

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

January 16, 1975

A regular meeting of the Board of Correction was held on Thursday, January 16, 1975, at Mr. Tufo's office, 20th floor, 645 Madison Avenue, New York, New York.

Present at the meeting were Mr. Lehman, Mr. Kirby, Mr. Jackson, Father Rios, Mr. Schulte, Mrs. Singer, Mr. Tufo, and Reverend Wilson. Also present by invitation of the Board were John M. Brickman, Executive Director; Marc Rosen, Assistant Executive Director; Michael Cleary, Executive Secretary; Greg Harris, Director, Clergy Volunteer Program; Jerome Cappellani and Stephen Fisher, Staff Assistants; and David Rivera, New York Urban Follow.

Mr. Lehman served as Chairman and Messrs. Fisher and Cappellani as Secretaries of the meeting.

The Board met in executive session at 2:30 p.m. At 3:20 p.m., the formal meeting was called to order.

At the request of the Chairman, Mr. Brickman reported on the status of discussions with CJCC regarding refunding the Investigation and Reporting Unit. Based on these meetings, Mr. Brickman stated that a grant application was in preparation which would include the following components: (1) evaluating, monitoring, and preparing reports on specific Department of Correction projects, (2) expansion of volunteer efforts, (3) institutionalize inmate grievance functions.

A general discussion ensued regarding the status of the Correction Aide program. It was noted that Mr. Brickman had submitted an affidavit to Judge Lasker urging that the Correction Aide program be retained, but that Judge Lasker had denied the petition for a temporary restraining order.

Mr. Brickman reported that he had received a telephone call from Lorenzo Casanova, Assistant to the Mayor, concerning his letter of December 6, 1975 to Judge Lasker recommending changes at HDM. He noted that he would be meeting with Mr. Casanova the following week and would report back to the Board.

The next issue discussed was the matter of a draft teletype order concerning staff access to the prisons which was received by the Chairman from Commissioner Malcolm.

After discussion, it was agreed generally that the Chairman and Mr. Brickman would meet with Commissioner Malcolm, and that the Board's position would be that there should be round-the-clock access for all full-time members of the staff, as well as part-time members of the staff after they have worked for the Board for a period of time.

The issue was raised as to minutes of Board meetings. After discussion, it was agreed generally that minutes of the meetings from May 1974 through December 1974, not yet approved, would be condensed and resubmitted. At the Board's request, Mr. Brickman agreed to circulate after each meeting a memorandum of actions to be taken.

The matter of rules for public access to records was taken up. A discussion ensued, during which it was agreed generally that the rules would provide for appeals of denial of access to the Board itself. It was noted that some members had not had a chance to examine fully the draft rules. Upon motion duly made and seconded, final consideration of the draft rules was tabled until the next meeting.

The matter of the proposed public report on the death of Juanita Robinson was then raised. After discussion and certain amendments, upon motion duly made and seconded, the Robinson report was approved as amended. Mr. Tufo was out of the room and did not participate in the vote. After additional discussion and upon motion duly made and seconded, the public release of the report was approved. Mr. Tufo was out of the room and did not participate in the vote.

The report on Juan Cisneros was considered next. After discussion and certain amendments, upon motion duly made and seconded, the Cisneros report was approved as amended. After additional discussion and upon motion duly made and seconded, the public release of the report was approved.

A discussion then ensued regarding the advisability of submitting reports to the affected agencies before publication. Upon motion duly made and seconded, it was resolved that all public reports will be submitted to the affected agencies for comments before publication, and the agencies will be given at least ten days to respond.

It was noted that it would be appropriate to award certificates of appreciation to Eileen Shanahan, who had recently left the Board staff, as well as to The Reverend Edwin Conlin, The Reverend Richard Detrich, The Reverend Ruth Frierson, Mrs. Margaret Koerber, The Reverend John Lane, Mrs. Sandra Lewis, Sister Mary Irma Powers, Mr. Henry Robins, Sister Mary Alice Scully, The Reverend Charles Straut, Miss Barbara Van Buren, and The Reverend Lyle G. Young, who have rendered exceptional service to the Clergy Volunteer Program. Upon motion duly made and seconded, the awards were approved. Mr. Tufo was out of the room and did not participate in the vote.

It was suggested that it would be appropriate, as well as consistent with the Board's long-standing position, to file a brief amicus curiae in the United States Court of Appeals, urging affirmance of the decision of the United States District Court for the Eastern District of New York in Valvano v. Malcolm which permits no more than one man per cell in the Brooklyn and Queens Houses of Detention. Upon motion duly made and seconded, the staff was authorized to prepare such a brief, and the Chairman, Mr. Tufo and Mr. Brickman were authorized to make a final determination as to filing if time pressures precluded consideration by the full Board.

It was suggested that it would be appropriate to send a letter to the Committee on Criminal Courts, Law, and Procedure of the Association of the Board of the City of New York, which is investigating the transfer of Criminal Court Judge Bruce McM. Wright to the Civil Court, welcoming its investigation. A draft letter was presented, and after discussion and certain amendments, upon motion duly made and seconded, the letter was approved. Mr. Tufo dissented, on the ground that the subject matter of the letter fell beyond the jurisdiction of the Board.

It was suggested that it would be appropriate to send a letter to the Chairman of the State Commission of Correction, urging that body to initiate an investigation into allegations of Ku Klux Klan infiltration into the New York State prison system. A draft letter was presented, and after discussion and certain amendments, upon motion duly made and seconded, the letter was approved.

It was noted that there were substantial problems associated with visiting inmates at Rikers Island. It was agreed generally that the staff would look into the matter, and that a plan of action would be presented at the next meeting.

At 5:40 p.m., upon motion duly made and seconded, the meeting was adjourned.