate Executive Director Andrew Harris added that the contract will be renewed beginning July 1, 1997.

Mr. Lenefsky suggested that the Board devote its June

meeting to the RFP process. Mr. Schulte stated that he agreed with Mr. Kreitman that the facts must be presented and that to wait two months is too long. For the record, Mr. Kreitman read one sentence from an April 6, 1997 Newsday article: "One official of an interested company, who declined to be identified, blamed the City, saying it failed to give the private entities needed information." Mr. Kreitman reiterated his point that no one can bid properly because HHC has not provided the bidders with the necessary information. Mr. Kreitman summed up by saying that there is much to be done in the health delivery area and that he welcomed Dr. Compton's input.

Mr. Wolf asked for an explanation as to why the population is so low. Commissioner Jacobson stated that this reduction is due to a decrease in the number of State parole violators which reached 2900 and is now about 1200. The Commissioner attributed this to two factors: (1) the City's threat to take the State into court and (2) the new Division of Parole regulations have been implemented which result in fewer adjournments and a reduction in the number of days in the City jail from 90 to 45. Over the next six months, Commissioner Jacobson reported that he expects to take a lot of beds off-line to accommodate capital projects.

Member Louis Cruz asked about the status of the pending reimbursement bill requiring that the City and Counties be fully reimbursed for housing State inmates. The Commissioner stated he prefers not to have any State inmates. He added that with all the pressure for State prison construction upstate the inmates may be taken out of the City jail system.

Mr. Wolf asked the Department to discuss its security concerns for taking a particular type of sneakers from the inmates. Assistant Chief Vaughan replied that Air Nike sneakers have a hollow area in the heel where contraband can be stored. For this reason, Assistant Chief Vaughan explained, the Department is beginning a program to take all Air Nike sneakers from the inmates after giving them notice to obtain suitable replacements. Ms. Vaughan added that unfortunately some facilities began taking the sneakers before the Department had

acquired suitable replacements. The Commissioner explained that there are 6,000 sneakers on order to replace the Air Nikes.

Mr. Lenefsky asked Mr. Wolf to report on the status of the Board's efforts to hire additional staff. Mr. Wolf stated that five candidates had been identified, and that the process to obtain formal City approval to hire had begun.

Assistant Chief Vaughan requested that all existing variances be renewed, and the Board approved. The meeting was adjourned at 1:55 p.m.