

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

October 14, 1975

A regular meeting of the Board of Correction was held on Tuesday, October 14, 1975 at Mr. Tufo's office, 645 Madison Avenue, New York, New York.

Present were Mr. Tufo, Father Rios, and Mrs. Singer. Also present by invitation of the Board were Marc Rosen, Executive Director; Michael D. Cleary, Executive Secretary/Fiscal Officer; Barbara J. Armstrong, Acting Director, Clergy Volunteer Program; and Stephen Fisher, Staff Assistant.

Mr. Tufo served as Chairman and Mr. Fisher as Secretary of the meeting.

The meeting was called to order at 2:20 p.m.

Upon motion duly made by Mrs. Singer and seconded by Father Rios, request for excused absences from Messrs. Jackson and Schulte were approved.

The matter of the Board's escape report was raised. The Chairman stated that the report was submitted to the Mayor, the Department of Correction and the Department of Investigation without an introduction and that he was awaiting their responses. The Chairman stated that the Mayor's Policy Committee was meeting the next morning and that one of the main topics of discussion was to be the area of Corrections. The Chairman declared that it was his intention to release the report in its entirety after the Mayor's Policy Committee had acted on matters pertaining to Corrections.

It was noted that the Department had had a copy of the Board's report in its possession at the meeting of September 23, and it was apparent that the Board's report had led the Department to issue its own escape report and put out a press release announcing a "shake-up" in the Department. Mr. Rosen stated that it was his understanding that the Department had obtained their copy through a Board member. The Chairman stated that it was an unfortunate incident which appears on the surface to promote disunity among the members and makes clear to the Department that there are different interests among the members of the Board. It was agreed generally that if the Mayor's office does not react to the report within a short period of time, then it should be released publicly.

It was suggested that the publicity generated by the report be considered in light of the Charter Revision recommendations. In addition, it was agreed generally that the Chairman will continue to have the authority to decide when to issue the report.

A discussion ensued on the Board's monitoring of the Adolescent Reception and Detention Center. It was noted that the monitoring was not yet completed because of lack of staff. Father Rios noted that there had been a change in wardens at ARDC (Arthur Rubin is now the warden of ARDC and Louis Greco had been assigned as warden of HDM), and suggested that the monitoring continue to assess how the institution would do under the new command. A determination regarding a written report would be postponed until the additional monitoring was completed. The Chairman suggested that Father Rios and some staff members have a meeting with Warden Rubin as soon as possible to discuss various aspects of the monitoring project. Mr. Rosen stated that he had submitted allegations of assaults at ARDC to the Department of Investigation and the Inspector General's unit of the Department of Correction.

Ms. Armstrong reported on the Annual Meeting of the Clergy Volunteer Program. She declared that it was the consensus of those who attended the meeting that there was a strong interest in the continuance of the Clergy Volunteer Program. She stated that there still appeared to be a need to resolve the problems of access regarding directive number 9. Ms. Armstrong stated that on Saturday afternoon she received 13 telephone calls from people who were not on the Department's computer printout and, therefore, were denied admittance to an institution.

Father Rios reported that his evaluation of the Clergy Volunteer Program was proceeding with the assistance of Ms. McCarthy, a law interne.

The subject of staff matters was raised. It was noted that the Citizen Volunteer Program was supposed to have started on September 1, 1975, but due to problems in establishing the budget and job lines there had been a considerable delay. It was noted that by the end of next week there would probably be some indication as to whether the Board could proceed in hiring people on the new federal grant lines. It was noted that the Board's City budget lines would be changed to titles which are consistent with the job qualifications and necessary work requirements which the present staff performs.

The Chairman reported that he had met with State Senator Emanuel Gold, Assemblyman Saul Weprin, and Burt Schoenbach. He noted that he had taken them to HDM and ARDC last week and believes that this tour will be beneficial to improving conditions at the two institutions.

The Chairman reported that he was asked to be co-Chairman of the Prison Reform Task Force's Inmate Art Show next month. After some discussion, upon motion duly made by Mr. Tufo and seconded by Mrs. Singer, it was

RESOLVED THAT the Board of Correction will award a prize of \$25 to the best prison artist, and that this piece of art would be used as a cover on one of the Board's reports.

Mr. Cleary reported on the meeting in Commissioner Malcolm's office regarding the large number of OPD visits. As a result of the meeting, the Department and Prison Health Services are going to try to reduce the number of visits to OPD clinics as well as analyze the existing procedures. In addition, the establishment of a Task Force will be initiated regarding this problem.

Mr. Fisher reported on the suicide that occurred in the Manhattan Court Pens on Saturday night, October 11, 1975.

The Chairman reported on the meeting he had with the Corporation Counsel regarding the recent Federal Court decision on single-cell occupancy. The Chairman stated that it was the opinion of Corporation Counsel that the City should not make any contingency plans regarding this issue, and that if the Federal Courts want to release inmates, let them do so. The Chairman disagreed strongly with this approach. David Ross, Administrative Judge of the City's Criminal Courts, stated that he would not take any role in bail review since it was not the responsibility of the Supreme Court judges to perform this function. It was his opinion that it should be the Federal Court's responsibility to release inmates if the institutions are overcrowded and cannot fulfill the Federal Court requirements. Therefore, if anyone commits a crime, the blame can be placed on Federal Courts. The Chairman suggested that the City could open up facilities to remedy the overcrowding and reduce double-celling, that the bail review process be speeded up and that a shorter time span between conviction and sentencing be introduced. He noted that approximately 15% of the population has bail for \$1500 or less.

Upon motion duly made by Father Rios and seconded by Mrs. Singer, the minutes of September 9, 1975 and September 23, 1975 were approved as amended.

The next meeting of the Board of Correction will be held on Monday, November 3, 1975 at 2:30 p.m. at 100 Centre Street. The following meeting will take place on Tuesday, November 18, 1975 at Mr. Tufo's office.

Upon motion duly made by Mrs. Singer and seconded by Father Rios, the meeting was adjourned at 3:35 p.m.