



**NEW YORK CITY
BOARD OF CORRECTION**

NOVEMBER 12, 2024 PUBLIC MEETING MINUTES

ATTENDEES

MEMBERS PRESENT

Dwayne C. Sampson, Chair
Helen Skipper, Vice Chair¹
Robert L. Cohen, M.D., Member
Hon. Barry A. Cozier (Ret.), Member
Felipe Franco, Member
Jacqueline Pitts, Member
Joseph Ramos, Member
Jude Torchenaud, Member

DEPARTMENT OF CORRECTION (DOC)

Lynelle Maginley-Liddie, Commissioner
Francis Torres, First Deputy Commissioner
Sherrie Ann Rembert, Bureau Chief/Chief of Staff
James Conroy, Deputy Commissioner of Legal Matters/General Counsel
James Boyd, Deputy Commissioner of Strategic Operations
James Saunders, Deputy Commissioner of Health Affairs
Ned McCormack, Assistant Commissioner of Facility Operations
Valerie Greisokh, Assistant Commissioner of Programs and Community Partnerships
Kathleen Zadzora, Assistant Commissioner, Health Affairs
Allie Robertson, Executive Director, Intergovernmental Affairs
Jenelle Bazil-Charles, Director of Strategic Partnerships, Intergovernmental Affairs
John Carlo Bautista
Kenneth C. Harrison, Correction Officer
Charles F. Goldsmith

NYC HEALTH + HOSPITALS – CORRECTIONAL HEALTH SERVICES (CHS)

Patsy Yang, DrPH, Senior Vice President

¹ Vice Chair Skipper was absent for the majority of the meeting. Due to extraordinary circumstances, Vice Chair Skipper was able to participate only virtually and sporadically for a limited duration.

Jeanette Merrill, MPH, Senior Assistant Vice President, Communications & External Affairs
Carlos Castellanos, Chief Operations Officer/Deputy Executive Director
Nancy Arias, RN, Chief Nursing Officer/Deputy Executive Director
Bipin Subedi, Chief Medical Officer/Senior Assistant Vice President
Zachary Rosner, Chief of Service, Medicine
Joseph Otonichar, Chief of Service, Mental Health
Nicole Levy, Director of Communications and Intergovernmental Affairs

CORRECTION OFFICERS' BENEVOLENT ASSOCIATION

Antoinette Anderson, Third Vice President
Vanessa Quinones, Bronx Borough Trustee

OTHERS IN ATTENDANCE

Chaplain Dr. Victoria A. Phillips, Visionary V Ministries
Jennifer J. Parish, Urban Justice Center/Jails Action Coalition/HALT
Michael Klinger, Brooklyn Defender Services
Dorothy Weldon, NYCDS
Casey Dalporto, NYCDS
Khan Jenkins, NYCDS
Rajesh Mehra
Courtney Gross
Jay Edidin, WCJA
Tashoy Miller, WCJA
Barbara Opotowsky, NYC Bar Association
Richardo Kramer, JAC
Jack Beck, JAC

Approval of November 12, 2024 Meeting Agenda

Chair Dwayne Sampson called the meeting to order with a quorum of members present. Chair Sampson requested a motion to approve the agenda of the Board's November 12, 2024. Board Member Pitts made a motion that all Board actions be moved to the front of the agenda. Upon being approved and seconded, the agenda was approved unanimously (Chair Sampson, and Board Members Cohen, Cozier, Franco, Ramos, Pitts, and Torchenaud voted in favor). See this portion of the video [here](#).

Approval of the October 8, 2024 Public Meeting Minutes

Chair Sampson requested a motion to approve the draft public meeting minutes of the Board's October 8, 2024 meeting. Upon being moved and seconded, the minutes were unanimously approved (Chair Sampson, and Board Members Cohen, Cozier, Franco, Ramos, Pitts, and Torchenaud voted in favor). See this portion of the video [here](#).

Proposed Resolution to Establishing a Minimum Standards Review Committee and a Board Priorities Committee

Chair Sampson asked Executive Director Georges-Yilla to read the second resolution before the Board. The resolution proposes the establishment of a Minimum Standards Review Committee to review the minimum standards and make recommendations accordingly, and to set the Board's priorities regarding measuring the Department's and Correctional Health Services' compliance with minimum standards and other areas of departmental performance related to the conditions of the City's jails.

Upon being moved and seconded, the Board held discussion on the resolution. Board Member Cohen raised a question whether the timing of the resolution was appropriate given the political climate of the mayoral administration and recommended deferring the resolution. Board Member Cozier stated the political considerations are not appropriate to discharge the Board's responsibilities under the New York City Charter.

Chair Sampson called a roll vote on the proposed resolution. Chair Sampson and Board Members Cozier, Pitts, Ramos, and Torchenaud voted in favor of the resolution. Board Members Cohen and Franco did not vote in favor of the resolution. The resolution passed. See this portion of the video [here](#).

Proposed Resolution condemning the use of frequent, arbitrary, and unreported individualized involuntary lock-ins

Chair Sampson asked Executive Director Georges-Yilla to read the second resolution before the Board. The resolution proposes the Board condemns the use of frequent, arbitrary, and unreported individualized involuntary lock-ins and urges the Department to take all steps necessary, including training, re-training, and disciplinary action, to address any instances of inappropriate individualized involuntary lock-ins going forward. Additionally, the Board recommends that the Department implement robust reporting requirements across all facilities by recording each instance of individualized involuntary lock-ins via logbook entries and Central Operations Desk notifications.

Upon being moved and seconded, Board Member Cohen stated the language of the resolution raises serious concerns about the mayoral administration overstepping the Board's standards, and therefore jail operations, including due process and asked why the Department continues to request emergency executive orders to circumvent the oversight's rules.

Chair Sampson called a roll call vote on the proposed resolution. The Board (Chair Sampson, and Board Members Cohen, Cozier, Franco, Pitts, Ramos, and Torchenaud) voted unanimously in favor of the resolution. The resolution passed. See this portion of the video [here](#).

Proposed Resolution Establishing a Personnel Practices Committee

Board Member Cozier introduced a third resolution to periodically review personnel practices. Board Member Cozier noted that the City Charter authorizes the Board adopt rules to govern its own proceedings, appoint an executive director to serve at its pleasure with such duties and responsibilities as the Board may assign, and other professional, clerical, and support personnel.

Upon being moved and seconded, Board Member Cohen questioned the intent and purpose of the resolution, stating the Executive Director has performed their duties and responsibilities, and stated the Board must examine Board procedures, not staff procedures. Board Cozier stated the Executive Director is under the direction and supervision of the Board and the New York City Charter allows the Board to review the agency's personnel and organizational structure. Board Member Franco asked whether the Board has engaged the New York City Department of Citywide Administrative Service (DCAS), the Office of Labor Relations, and the Civil Service Commission. Board Member Ramos added the purpose of this resolution is to support the Board's work, namely structure and accountability.

Chair Sampson called a roll call vote on the proposed resolution. Chair Sampson and Board Members Cozier, Pitts, Ramos, and Torchenaud voted in favor of the resolution. Board Member Franco abstained. Board Member Cohen did not vote in favor of the resolution. The resolution passed. See this portion of the video [here](#).

Variance request on Minimum Standard §1-09(c)(1)(i) (visiting schedule)

DOC's Executive Director of Intergovernmental Affairs, Allie Robertson, requested that visits on Thanksgiving Day, November 28, 2024, be conducted on a day schedule rather than an evening schedule.

Chair Sampson proposed an amending the variance so that it is approved through 2027. Chair Sampson called a roll call vote on the proposed resolution. The Board (Chair Sampson, and Board Members Cohen, Cozier, Franco, Pitts, Ramos, and Torchenaud) voted unanimously in favor of the resolution. The resolution passed. See this portion of the video [here](#).

Limited 4-month variance request on Minimum Standard §§ 1-04(c)(2), 104(c)(3), and 1-04(c)(5)(i) (overcrowding)

DOC's Associate Commissioner of Facility Operations, Ned McCormack, requested variances from Minimum Standard §§ 1-04(c)(2), 104(c)(3), and 1-04(c)(5)(i) for four months consecutively. The proposed variance is in response to upward trends in population and to account for the Department's continuing staffing crisis.

Board Member Cohen asked the Department the total number of sentenced detainees and the ability for the Commissioner to extend compassionate release. Board Member Cohen inquired about the number detainees considered state-ready. Board Member Franco asked about the Department's predictability models and what is driving the increase in population. Board Member Ramos shared his experience dealing with people in custody who intentionally committed specific offenses to ensure incarceration during winter months. Board Member Cohen read a written statement opposing the proposed variance and called for an amended variance in the event it passes. Board Member Franco concurred with reducing the variance from four months to two months.

Board Member Franco made a motion to amend the variance from four months to two months. The motion was seconded. Chair Sampson and Board Members Cozier, Pitts, Ramos, and Torchenaud opposed the motion. The motion failed.

Chair Sampson called a roll vote on the original variance. Upon being moved and seconded, Chair Sampson and Board Members Cozier, Pitts, Ramos, and Torchenaud voted in favor of the variance. Board Members Cohen and Franco did not vote in favor of the variance. The variance passed. See this portion of the video [here](#).

Variance requests on Minimum Standard §§ 2-05(b)(2)(i-ii) (psychotropic medication) and 3-04(b)(2)(i-ii) (tuberculosis screening process)

CHS's Chief Medical Officer, Dr. Bipin Subedi, stated the current Board standards require that a tuberculin skin test be administered during the intake screening process for patients who do not have a prior history of a positive reaction to the test. The variance request is for CHS to use a different blood screening test (interferon gamma release assays or IGRA) as a substitute for tuberculosis screening.

Board Member Pitts recommended extending the variance from six months to twelve months. A motion to amend the variance was made and seconded. Chair Sampson and Board Members Cozier, Pitts, Ramos, and Torchenaud voted in favor of the amended variance. Board Members Cohen and Franco did not favor in favor of the amended variance. The amended variance passed.

Chair Sampson called a roll vote on the twelve-month variance for the tuberculosis screening process. The Board voted unanimously in favor of the variance. See this portion of the video [here](#).

Chief Medical Officer Subedi discussed the second variance request. He stated the current Board standards requires all patients on psychiatric medication must be seen at least every 14 days by a psychiatric provider. The variance request is to schedule patients to be seen according to their individual clinical needs up to every 28 days.

Board Member Pitts asked whether 85 percent of patients who were scheduled to be seen by a psychiatric provider were seen within 14 days and why 100 percent of patients cannot be seen in two weeks. Chair Sampson stated concerns with the variance request.

Chair Sampson called a roll call vote on the psychotropic medication. Board Members Franco, Pitts, Ramos, Torchenaud, Cohen, and Cozier voted in favor of the variance. Chair Sampson abstained. The variance was passed. See this portion of the video [here](#).

Public Comment Period – People in Custody

The Board heard public comment from a female detainee who expressed concerns about deficiencies in program services, not being afforded access to law library services, and discussed mental health concerns. Another caller called on behalf of a detainee and stated the detainee was harassed and made allegations against correctional staff.

DOC's Executive Director of Intergovernmental Affairs, Allie Robertson, provided a response to the claims by people in custody and their advocates. See this portion of the video [here](#).

Executive Director Update

BOC Executive Director Jasmine Georges-Yilla shared condolences with the families of Department staff who have passed since the October meeting [here](#).

As of November 11, 2024, the approximate total census of people in custody is 6,619. By facility, as of November 11, BHPW (44), EHPW (8), EMTC (1,528), GRVC (979), NIC (275), OBCC (1,455), RESH (165), RMSC (410), RNDC (1,077), and WF (675). See this portion of the video [here](#).

Regarding reporting, the Board plans to issue a report assessing the Department's 2024 heat mitigation efforts, a public report on the deaths of Anthony Jordan and Charizma Jones, a report assessing the Department's PREA complaint investigation process, a semi-annual monitoring report, a semi-annual report assessing the City's borough-based jails plan, a report evaluating the Department's grievance complaint process, and a report regarding individualized involuntary lock-in. See this portion of the video [here](#).

Law Library Assessment Presentation

BOC's Director of Programming and Community Support, Schency Augustin, presented findings from an assessment of DOC's law library operations. See this portion of the video [here](#).

Board Member Cohen asked if a process to take corrective measures to address concerns raised regarding access to law library services existed before BOC staff addressed and raised concerns regarding this service with the Department. Board Member Cohen asked whether the removal of tablets impact access to law library

services, specifically in the Rose M. Singer Center (RMSC) Enhanced Supervision Housing (RESH). See this portion of the video [here](#).

Board Member Franco inquired to why a low percentage of incarcerated individuals are using the law libraries. See this portion of the video [here](#).

Board Member Pitts asked what percentage of the incarcerated population utilize law library services. See this portion of the video [here](#).

Vice Chair Skipper inquired about evening and weekend access to law library services. Vice Chair Skipper also inquired about the trainings available for legal researchers and people in custody to become law library clerks. See this portion of the video [here](#).

Chair Sampson asked how the Board could improve people in custody's access to tablets for law library services. See this portion of the video [here](#).

Department of Correction Updates

- a. DOC's law library procedures
 - i. Assistant Commissioner of Programs and Community Partnerships, Valerie Greisokh, stated the Department resumed in-person law library services in 2023, and people in custody have access to LexisNexis on their assigned tablets. Additionally, the Department has launched an internal audit, which includes law library services. See this portion of the video [here](#).
 - ii. Board Member Cozier stated law library services are fundamentally to ensure people in custody have due process and expressed the low attendance of incarcerated individuals represents a severe underutilization of law library services. See this portion of the video [here](#).
 - iii. Board Member Cozier raised concerns regarding education. He recommended improved educational trainings during orientation intake regarding law library services. See this portion of the video [here](#).
 - iv. Board Member Cozier inquired about access to Spanish-speaking coordinators during law library services. See this portion of the video [here](#).
 - v. Board Member Torchenaud inquired about the low percentage of utilization of law library services and what factors likely contribute to it. See this portion of the video [here](#).
 - vi. Chair Sampson asked whether there are policies or directives related to tablet distribution. See this portion of the video [here](#).
 - vii. Board Member Franco asked for data analytics to understand how many people in custody utilize LexisNexis. See this portion of the video [here](#).
 - viii. Board Member Cohen asked if the Department has been in communication with the Legal Aid Society regarding law library services. See this portion of the video [here](#).

- ix. Board Member Torchenaud inquired about services contracts to address law library operational deficiencies. See this portion of the video [here](#).
- b. DOC's use of individualized involuntary lock-ins: Preliminary findings from DOC's investigation into "deadlocking" incidents at GRVC
 - i. Commissioner Maginley-Liddie provided DOC updates. She also stated the allegations of "deadlocking" were referred to the Department of Investigation (DOI) for independent investigation. See this portion of the video [here](#).
 - ii. Board Member Cohen stated that the Department should conduct an internal investigation into the matter. See this portion of the video [here](#).
 - iii. Board Member Cohen also asked for clarification as to why the Department continues to request emergency executive orders. See this portion of the video [here](#).
 - iv. Chair Sampson requested expanding the DOI investigation to all parties. See this portion of the video [here](#).
 - v. Board Member Cohen emphasized that insufficient staffing has been used as a reason for DOC's emergency executive orders and recommended decreasing the population. See this portion of the video [here](#).
 - vi. Vice Chair Skipper discussed accountability and questioned whether the Department had prior knowledge of the "deadlocking" practice. See this portion of the video [here](#).
- c. Policies/procedures for servicing people in custody who are deaf or hard of hearing
 - i. Deputy Commissioner of Health Affairs, James Saunders, provided a follow-up on incarcerated individuals who require reasonable accommodation related to hearing impairment. See this portion of the video [here](#).

Correctional Health Services Updates

- a. Policies/procedures regarding Mental Observation units (PACE and CAPS)
 - i. CHS Chief Medical Officer, Dr. Bipin Subedi, provided an overview of treatment on mental health therapeutic housing units, with a focus on the PACE/CAPS units. See this portion of the video [here](#).
 - ii. Board Member Cohen asked whether CHS is notified when a person in custody chooses to voluntary lock-in or is involuntarily locked inside their cell. See this portion of the video [here](#).
 - iii. Board Member Cohen discussed the medication rates. See this portion of the video [here](#).
- b. Policies/procedures regarding cell-side medication distribution during involuntary lock-ins
 - i. Dr. Subedi stated CHS has dedicated areas in the PACE units for patients to receive medication. In the event the patient is unable to come and retrieve

their medication, then CHS staff can work to deliver the medication to the patient. See this portion of the video [here](#).

- ii. Senior Vice President, Dr. Patsy Yang, recognized Dr. Subedi's contributions and informed the Board he has accepted a new opportunity at Bellevue Hospital. See this portion of the video [here](#).

Correction Officers' Benevolent Association Updates

- a. Third Vice President, Antoinette Anderson, raised bed capacity concerns at RMSC and provided violence statistics for the Otis Bantum Correctional Center (OBCC) for the months of October and November 2024. Additionally, Third Vice President Anderson discussed safety concerns relating to increasing the number of beds inside housing units at OBCC, especially when DOC is currently experiencing a staffing crisis. See this portion of the video [here](#).
- b. Board Member Cohen concurred that adding additional beds inside dormitories raised safety concerns. See this portion of the video [here](#).
- c. Board Member Torchenaud inquired about strategies to improve staffing. See this portion of the video [here](#).
- d. Board Member Ramos discussed collaboration with DOC to improve recruitment and retention of uniformed staff. See this portion of the video [here](#).

Public Comment

A. In-Person Public Comment

- i. The Board heard public comments from Kenneth Harrison (NYC DOC), Chaplain Dr. Victoria A. Phillips (JAC/Visionary V. Ministries), Michael Klinger (Brooklyn Defenders), and Dorothy Weldon (NYCDS). The public comments portion of this video recording is available [here](#).

B. Virtual Public Comment

- i. The Board heard virtual public comments from Daniele Gerard (Children's Rights) and Lauren Stephens Davidowitz (Legal Aid Society – Prisoners' Rights Project). See this portion of the video [here](#).