

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

SEPTEMBER 11, 1972

A regular meeting of the Board of Correction was held on Monday, September 11, 1972, in the 14th floor conference room, 100 Centre Street, New York, New York.

Present at the meeting were Messrs. vanden Heuvel, Dribben, Becker, Kirby, DeMonte, and Carrion. Also present by invitation of the Board were John M. Brickman, Executive Director of the Board; Peter A. Lesser, Executive Secretary of the Board; Mary Pickman, Legal Advocate; Kenneth Nochimson, Legal Advocate; Bill Arnone, Law Intern; Joel Sperber and Heather Edelstein of the Literacy Project; Greg Harris, Director, Clergy Volunteer Program; and Debby Powers, Criminal Justice Coordinating Council. Present from the Department of Correction were Benjamin Malcolm, Commissioner; Jack Birnbaum, Deputy Commissioner; Richard Aneiro, Assistant Commissioner; George Camp, Assistant Commissioner; Arnett Gaston, Executive Assistant to the Commissioner; Joseph D'Elia, Director of Operations; and Ron Zweibel, Director of Legal Affairs. Also present were General George McGrath, 77th ARCOM; Col Shultz, 818th Hospital Center, and Frank Schneyer, Prison Health Services Director. Mr. vanden Heuvel acted as Chairman and Mr. Lesser and Mr. Brickman acted as Secretaries of the meeting.

The meeting was called to order at 3:10 p.m. Upon motion duly made and seconded, the minutes of the meeting of August 7, 1972, were approved. It was noted that the Board had requests for excuse from David Schulte and Rose Singer, both of whom were absent. Such absences were excused.

The Chairman introduced Dr. Joel Sperber who will be the director of the Literacy Program and Ms. Heather Edelstein who will be his assistant. Dr. Sperber gave a brief report of the activities in which he would be engaging and requested that the Board approve the appointment of Ms. Edelstein, his assistant. The Board concurred in her appointment. Dr. Sperber will return to the October meeting for an updated report.

The Chairman then announced that he had submitted a memorandum to Commissioner Malcolm concerning the suicide report. After the letter was read by the members of the Board, the Board approved a motion to send the letter to the Commissioner.

The Chairman then introduced Greg Harris, whom he proposed to be the new director of the Clergy Volunteer Program, effective October 1, 1972, when Miss Spector resigns. Mr. Harris gave a brief history of his work experience and a report on the activities of the CVP. Progress reports of CVP will be submitted monthly to the Board.

The Chairman then discussed the Legal Advocate Program's Study No. 1, which was to be released the following week. It would be the first of six reports to be released on a weekly basis. Following the issuance of all the reports, a decision would be made whether to hold public hearings with respect thereto. The first report dealt with the detention of citizens.

The next order of business was conducted by Vice-Chairman Dribben who proposed the use of the United States Reserve Medical units in the prisons. The use of the reserve troops in the prisons would be for the purpose of conducting physical examinations of all prisoners on weekends. This would be a regular training experience for the Army Reserve troops involved. Then Colonel Schultz acknowledged

that his units would have approximately 100 doctors, 100 dentists, and 100 professional nurses. Mr. Schneiger explained what HSA was presently doing in the institutions and welcomed any help that the Army Reserves might be able to afford.

At 4:30, Commissioner Malcolm and his staff arrived. During the discussion of the use of Army Reserve troops, Commissioner Malcolm stated that he welcomed a pilot program on Rikers Island and proposed Colonel Dribben to head a task force committee to implement the project. He proposed that this committee meet with the Army Reserve command to set up all details. An area of great concern to Colonel Schultz was that security for his men would have to be insured if the reserve units were to participate.

Commissioner Malcolm reported on the overcrowding in the prisons. He said that the detention population at this time was at an all time high of 8,356. He mentioned that the Department was in the process of trying to repair as many cells and beds as possible and that he needed welders to effect those repairs. Mr. DeMonte suggested that if he needed more welders, he should be getting in touch with the Department of Public Works or the Steelworkers Union. The discussion then moved to the suicide report and Chairman vanden Heuvel's reply. Deputy Commissioner Birnbaum stated that he was upset with the content of the Chairman's memo and timing. A discussion ensued on the question of the suicide report. A question was raised by Mr. Kirby as to the number of Spanish-speaking personnel taking the recent Correction Officers examination. The Commissioner proposed that Board member Carrion and Mr. Mero from the Department head up this task force to try to get more Spanish-speaking people to take the test.

At 5:45 p.m., Ms. Pickman and Mr. Arnone left the meeting.

The Chairman declared that he wished to be notified of any death or serious disturbance in the prisons and that he had made this desire known to the Department on several prior occasions. A general discussion ensued and it was agreed that the Commissioner or Director of Operations would be in touch personally with the Chairman in all cases of suicide, serious disturbance or other extraordinary event.

At 6 p.m., Mr. Lesser left the meeting and Mr. Brickman continued as Secretary.

The Commissioner declared that he had spent several recent meetings in discussions with representatives of the line officers, who described what they saw as a dangerous climate in the prisons which they attributed at least in part to activities of the Board. The Chairman responded that he was always happy and ready to meet with uniformed personnel, that he had done so on many occasions, but that few officers generally came to those meetings, and his offers of further meetings were generally ignored. He added that the COBA leadership made it difficult for him to meet with individual officers. The Commissioner declared that he would bring several officers to the next Board meeting.

The Chairman asked if the Department has a contingency plan in case of large-scale mass arrests in the City. Mr. D'Elia replied that there is a contingency plan, and that the plan shifts with changing circumstances. He said that the plan is developed in cooperation with City Hall, but only as an emergency becomes imminent.

At 6:20 p.m., Messrs. Dribben, Carrion, Birnbaum, and Zweibel left the meeting.

The Commissioner then described recent modifications to the plans for the C-95 construction at Rikers Island, intended as a "tie-on" unit to the C-76. He declared that as an interim step, approximately 275 beds will be devoted to mental health care. Housing arrangements, he added, will be a mixture of single cells and dormitory rooms of varying sizes, and approximately 1,000 square feet of program area will be available.

The Commissioner declared that he hopes that the 1973-74 capital budget will include a mental health facility with at least 500 beds, to be built atop the already planned one-story health center (planned to house various medical clinics). If the 500-bed unit is built, he said, the Department will be able to convert the 275-bed area to general housing. He added that the Department of Public Works has already approved the change orders.

Mr. Bucholz declared that the modifications are expected to save the City approximately \$30,000. The entire C-95 project, he said, will cost approximately \$21 million and take two years to complete.

Upon motion duly made and seconded, the meeting was adjourned at 6:40 p.m.