

**NEW YORK CITY
BOARD OF CORRECTION**

May 13, 1998

MEMBERS PRESENT

John R. Horan, Acting Chair
Canute C. Bernard, M.D.
Stanley Kreitman
David Lenefsky
David A. Schulte

Excused absences were noted for Members Louis A. Cruz and Barbara A. Margolis.

DEPARTMENT OF CORRECTION

Bernard Kerik, Commissioner
Gary Lanigan, First Deputy Commissioner
Edward Reilly, Chief of Department
Tom Antenen, Deputy Commissioner
Roger Jefferies, Deputy Commissioner
Ronald Galletta, Bureau Chief
Roger Parris, Assistant Commissioner
Robert Ortiz, Assistant Chief
Elizabeth Loconsolo, Esq., General Counsel
Captain McLaughlin

HEALTH AND HOSPITALS CORPORATION - CORRECTIONAL HEALTH SERVICES

Gregory Kaladjian, Executive Director
Art Lynch, Director, Mental Health
Louise Gore, Director, MED-SPAN

OTHERS IN ATTENDANCE

Richard Daines, M.D., Dr. Vice-President, St. Barnabas Hospital
Erica Goodman, City Council
Tracie Lucas, State Commission of Correction
Harry Schuman, M.D., Director, St. Barnabas/Rikers Island
Dale Wilker, Legal Aid Society, Prisoners' Rights Project
Milton Zelenmeyer, Legal Aid Society, Prisoners' Rights Project

Acting Chair John R. Horan called the meeting to order at 1:03 p.m.. The minutes from the April 16, 1998 meeting were approved without opposition.

Acting Chair Horan reported that he testified on April 22nd before the City Council's Mental Health Subcommittee, chaired by Council Member Una Clarke. He noted that Council Member Victor Robles, Chair of the Council's Health Committee, also attended. Acting Chair Horan said that the Subcommittee Members were very interested in the Board of Correction's views on correctional mental health issues.

Acting Chair Horan also noted that the Ninth Circuit Court of Appeals had recently ruled that the Prison Litigation Reform Act (PLRA) was unconstitutional, creating disagreement among the Circuits and making review by the United States Supreme Court likely. He added that the Second Circuit, which is considering the question *en banc*, had not yet issued a decision. In response to a question from Board Member Stanley Kreitman, Acting Chair Horan said that if the Supreme Court concludes that the PLRA is unconstitutional, the consent decrees in New York City will remain in effect.

Board Member David Schulte reported on his inspection of the Adolescent Reception and Detention Center (ARDC). He stated that the facility was well-run, and praised Warden James Psomas. Mr. Schulte said that Warden Psomas' plan to reduce violence is to provide meals to all inmates inside the housing areas. Warden Psomas had told Mr. Schulte that "in-house feeding" would reduce violence because it would reduce the frequency with which inmates from different housing areas would meet each other - either within the corridors or in the mess hall. Mr. Schulte reported that Warden Psomas hoped to arrange with DOC Central Office for the transfer of 200 ARDC inmates to other facilities. This would enable the Warden to separate feuding gang

members from one another. Mr. Schulte added that he visited newly-renovated classroom space that was vacant.

Commissioner Bernard Kerik said that a new management team was running ARDC. Its mission is to reduce violence and to address other problems, particularly the school, at which he wished to promote a better learning environment. Commissioner Kerik said that DOC had identified increased numbers of gang members at ARDC. Nonetheless, ARDC's stabbings and slashings, although up recently, were occurring at the same frequency as last year.

Commissioner Kerik said that the number of searches at ARDC had doubled in the last two months. BOC Executive Director Richard Wolf said through May 11th, ARDC's "share" of the system-wide stabbings and slashings in 1998 had doubled over last year. He added that uses of force were also up, and asked why this phenomenon was occurring. Commissioner Kerik responded that ARDC's population had increased by 150 to 200 inmates, and added that the facility has an additional 60 or 70 gang members. He said that Gang Intelligence does not believe the increased number of incidents is a result of organized gang activity. Commissioner Kerik noted that thus far this year 31% of all DOC searches had occurred at ARDC; many weapons are being recovered - almost all are institutional weapons (manufactured within the facility).

Board Member Dr. Canute C. Bernard asked about programmatic efforts at ARDC to occupy the inmates. Commissioner Kerik said that several new initiatives are being considered, including a "family day", conflict resolution programs, vocational training, sporting events and religious programs. He said the inmates who would most benefit from increased programs are the adolescents - the same group that is most likely to "act out". Board Member David Lenefsky

asked whether adolescents had longer lengths-of-stay than did adults. Commissioner Kerik said he believed the length-of-stay was similar, but that he would confirm this for the Members.

Mr. Kreitman asked about the status of plans to house juveniles in the Vernon C. Bain Barge (VCBC). Commissioner Kerik said that discussions with the Department of Juvenile Justice (DJJ) were ongoing, and that some unresolved issues remained, including a requirement that DJJ secure State approvals to utilize the Barge for this purpose. He said DJJ would provide supervision for the juveniles.

Acting Chair Horan asked whether DOC had implemented new procedures for newly-sentenced State prisoners who are selected to begin their State prison sentences on Rikers Island. Commissioner Kerik said a new written notification, in English and in Spanish, had been developed by Bureau Chief Sidney Head. Unresolved issues involve credit for time and program services affecting parole eligibility. These matters are under consideration by the State. Mr. Wolf asked about timely notification, so that inmates do not dispose of their property in anticipation of entering State prison. Chief Edward Reilly said he would check with Bureau Chief Sheila Vaughan to see how this matter had been resolved, and inform the Board Members.

A motion to renew all existing variances was approved.

(Mr. Kreitman left the meeting.)

Dr. Bernard reported on his inspection of the Rose M. Singer Center clinic and the Urgi-Center on Rikers Island. He said he met with the staff at both facilities, and was concerned with what he saw. He said St. Barnabas is making an effort to provide more timely access to treatment, particularly follow-up care. He added that full evaluation of St. Barnabas' services should not occur until it has rendered services for approximately one year. Dr. Bernard said that

at RMSC, adequate HIV protocols are yet to be implemented. He said that because the Urgi-Center is located in a male facility, the West Facility, female inmate/patients cannot go there. Instead, an Urgi-Center provider must go to RMSC. This is problematic because the Urgi-Center has limited staff. Further, Dr. Bernard said that the Urgi-Center lacks an x-ray unit, and this is problematic because if the Urgi-Center is to be a trauma center, it needs x-ray capability to promptly diagnose and treat possible fractures and dislocations. He said this circumstance was an example of the conflicts between cost effectiveness and primary patient care, and expressed his reservations about whether the Urgi-Center will be the "answer". Dr. Bernard noted his concern that routing injured inmates through the Urgi-Center might delay access to emergency care if such care cannot be provided at the Urgi-Center, due to lack of equipment or adequate staff. He concluded that he had reached no conclusions yet - a few months' experience is not enough upon which to draw conclusions.

Gregory Kaladjian, Executive Director of the Health & Hospitals Corporation's Correctional Health Services (CHS), said that all physicians and physicians' assistants have read and signed a revised policy which indicates that if in the judgment of the provider, an inmate requires immediate transfer to a hospital, such transfer is to occur without need for an approval from the Urgi-Center physician-on-duty. Mr. Kaladjian noted that there had been some confusion in the field about the policy. He added that it never was CHS's intention for the Urgi-Center to be an "emergency department on the Island"; it is not a "Level One" facility. Mr. Kaladjian stated that cases requiring such emergency care are to be referred to EMS without delay. Inmates are to be triaged to the highest level of care. Mr. Kaladjian said that the functions of the Urgi-Center are: (1) to handle cases that do not need hospital emergency department care

and (2) to help stabilize cases in which such care is needed. This function, he noted, is an enhancement over services available in the past. Dr. Richard Daines, Senior Vice-President for St. Barnabas, agreed with Mr. Kaladjian, and noted that approximately 50% of people who come to hospital emergency rooms do not require the level of care available there. He said that each day, approximately ten Rikers Island cases are referred to the Urgi-Center. Of these, six or seven should be treated at the Urgi-Center rather than a hospital emergency room. Dr. Daines added that jail clinic practitioners have been given a comprehensive list of circumstances in which immediate EMS referral is appropriate, including cardio-pulmonary arrest, major hemorrhage, and "seriously deteriorating condition". He said that Urgi-Center physicians and PAs are St. Barnabas' liaisons to hospital emergency rooms, and help ensure that inmate/patients receive the proper level of emergency room care.

Dr. Bernard said that some St. Barnabas staff were reluctant to respond to his questions as a Member of the BOC. He asked that St. Barnabas take steps to address this problem.

Board Member David Lenefsky thanked Commissioner Kerik for inviting him to tour Rikers Island medical facilities together and to observe first-hand some of the concerns that Dr. Bernard and other BOC Members have raised. He reported on their visit to the North Infirmery Command, the Urgi-Center and the RMSC clinic. Mr. Lenefsky said that issues raised by practitioners about the role of the Urgi-Center in off-Island emergency referrals and concerns of the Chief Physician at RMSC are being addressed because of the presence of the Commissioner. Mr. Lenefsky said that the inmate population has more illness - medical and mental health - than ever before. Commissioner Kerik agreed that their tour was very productive. He noted that problems relating to referrals of emergency cases to hospitals had been resolved.

Mr. Schulte asked how long it takes, in an emergency, for an inmate to get from Rikers Island to the nearest hospital emergency room. Dr. Daines said it takes 12 to 14 minutes for EMS to respond to Rikers Island. He said that because this is a slower response time than on a City street, it is important to have additional emergency medicine resources on Rikers Island. In response to a question from Mr. Schulte, Dr. Daines said that DOC brings inmates to the Urgi-Center within an hour of a request from a facility clinic. Urgi-Center physicians responding to RMSC are able to do so in less time. Dr. Daines said St. Barnabas is working with DOC on the issue of the lack of x-ray capability at the Urgi-Center. He said one possibility is to stop at the Anna M. Kross Center (AMKC) and have an x-ray taken before proceeding to the Urgi-Center. A second possibility is to utilize the x-ray capability in the Contagious Disease Units (CDU) at the West Facility. Cost effectiveness is an issue, as only seven or eight inmate/patients require Urgi-Center care, and only half require an x-ray. Mr. Daines said the difficulty is staffing an x-ray technician 24 hours/day, 7 days/week, for four x-rays per day. He added that a technician who will soon be employed to do CAT-SCANS may be available during some hours to do x-rays.

Mr. Lenefsky asked Mr. Kaladjian to take any week in March 1998 and the same week in March 1997, and to provide the Board with the medical staff on duty at each facility, by tour. Mr. Kaladjian said that the Montefiore data was maintained by hour, and that it is cumbersome to count by tour. The other problem is that since the inmate census was different in 1997 from 1998, and staff was allocated according to census, care must be taken that the data is understood in context. By way of example, Mr. Lenefsky asked if CHS could determine how many staff physicians were on duty at the RMSC on any tour during the week of March 7th. Mr. Kaladjian

said CHS could do so, but that it would take some time.

Mr. Kaladjian introduced Dr. Harry Schuman, St. Barnabas' new on-Island program director. Dr. Schuman said that for the last five years, he has been the medical director for the Illinois Department of Corrections. He has been involved in correctional health care for fifteen years. Acting Chair Horan welcomed Dr. Schuman to New York.

Mr. Kaladjian said that accreditation of all borough jail clinics had been obtained from the National Commission on Correctional Health. He added that litigation was on-going with St. Vincent's regarding the awarding of the contract to St. Barnabas. He then distributed copies of a report on MED-SPAN, and concluded by noting that he was leaving CHS and that this was his final Board of Correction meeting. On behalf of all Members, Acting Chair Horan thanked Mr. Kaladjian for his contribution.

The meeting was adjourned at 1:55 p.m..

BOARD OF CORRECTION MEETING

DATE: May 13, 1998

SIGN-IN SHEET

	NAME	ORGANIZATION
1.	<i>Mr. Horan</i>	
2.	<i>James J. Bennett</i>	
3.	<i>Louise Gore</i>	<i>HHC/CHS</i>
4.	<i>CHIEF REILLY</i>	<i>DOC</i>
5.	<i>CHIEF GALLETTA</i>	<i>DOC</i>
6.	<i>CAPT. McLAUGHLIN</i>	<i>DOC</i>
7.	<i>CHIEF ORTIZ</i>	<i>DOC</i>
8.	<i>Art Lynch</i>	<i>HHC</i>
9.	<i>Roger Jeffries</i>	<i>Doc</i>
10.	<i>Roger Harris</i>	<i>Doc</i>
11.	<i>Harry Shuman</i>	<i>St. Barnabas</i>
12.	<i>Richard Daines</i>	<i>SRH-CHS</i>
13.	<i>Tracie Lucas</i>	<i>SCOC</i>
14.	<i>Milton Zrlinger</i>	<i>LAS</i>
15.	<i>Dale Walker</i>	<i>LAS</i>
16.	<i>ERIK A GOODMAN</i>	<i>Council</i>
17.		
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19.		
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