

## **Running Minutes and Agendas for Task Force (most recent meeting first)**

### **Meeting - December 7, 2022 12-2pm on Zoom**

#### **Introductions/Check-In**

##### **Attendees:**

Deborah Lolai (facilitating; she/her - Bronx Defenders)  
Mik Kinkead (taking minutes; he/him - Legal Aid Society)  
Heather Burgess (she/her - Board of Correction)  
Kandra Clark (she/her - Exodus Transitional Community)  
Michael Griffin (he/him - NYC COmmission on Human Rights)  
Natalie Fiorenzo (she/her - New York County Defenders Services)  
Ronald Porceli (they/them - UNITY Project)  
Lucas Marquez (he/they - Brooklyn Defenders Services)  
Rachel Golden (she/they/Rachel - Golden Psychology)  
Chelsea Chard (she/her - Department of Correction)  
Liz Munsky (she/her - Department of Correction)  
Nicole Levy (she/her - Correctional Health Services)  
Grace Detrevarah (she/her - Osborne Association)  
Sahar Moazami (they/them - City Council)  
Jennifer Lambert (she/her - Neighborhood Defender Services of Harlem)  
Shear Avory (they/them - New Pride Agenda)  
Kimberly McKenzie (she/her - Sylvia Rivera Law Project)  
Kim Barr (she/they - Queens Defenders)  
Saloni Sethi (they/she - Mayor's Office to End Gender Based Violence)

##### **New Agenda Items:**

- 1) New members of Task Force
  - a) Queens Defenders (QD): Kim Barr
  - b) Neighborhood Defender Service of Harlem (NDS): Jennifer Lambert
  - c) New York County Defender Service (NYCDS): Natalie Fiorenzo
  - d) Brooklyn Defender Services (BDS): Lucas Marquez
  - e) NYC Commission On Human Rights: Michael Griffin
  - f) Andrea (Andy) Bowen (*not able to attend*)
  - g) Dr. Rachel Golden
  
- 2) Heather: brief history of task force. Rooted in Local Law 145 which came from many avenues but of course the death of Layleen Polanco really spurred outside support. First meeting October 2019, then in-person meeting in February 2020. Then the pandemic happened and the Task Force suffered. In 2021, the Task Force began meeting more regularly. The Report was finalized in August 2022, the Department's response went out recently.

*Chelsea has to step off this call for another call.*

Shear: under De Blasio we were able to work in good faith with DOC, it was a challenge but we were engaged with, we were given policies and information, Liz Munskey had more open communication with us. Under Adams there has been a stark shift - DOC has nearly completely shut down and refused to answer any questions or provide information.

Mik: shared text of DOC refusal to provide information in chat

Shear: Although De Blasio admin was more willing to work with us, the expertise has not been seen as relevant to a lot of the agencies on the call/ BOC is the oversight agency for the Department of Correction. Members of the Task Force were not given logistical support, compensation, etc. When COVID hit it was only a handful of people who met - often without DOC and BOC presence - and continued this work. This space doesn't feel good, but there is hope. So if you work with people with lived experiences then we have to lift up those experiences because they aren't coming to us via DOC.

Deb: This is supposed to be a collaborative effort between DOC, advocates, and other agencies, and it has not been that way. It has not felt that way in some time. What about bringing in another voice who might be more open to collaborating with us? Someone else in the Department? Like a steady officer in the SCU? This would only work if the person who joins approaches the task force as collaborative.

### **Redaction of notes - sharing of confidential information**

Mik: Shared history of an incarcerated person in SCU being present previously, also some officers (maybe PREA?) have come in the past, if the Department finds that persuasive. And also notes that Liz has good news about programming returning to AMKC and RMSC. Also touring facilities would be great prior to our next report publication.

Liz: Tablets will be reintroduced, and RMSC may be first in line. Not clear of the timeline. But they should have telephone capability. Telephone calls on tablets will be recorded.

Saloni: What about Safe Horizon hotline? People in custody can reach out to them, would they be collaborative here in sharing numbers, issues, etc.

Liz: for data sharing we have talked about the need to break down more fully by gender identity, not just "M, F, X" and 311 calls etc coming to BOC

Mik: adds that for data having info on voluntariness would be a huge factor as well, we don't know if a situation needs advocacy unless we know voluntariness

Heather: all this increase in data would be great

### **Redaction of notes - sharing of confidential information**

Liz: questions about identifying a person to participate from the SCU, who is representational?

Deb: We need to increase representation of folks of color because that's the majority of folks who are incarcerated. My white trans clients often feel empowered to self advocate in a way that my Black trans clients don't feel.

*Ronald has to leave early*

Natalie: is this something we can speak to our clients about?

Heather: would it make sense for one of us who have access to clients to ask for volunteers?

Mik: very into this but has some concerns: retaliation, especially if officers do join the TF, confidentiality, feelings of coercion i.e. I need to do this for my case, to look good before the Judge, lack of compensation, and is we are seeking out incarcerated BIPOC trans folks to serve uncompensated that's a big power imbalance

Shear: what about an organization like F2L (yeyes in comments; Shear will take the lead on connecting to F2L and other mutual aid commissaries)

*Chelsea is back*

Natalie: What about if a currently incarcerated person is on for only a specific time period like 30 mins at the beginning.

Deb: Or we could set up a separate meeting with currently incarcerated people

Heather: we would need to remember to redact the parts of the notes co-ordinating with those parts.

General agreement that these are good options. Membership Subcommittee will carry on conversation.

Deb: did we land on a consensus about whether it is a good idea to have a steady officer or someone with similar experience on the task force? Assuming they were actually safe to share these experiences. Chelsea what is your perspective?

Chelsea: we would be pulling people from their posts which we can't do right now, (*there was something else and I missed it*)

Deb: we have in the past, they attended meetings at the Bulova Center etc.

Chelsea: Those were probably PREA officers and we are trying to divorce PREA from LGBTQ Affairs. What we were able to do pre-pandemic is different from the reality now for staffing.

Shear: could officers write in responses in the way we survey other people?

Grace: we have had a problem throughout this whole taskforce of DOC involvement, but this is unrealistic. Officers aren't going to tell us what they want to say, or if they do, they'll tell us to redact it.

Mik: Agree with Grace, but two reasons why we should think about this is 1) the policies can be written in a particular way but what actually happens on the ground - example there are supposed to be SCU forms in the courts and we all know that there aren't; 2) when uniform staff came to meetings in the past it sent a strong message that these issues mattered. Maybe the monthly meetings aren't the right place, but some place where we can have those engagements.

Chelsea: Liz and I are on the grounds, we work day to day with these people. In the comments, from Shear: I think DOC's response to our report underscores just how much DOC is dissociated and distanced from these issues. Mik, I would like the notes to reflect my rebuttal to that point, thanks!

Rachel: Why separate PREA and LGBTQ?

Chelsea: to try and separate people from thinking "trans people = rape" either as perpetrators or as survivors, so that trans and LGB+ people are seen more fully.

Liz: we know that sexual violence is the number one risk, but we want people to see trans folks as whole human beings and we don't want the TF call to get stuck on sexual violence as the determinant of housing.

Chelsea: PREA will always a part of housing decisions for every person of course

Deb: and to be blunt because there are issues of transphobia within NYC DOC PREA

Mik: which is why the Task Force makes the recommendation it does which is that there isn't a need to meet and determine placement, that placement is de facto gender identity unless the person says "no" to that. So there is no need to question what gendered housing does this person go to - we default to gender identity unless they say no.

3) City Council Hearing date?

Sahar: no confirmed date for the hearing yet. It might be helpful to think about engaging around prep though now.

Mik: updated on Powers and Caban bills - please join the committees if you want to help!

Sahar: maybe connect with Committee Council to be in better communication

4) Create a list of Task Force members who want to testify at the hearing

- Legal Aid/Mik
- NPA/Shear
- Exodus/Shear
- Dr. Golden?
- BDS
- Bronx Defenders/Deb
- NDS (possibly)
- Maybe CCHR

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## **Updates from DOC, CHS, and/or BOC**

### **Redaction of notes - sharing of confidential information**

Rachel: very excited, would love to talk more about this because having a quality surgeon makes a huge difference for this lifelong decision. Mt. Sinai is very backed up and so folks inside won't have access before they move, etc. Really excited to have the conversation. Helping to contract with people without waitlists is huge. There's no dedicated surgical location

within Elmhurst so hopefully having that dedicated place would be great. The City has to help create these spaces.

Mik: just jumping in to say that CHS has been very willing to meet, and we have the doctors willing to participate but then it gets to the admin/contracts issue which is a huge issue that we need to get to the bottom of. It's great that CHS is meeting with us in the spirit of the task force.

Liz: we've been working on this for quite a long time. One barrier we have is requirements for recovery - having a stable location; the other barrier is an outside contractor who wants additional officers etc.

Mik: yes, working on that education is essential and we hope to keep doing that with surgeons, and also with outside contractors like estheticians, as well as being transparent to those inside as to the barriers of insurance etc to better understand the waiting issues.

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### **Other updates:**

#### **Scheduling a tour**

Chelsea: my colleague Allie is the person who coordinates this, will need to flag it up to the Commissioner. If someone could email Chelsea so she can send it upward that would be good.

Deb: Those resource fairs, will they ever be organized again? They were great.

Grace: they should happen every year, they are essential.

Liz: Yes, they were meant to be yearly. I will need to check in with facilities about escorts etc.

Michael: Commission would be interested in joining if so.

Mik: any updates on re-staffing the LGBTQ+ Unit?

Liz: no, not because of lack of thought and care, but because we need to rethink the position to be more sustainable with the intensity of the work etc. Also the freeze in City hiring for the moment.

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### **New Follow up items:**

- 1) Can we schedule a tour of facilities for TF members?
- 2) Shear will take lead on connecting us with F2L
- 3) Nicole to bring answers to the following questions: (1) do you/CHS have data on the number of individuals who request these surgeries? (2) how are people in custody made aware that these services are available?
- 4) Deb to follow up with Chelsea about the possibility of a tour of the facilities
- 5) Liz to check in with folks at DOC about restarting the resource fairs starting up again
- 6) All members please check to see if your bio is correct, if not send to Mik or Heather to update:  
<https://www.nyc.gov/site/boc/jail-regulations/task-force-on-issues-faced-by-tgncbi.page>
- 7) Deb will give new members access to google doc to sign up for committees

**Next meeting & facilitator:** January 4th at 12:00pm (Mik facilitating)