



**NEW YORK CITY
BOARD OF CORRECTION**

May 10, 2022 PUBLIC MEETING¹ MINUTES

ATTENDEES

MEMBERS PRESENT

Julio Medina, Acting Chair
Robert L. Cohen, M.D., Member
Felipe Franco, Member
Jacqueline Pitts, Member
Joseph Ramos, Member
Freya Rigterink, Member
Steven M. Safyer, M.D., Member
Jacqueline Sherman, Esq., Member

Amanda Masters, Executive Director

DEPARTMENT OF CORRECTION (DOC)

Louis Molina, Commissioner
Kenneth Stukes, Chief of Department
Melissa Guillaume, Deputy General Counsel
Francis Torres, Deputy Commissioner for Programs and Community Partnerships
Maureen Danko, Deputy Commissioner
Steven Kaiser, Executive Director of Policy and Intergovernmental Affairs
Marshall Volk, Assistant Commissioner of the Nunez Compliance Unit
Allie Robertson, Senior Policy Analyst of Special Projects
Nell McCarty, Executive Director of Counseling and Social Services

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
Carlos Castellanos, Chief Operations Officer/Deputy Executive Director
Nancy Arias, RN, Chief Nursing Officer/Deputy Executive Director

OTHERS IN ATTENDANCE

Daniele Gerard, Children's Rights
Rachel Sznajderman, NYCDS
Sarita Daftary, Freedom Agenda
Natalie Fiorenzo, New York County Defender Services

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

Jack Hilles, Urban Justice Center
Linda Gilbreath, Urban Justice Center
Veronica Vela, The Legal Aid Society
Chaplain Dr. Victoria A. Phillips, Visionary V Ministries, Jails Action Coalition, Mental Health Project
Tahanee Dunn, The Bronx Defenders
Benny Boscio, DOC/COBA President
Zachary Katznelson, Independent Commission on New York City Criminal Justice and Incarceration Reform
Ashaki Antoine, COBA
Kelly Grace Price, Close Rosie's
Jennifer Parish, Urban Justice Center/ HALT Solitary Campaign

Approval of March 8, 2022 Minutes

Board of Correction Acting Chair Julio Medina (Acting Chair Medina) asked for a motion to approve the draft minutes of the Board's March 8, 2022 meeting. Member Sherman moved to approve the minutes, seconded by Member Cohen. Minutes were unanimously approved. See this portion of the video recording [here](#).

Opening Remarks/Announcements

Acting Chair Medina introduced the two new Board members: Jacqueline Pitts and Joseph Ramos. See this portion of the video recording [here](#).

BOC Executive Director Amanda Masters (ED Masters) provided census data on people in custody (PIC) for the past month. She addressed the most recent death in DOC custody, Dashawn Carter, and expressed condolences to his family. ED Masters also expressed condolences for DOC staff who passed away since the last Board meeting. Lastly, ED Masters highlighted two instances of cooperation between BOC and DOC to quickly resolve unsafe conditions. See this portion of the video recording [here](#).

Department of Correction Commissioner Louis Molina (Commissioner Molina) welcomed Member Pitts and Member Ramos. Commissioner Molina expressed condolences for the death of Dashawn Carter, as well DOC staff who have passed since the last Board meeting. He acknowledged that the deaths in custody this past year are indicative of failure across DOC, decades in the making. He summarized the issues he experienced with the Department in his earlier career. He noted the city continues to ignore crumbling jail infrastructure and disregard Department staff. He agreed with critics of Rikers but disagreed with the opinion of receivership. Commissioner Molina shared data of improved, though still lacking, conditions. See this portion of the video recording [here](#).

Acting Chair Medina asked Commissioner Molina if there was a plan to release people from custody, referencing the 6A plan. Per Commissioner Molina, DOC promised to reassess how they evaluate 6A, though it is not directly related to the implementation plan. Their exchange [here](#).

Member Rigterink stated that the number of PIC who have been inside Rikers for over a year has increased and outnumber PIC under city sentences, and asked about efforts made with other stakeholders to ensure these cases are prioritized. Commissioner Molina stated the COVID omicron surge affected efficient court production, but court production has improved since. The Department has had meetings with OCA and is working with the Mayor's Office of Criminal Justice to address population management. Their exchange [here](#).

Member Franco asked for an update on the increase of school attendance and on DOC's policy of ensuring gangs are not congregated in housing units. According to Commissioner Molina, there was resistance to rebalancing housing units which motivated a spike in violence within that population. Commissioner Molina explained how DOC's policy implementation addresses violence. Deputy Commissioner Torres (DC Torres) shared how DOC has dedicated areas for schooling, and its achievements and goals toward GED completion. Their exchange [here](#).

Member Franco and Member Cohen described their most recent visit to NIC and the poor conditions they witnessed, inquiring about access to recreation, education, tablet use, lock-out time, and telephone and television access. Members Ramos asked about external program providers and Member Pitts asked about credible messengers. Their exchange [here](#).

BOC Report on February and March 2022 Deaths in DOC Custody

ED Masters explained the key findings of the BOC report, including lack of B-post staffing. PIC were the first to render aid and notify officers in all three instances. Two of the PIC's housing units were staffed with MMR3 restrictive A-post officers. ED Masters reviewed the recommendations pointed out in the report, such as revising the Emergency Health Care Log; not assigning MMR3 restricted staff to housing areas; transitioning to an electronic log system; DOC, BOC, and CHS holding timely death conferences after each death; expanding clinical observation space; housing PIC with extreme medical problems in medically supervised areas. ED Masters' summary [here](#).

CHS's Senior Vice President Patsy Yang stated they continue to timely review their procedures and any systemic issues. Senior Vice President Yang also explained how CHS have participated in death reviews and will continue to do so, that they have looked into expanding therapeutic environments and have quadrupled medical housing areas. See this portion of the video recording [here](#).

Commissioner Molina stated one post unmanned is one post too many. In September 2021, DOC had an average of 110 unstaffed posts. Now in April, the average has dropped down to 13 unmanned posts. DOC is exploring technological solutions to digitize log books and scheduling to deploy staff more effectively. See this portion of the video recording [here](#).

Members Ramos, Cohen, Rigterink and Sherman asked questions of DOC and made comments on the BOC's report on 2022 deaths in custody, unstaffed posts, and discrepancies between agencies on medical emergency alerts. See this portion of the video recording [here](#).

Public Advocate Jumaane Williams

Public Advocate Jumaane Williams joined the meeting while the Board, DOC, and CHS were discussing the most recent deaths in custody. Public Advocate Williams spoke about BOC's report and provided an overview of the situation. His office will present information and legislation on solitary confinement. See this portion of the video recording [here](#).

Slashing and Stabbings

Acting Chair Medina gave an overview of BOC findings and concerns relating to slashing and stabbings rates in the jails. DOC spoke on how at RNDC, where most young adult detainees are held, rates of violence are consistently the highest in the department. 18-21-year-olds have specific development considerations and so are provided with unique responses. Search operations have been stepped up to remove contraband, and any ailing infrastructure that can be used as weapons. Staffing has increased at RNDC, as well as supervision of said staff. Social work, such as programming and educational opportunities, has increased. See this portion of the video recording [here](#).

ED Masters reviewed a violent incident in December, where many persons in custody had plexiglass weapons. According to DOC, magnetometers do not detect plexiglass and the department is working with maintenance teams to place mesh through the plexiglass so it cannot be used as a weapon. DOC have increased special search operations and security devices to find contraband. Their exchange [here](#).

Risk Management Accountability System (RMAS) updates

DOC Executive Director of Policy and Intergovernmental Affairs Kaiser provided an update on the Department's implementation of the Risk Management Accountability System (RMAS). DOC expects 13 units to be completed by July 1st and the remainder by August 1st. According to Executive Director Kaiser, RMAS staff training is on track and a communications plan has been developed for correctional officers. Deputy General Counsel Guillaume spoke on the Department's compliance with the HALT Act. See this portion of the video recording [here](#).

Board Members asked the Department about RMAS implementation, including the use of scanners at intake, use of shackles at ESH, and measures put in place to ensure proper levels of staffing. Members' questions and DOC's responses can be seen [here](#).

EEOs and Staffing

ED Masters provided an overview of Mayoral Emergency Executive Orders 241, 279, and 297 (issued by the former mayor and renewed by Mayor Adams every five days). BOC remains very concerned about the persistence of these EEOs. Further, there is an opaqueness to the staffing emergency for the BOC because certain granular data has not been provided to the Board. ED Masters also commented on Emergency Executive Order 7 of 2022 regarding suspension of de-escalation units and questioned its necessity when DOC has already moved forward in opening de-escalation units. ED Masters' overview and DOC's response can be seen [here](#).

Members Cohen and Franco reiterated their observations during their last visit to Rikers' NIC restrictive housing unit for 18 to 21-year-olds. Their questions and the Department's responses can be seen [here](#).

Public Comment

The Board heard public comments from Daniele Gerard (Children's Rights), Rachel Sznajderman (NYCDS), Sarita Daftary (Freedom Agenda), Natalie Fiorenzo (New York County Defender Services), Jack Hilles and Linda Gilbreath (Urban Justice Center), Veronica Vela (The Legal Aid Society), Chaplain Dr. Victoria A. Phillips (Visionary V Ministries, Jails Action Coalition, Mental Health Project), Tahanee Dunn (The Bronx Defenders), Benny Boscio, (DOC/COBA President), Zachary Katznelson (Independent Commission on New York City Criminal Justice and Incarceration Reform), Ashaki Antoine (COBA), Kelly Grace Price (Close Rosie's), Jennifer Parish (Urban Justice Center/ HALT Solitary Campaign). The public comments portion of this video recording is available [here](#).