

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

April 16, 1974

A regular meeting of the Board of Correction was held on Tuesday, April 16, 1974, at the offices of Mr. Tufo, 645 Madison Avenue, New York, New York.

Present from the Board were Mr. Lehman, Mr. Gottehrer, Mr. Kirby, Fr. Rios, Mr. Schulte, Mrs. Singer, Mr. Tufo, and Rev. Wilson. Present by invitation of the Board were John Brickman, Executive Director; Mary D. Pickman, Assistant Executive Director; Kenneth Nochimson, Co-Director, Legal Advocate Program; Douglas Eakeley, Special Counsel to the Board for the hearings; Sylvia Kronstadt, Staff Assistant and Barbara Allen, Secretary to the Executive Director.

Present from the Department of Correction line organizations were Leo Zeferetti, President, Correction Officers Benevolent Association; Alfred Mandanici, President, Captains Association; Patrick Magner, President, Assistant Deputy Wardens Association; James Tubman, President, Deputy Wardens Association; and Francis Buono, President, Wardens Association.

Mr. Lehman served as Chairman and Ms. Allen as Secretary of the meeting.

The meeting was called to order at 2:10 p.m.

Mr. Zeferetti stated that there was presently a bill pending before the State Legislature which would permit uniformed correction personnel to return to a 20-year pension plan rather than the present 25-year plan, thus putting them on a pension status equal to that of Police and Fire personnel. He noted that he would appreciate a letter from the Board in support of this piece of legislation. The Chairman stated that the Board did intend to support this piece of legislation and asked to whom the letters should be sent. Mr. Zeferetti said that the letters should be sent to the Majority and Minority leaders of the Senate and the Assembly.

The Chairman asked Mr. Zeferetti if there were any other areas in which the Board could be of assistance. Mr. Zeferetti stated that the area of training was a major problem. He noted that the correction officer training program and academy should be at least on a par with the training program and facilities of the Police Academy. Mr. Zeferetti added that at present, correction officers' training was only four weeks in length and that this was not a sufficient amount of time. Warden Buono agreed with this. He added that an expanded program, preferably three months, as well as an expansion in the type of training program itself, and more emphasis on physical activities and more background courses, were necessary. Mr. Buono noted that the Department has many new officers and thus needs a program which will adequately train them for their jobs.

Mr. Zeferetti stated that when a correction officer is promoted to captain, and thus to a supervising capacity, or any other promotion is made from one supervisory level to another (if the institution can spare that individual, which is usually not the case), he will go back to the academy for further training for one week; otherwise, he just learns from those around him and experience how to handle this new responsibility. Warden Buono added that there was definitely a need for leadership training.

Mr. Zeferetti asked if the Board could be in touch with the Civil Service Commission in order to ask that the list of the recent correction officer's exam be expedited. Warden Buono stated that the Deputy Warden's exam was given on January 25 and that the list for this exam was still not out. He added that he would be grateful if the Board could also seek to expedite this list.

Mr. Zeferetti stated that at present there is a general shortage of manpower and that many men are working 12 to 16 hours a day. He declared that this is costing the City over half a million dollars a month in overtime. He noted that a post-by-post survey of each institution has been conducted to determine the precise number of correction officers necessary for each institution, and he estimated that an additional 500 men are needed to meet present program demands, provide adequate training, etc., and before an adequate training program can be sustained, current needs must be met. Warden Buono stated that the conception of the Bureau of the Budget is that since the prison population is down, fewer correction officers are needed. However, he noted that whether one man or 240 men are in an area, there must be a correction officer present.

At 3:30 p.m., Ms. Kronstadt arrived.

Mr. Zeferetti asked the Board what it expected to accomplish at the hearings. Mr. Tufo responded that in light of the Board's Charter mandate to make recommendations for capital planning, as well as to educate itself and the public, the Board had decided to hold hearings on the future of the Tombs in order to determine recommendations for improving the living conditions of those men housed there as well as those working in the Tombs. He added that another objective was to see what alternatives there might be to pre-trial incarceration as presently structured in New York City.

At 3:45 p.m., Messrs. Zeferetti, Mandanici, Magner, Tubman, and Buono left the meeting.

At 3:50 p.m., Messrs. Nochimson and Eakeley entered the meeting.

Upon motion duly made and seconded, the minutes of the meeting of March 4, 1974, were approved.

The minutes of the meeting of March 19, 1974, were distributed.

The Chairman described the physical arrangements of the room in which the hearings would be held. Mr. Brickman stated that the hearings would begin at 9:30 a.m. each day and that it would be best if the Board members could be there by 9:15 a.m. Mr. Brickman then discussed generally the schedule of witnesses, as well as the broad areas which their testimony would cover.

Mr. Brickman discussed the situation regarding the Chairman's non-appearance on a television program the previous Sunday. He noted that he had received a telephone call from Jim Gannon of WNBC-TV late Thursday afternoon, telling him that Bob Brown of the Fortune Society would be appearing in a segment of the "Sunday" program on the next Sunday to discuss medical care at the Queens House of Detention, and asking if Mr. Lehman would also be a guest on the segment. Mr. Brickman told Mr. Gannon that he would have to check with the Chairman and would let him know. Mr. Brickman declared that he spoke with the Chairman, and on Friday afternoon, notified Mr. Gannon that the Chairman did not feel that he was sufficiently prepared regarding the matter, particularly because he had not yet had an opportunity to visit the Queens House of Detention, to participate properly in the discussion. Mr. Brickman added that in addition to the foregoing problem, the Chairman was scheduled to visit the Tombs with Mr. Justice Tom Clark and Ramsey Clark at the same time the television show was taking place.

Mr. Nochimson stated that Mr. Brown had told him later that he had not meant to degrade the Board, but rather had intended to get the system moving in the area of health care. Mr. Brickman declared that the Board would review a copy of the transcript and, after review, determine what action if any should be taken.

Mr. Tufo asked if there was any set pattern to the scheduling of witnesses. Mr. Brickman declared that the schedule had been arranged with the idea that the first day would be devoted to witnesses representing the system, particularly with respect to areas of broad concern and background. The second day would be devoted to testimony dealing specifically with the Tombs and possible alternatives. The third day would be devoted primarily to the bail system and other alternatives to pre-trial detention. Mr. Brickman noted that the final schedule reflects this broad pattern, with minor alterations determined by various witnesses' availability.

Mr. Brickman stated that it would cost approximately \$2,000 for a stenographic transcript to be prepared commercially. He noted that he had written to various City agencies asking if they might be able to supply any stenographic assistance for a period of time during the hearings and that the Department of Investigation had agreed to provide stenographic assistance for a total of one and one-half days of the hearings.

Mr. Lehman stated that the questioning of the witnesses would consist of an opening question or two from a Board member assigned to each

witness, several questions from the staff member assigned to that witness and then any other questions any other Board member might have for the witness. He noted that a complete set of questions for each witness would be prepared in advance by the staff.

Mr. Brickman announced that a press release announcing the tentative schedule of witnesses would be sent out for release at 6 p.m. Saturday, April 20, 1974.

A discussion of bail reform then ensued. Mr. Brickman stated that the major proposals set forth in the Dominick Commission report were to end money bail, with defendants being released on their own recognizance, or to programs, organizations, or parties which would supervise them and ensure their return to court at the appointed time and place. Mr. Lehman stated that these recommendations would be quite applicable to the discussion of alternatives to pre-trial incarceration on the third day of the Board's hearings and suggested that all the Board members read them before that time.

Ms. Kronstadt distributed a memorandum to the Board regarding the telephone situation on Rikers Island. Mr. Brickman stated that the memorandum should be treated as internal. Ms. Kronstadt stated that April 1975 was now the target date for completion of the installation of the telephone system on Rikers Island, but that it appeared that the Department is not pushing and that someone must push the Department if this is going to happen. Ms. Kronstadt stated that Warden Buono is the key to getting the installation of the telephone equipment on Rikers Island moving and Mr. Schulte and Mr. Kirby agreed to get together with the appropriate people at the Department to push this.

Mr. Schulte stated that the Department was dragging its feet on everything concerning the Board. Mr. Brickman stated that if we are going to take action on any area where we feel the Department is dragging its feet, we must be prepared to act and not just make threats.

Upon motion duly made and seconded, the meeting was adjourned at 5:50 p.m.