

DRAFT
MINUTES OF THE MEETING OF THE BOARD OF CORRECTION
APRIL 19, 1977

A regular meeting of the Board of Correction was held on Tuesday, April 19, 1977 in the Twentieth Floor Conference Room at 645 Madison Avenue, New York. Present were Peter Tufo, Peggy Davis, Angelo Giordani, Hohn Horan, Wilbert Kirby, Marjorie Kogan, David Schulte, and Rose Singer. Also present by invitation of the Board were Marc Rosen, Executive Director; and Michael D. Cleary, Dan Pochoda, and Joseph V. Smith of the Board staff.

AGENDA ITEM 1

Upon motion duly made by Peggy Davis and seconded by Rose Singer, the request for an excused absence for Reverend Holder was approved.

AGENDA ITEM 9

Wilbert Kirby reported on the April 17, 1977 incident at ARDC. He informed the Board that ^{the combatants} had divided along racial lines in the 4 Upper, North Dayroom in a dispute allegedly over an article of clothing having been stolen. There were ten injuries to the Blacks and none to the Hispanic participants. Angelo Giordani commented on an incident in the ARDC gym on 4/12/77 which he observed during a regular visit to the institution. He stated that there had been rumors that a fight would occur in the gym and as a result the group using the area had to be strip searched and some had to be returned to their housing areas. Some weapons had been found and tensions were high.

Chairman Tufo informed the Board that he had contacted Bronx District Attorney Mario Merola and had sought his intercession to expedite the transfer of seventy-five adolescents to state facilities so as to reduce overcrowding to some degree. Because of hiring of former policemen by the Police Department, ARDC had lost thirty-nine men in ten days which further complicated the problem.

Angelo Giordani requested information about the document produced by the special panel which Wilbert Kirby had participated in regarding ARDC. Wilbert Kirby informed him that the document had not been released but that it had found racism to be pervasive throughout the institution. Chairman Tufo stated that a

policy of preferential assignments by seniority had given grounds to the younger officers to claim discrimination. The use of C-71 to reduce overcrowding at ARDC had to be considered by the Board. Peggy Davis suggested that the Board address its view to Judge Pierce via letter. Chairman Tufo suggested that it include a call to end double-celling, call for the hiring of additional personnel, and include a review of conflicts at the institution. He suggested that this could be a joint letter with the unions.

Chairman Tufo informed the Board that he was going to Albany on Wednesday, April 20, 1977, to attempt to get the state to take those prisoners who are awaiting transfer to state facilities and thereby reduce overcrowding and expenses for the department.

Discussion continued about the letter or letters which should be sent to Judge Pierce, Mayor Beame, Deputy Mayor Scoppetta, etc. David Sculte cautioned the Board not to dismiss the amount of vandalism which occurred at the institution as that seriously impacted upon the rate of double-celling and would have to be taken into consideration by both the Board and the Judge in suggesting remedies.

AGENDA ITEM 4

Chairman Tufo declared that the Board Members had been very strong in their meeting with Chairman Chinlund and then outlined the proposed Commission of Correction plan for hearings, citations, etc. regarding the closing of the NYC House of Detention for Men at Rikers Island. David Schulte suggested that the Board consider the use of HDM for that which it was designed for, a sentenced institution. He stated that the facility could hold the entire population of the Correctional Institution for Men and that the reverse was also true. In addition, C-95 would soon be available. It was the consensus of the Board that this was a good point.

Chairman Tufo suggested that the Board could choose to either ignore, support, or condemn the Commission of Correction hearings. Rose Singer suggested that the Board seek compromise on the issue.

Representation of the Board at the hearings was discussed. David Schulte informed the Board that the Correctional Association had been contacted and was, until he dissuaded them from doing so, willing to testify and call for the immediate closing of the facility. According to response to Chairman Tufo, the consensus of the Board was that it did not favor the immediate closing of the NYC HDM. Discussion followed on the firmness of the State Commission's position, its members agreement or lack thereof on the position, its unsophisticated approach to the issue, etc.

AGENDA ITEM 3

Dan Pochoda informed the Board that the written response of the Department to the Board Committee's proposed minimum standards was expected on Monday, April 25, 1977. He stated that the drafts had been given to the Department two months ago to foreclose conflict, etc. Chairman Tufo added that meetings had been held with union representatives and that more would be held. Dan Pochoda reported that the minimum standards committee and staff had met with the Department after its second off-site conference and that it had had very little to say. On April 18, 1977 Commissioner Malcolm informed Dan Pochoda that Chief D'Elia was working on page 150 of the response and that there was still more to come and that it still had to be recirculated within the department for final comment, then amended, then typed. Chairman Tufo stated that the department's position is that the board had a full year to prepare the standards and that they can not be expected to prepare comments on the proposals in a few short weeks. David Schulte suggested that the Board establish a final date for submission of the comments and then if the Department does not comply, release the proposals anyway. Chairman Tufo stated that he would prefer to have the Department's general support with limited opposition at the time of the release.

Marjorie Kogan suggested the drafting of a proposal to standardize the term of inmate councils members at four months which she felt would make them much more effective. In her opinion, the current two month tenure is too short and just when the delegate becomes effective, they are replaced.

Chairman Tufo suggested that the Board continue on course by having the committee release the proposals, then have public hearings, and then have the Board of Correction act on the promulgation of standards. He stated that the members input is still welcome at any stage and suggested that any comments be directed to Dan Pochoda.

AGENDA ITEM 8

Pursuant to a request by Wilbert Kirby, the matter of electing a vice-chairman was introduced to the floor ahead of its original order. Upon motion duly made by Wilbert Kirby and seconded by David Schulte, the name of Peggy Davis was placed into nomination. Upon motion duly made by Marjorie Kogan and seconded by John Horan, the name of Reverend Holder was placed into nomination. Chairman Tufo canvassed the Board for other nominations, there were none. The Secretary distributed ballots which were marked by the Board members and tabulated secretly by the Chairman. At 4:40 p.m. on the nineteenth of April, 1977 it was

RESOLVED that Peggy C. Davis was elected to serve as Vice-Chairwoman of the New York City Board of Correction by a seven to one vote as cast by her fellow members.

AGENDA ITEM 5

Peggy Davis informed the Board that she had attended a meeting at Kings County Hospital along with Marc Rosen and Joseph Smith of the Board staff, Ira Clark of KCH, Doctor Starrett of Montefiore, Pat Gaston of the Department, and others. She suggested that an investigation of KCH and a report thereon would be appropriate at this time. There are three types of patients, urgent, elective, and emergency and they all encounter difficulty at the institution. In regards to the renovation, the Department is willing to pay for in-ward toilets through the savings generated by reduction in size of the closed visiting area. Upon motion duly made by Peggy Davis and seconded by David Schulte, the proposal to conduct an investigation of and prepare a report on Kings County Hospital was approved.

AGENDA ITEM 6

Marc Rosen reported that no final plans for interim contact visits at the Queens House of Detention had been reached as of yet and that the situation was still disturbing to the staff.

AGENDA ITEM 7

Marc Rosen reported on the Institutional Compliance and Development Unit. He reported that the Board's personnel committee had reached agreement on the hiring of five people for field positions, on the hiring of the assistant director, on a secretary, and were very near in agreeing upon an administrative assistant. The position of director was still open. CJCC would extend current funding for four to six months and then consider full year funding. The role of compliance workers and their interface with Board members was discussed. It was suggested that the staff and the Board meet.

At 5:10 p.m. upon motion duly made by David Schulte and seconded by Wilbert Kirby, the meeting was adjourned.