



**NEW YORK CITY
BOARD OF CORRECTION**

November 9, 2021 PUBLIC MEETING¹ MINUTES

ATTENDEES

MEMBERS PRESENT

Jennifer Jones Austin, Esq., Chair
Marco Carrion, Member
Robert L. Cohen, M.D., Member
Felipe Franco, Member
James Perrino, Member
Steven M. Safyer, M.D., Member
Jacqueline Sherman, Esq., Member

Margaret Egan, Executive Director

DEPARTMENT OF CORRECTION (DOC)

Vincent Schiraldi, Commissioner
Kenneth Stukes, Chief of Department
Dana Wax, Chief of Staff
Stanley Richards, First Deputy Commissioner of Programs and Operations
Maureen Danko, Deputy Commissioner
James Boyd, Assistant Commissioner of Internal Communications
Steven Kaiser, Executive Director of Policy and Intergovernmental Affairs
Nancy Li, Policy, Policy and Oversight Specialist
Julia Szendro, Senior Policy Analyst
Jason Kersten, Press Secretary
Patrick Gallahue, Press Secretary
Cherae Hendy, Senior Counsel of the Risk Management Accountability System
Michael Ford, Assistant General Counsel
Mark Pauley, Policy Analyst

NYC HEALTH + HOSPITALS - CORRECTIONAL HEALTH SERVICES (CHS)

Patsy Yang, DrPH, Senior Vice President
Ross MacDonald, MD, Chief Medical Officer, Sr. Assistant Vice President
Jeanette Merrill, MPH, Director of Communications and Intergovernmental Affairs

Approval of October 19, 2021 Minutes

¹ Due to the coronavirus/COVID-19 pandemic, this special meeting was conducted virtually via WebEx.

Chair Jones Austin asked for a motion to approve the draft minutes of the Board's October 19, 2021 meeting. Upon Member Franco moving the item and Member Cohen seconding it, the minutes were unanimously approved, 6-0 (Chair Jones Austin and Members Carrion, Cohen, Medina, Perrino, and Sherman). See this portion of the video recording [here](#).

Opening Remarks/Announcements

Board Chair Jennifer Jones Austin ("Chair Jones Austin") convened the meeting. The Chair thanked departing Executive Director Meg Egan for her leadership during the COVID-19 pandemic, Restrictive Housing rule-making, and strategic planning. Chair Jones Austin has assembled a search committee for the Board's next Executive Director consisting of Members Franco, Carrion, and Medina with the aid of an independent search firm. The Chair noted that it was also her last meeting and stressed how privileged she felt to work to address the situation of incarcerated persons, their intersection with race, and to strengthen the Board, given its structural limitations. The Chair also thanked Commissioner Schiraldi and DOC staff, COBA, and incarcerated people. The Chair expressed grave concern about the conditions in the jails for staff and people in custody, recent deaths in custody, and Mayor DeBlasio's use of emergency executive orders to suspend the Board's minimum standards, which have delayed implementation of the new RMAS rules and which undermine the Board's authority. Chair Jones Austin repeated the call for decarceration to alleviate conditions of violence and the COVID-19 threat. See this portion of the video recording [here](#).

DOC Commissioner Updates

DOC's Commissioner Vincent Schiraldi addressed the conditions in the jails and discussed progress made since the October Board meeting and over the past few months, specifically in relation to staffing, the size of the jail population, vaccination data for civilian and non-civilian staff, service delivery, and violence and uses of force. See this portion of the video recording [here](#).

Commissioner Schiraldi then introduced DOC's Chief of Staff Dana Wax, who addressed sexual assault and efforts to combat sexual abuse for officers in the jails. See this portion of the video [here](#).

Remarks by the Public Advocate

The Chair recognized the Public Advocate, Jumaane Williams. Public Advocate Williams spoke on the recent deaths on Rikers, conditions of the jails, and the impacts of the recent Mayoral executive orders and subsequent suspension of minimum standards. See this portion of the video [here](#).

Commissioner Schiraldi's response to Public Advocate Williams' remarks can be found [here](#).

BOC Executive Director Update: State of the Jails

BOC's Executive Director Margaret Egan provided the opportunity for Board members to ask direct questions to DOC regarding five major areas: 1. Decarceration; 2. Intake and New Admission Housing; 3. The move of individuals to Bedford Hills; 4. Incidences of sexual harm against staff; and 5. The impacts on minimum standards. See this portion of the video [here](#).

DOC made additional comments on the provision of basic services in the jails [here](#).

Medical and Mental Health Care Update

DOC and CHS's Chief Medical Officer Dr. Ross MacDonald addressed medical and mental health concerns and conditions in the jails and discussed progress made since the October Board

meeting, specifically in relation to mitigation of self-harm and suicide prevention. See this portion of the video [here](#).

Restrictive Housing Rule Implementation Update

BOC Chair Jones Austin spoke on the Restrictive Housing rule implementation and the emergency executive orders signed by Mayor DeBlasio, which have delayed the required November 1, 2021 end of solitary confinement. Chair Jones Austin requested that DOC provide an update on the plan to discontinue solitary confinement and implement the RMAS model, the reasons why each part of the rules cannot be met at this time, a detailed timetable for implementing each part, and a description of the interim processes being undertaken to protect and safeguard people in custody, officers, and those entering the jails. See this portion of the video [here](#).

BOC Comments on Executive Orders

Board members voiced concerns regarding the use of executive orders to circumvent the Board's authority in providing jail oversight. See this portion of the video [here](#).

COVID-19 Update

ED Egan provided background on COVID-19 in the jails. See this portion of the video recording [here](#). See the Board's PowerPoint presentation published [here](#).

CHS's Senior Vice President Dr. Patsy Yang provided an update on COVID-19 in the jails and responded to the Board's questions, with additional comment from DOC. See this portion of the video recording [here](#).

Public Comment

The Board heard public comment from Madeline Feliciano (Independent), Anisah Sabur (Campaign Against Isolated Confinement), Sarita Daftary (Freedom Agenda), Kayla Simpson (LAS), Joshua Goldstein (NYU's Solitary Confinement Project), Andrew Vaccaro (Urban Justice Center), Natalie Fiorenzo (New York County Defender Services), Rabbi Barat Ellman (Jews for Racial and Economic Justice), Melissa Vergara (Independent), Ashaki Antoine (COBA), Jennifer Parish (UJC), Kelly Grace Price (Close Rosie's), Frances Geteles-Shapiro (Halt Solitary Campaign), Kelsey De Avila (Brooklyn Defenders Services), Julia Solomons (Bronx Defenders), Harvey Epstein (New York State Representative), and Daniele Gerard (Children's Rights Project).

The public comments portion of this video recording is available [here](#).

Board Members then entertained a motion to enter executive session to discuss legal issues with the Board's General Counsel. This motion was moved by Member Sherman and seconded by Member Franco with unanimous Board approval. This portion of the video can be found [here](#).

Upon returning to the open meeting, the Board presented and discussed a resolution condemning the mayor's use of emergency executive orders to suspend the Board's minimum standards. Board Member Cohen moved to approve the resolution and was seconded by Member Franco, and the motion passed with unanimous approval. See this portion of the video [here](#).