

NEW YORK CITY
BOARD OF CORRECTION

November 12, 1997

MEMBERS PRESENT

John R. Horan, Acting Chair
Canute C. Bernard, M.D.
Louis A. Cruz
Stanley Kreitman
David Lenefsky
David A. Schulte

Excused absences were noted for Members Peter J. Johnson, Jr.,
and Barbara Margolis.

DEPARTMENT OF CORRECTION

Michael Jacobson, Commissioner
Tom Antenen, Deputy Commissioner
Antonio Figueroa, Deputy Commissioner
Roger Parris, Assistant Commissioner
Ronald Galletta, Bureau Chief
Edward Reilly, Bureau Chief
Sheila Vaughan, Assistant Chief
Richard Filippazzo, Director, Investigations Division
Richard Palmer, Captain, Investigations Division

HEALTH AND HOSPITALS CORPORATION - CORRECTIONAL HEALTH SERVICES

Gregory Kaladjian, Executive Director
Arthur Lynch, Director of Mental Health

OTHERS IN ATTENDANCE

Erika Goodman, City Council
Tracie Lucas, SCOC

Acting Chair John R. Horan called the meeting to order at 1:03 p.m. The draft minutes from the October meeting were adopted without objection by the Members present.

Acting Chair Horan reported that Executive Director Richard Wolf had twice met with Commissioner Michael Jacobson to discuss incidents that Board staff believed had been reported incorrectly by the Department. The first occurred in the Adolescent Reception and Detention Center on October 5th, and appeared to be a slashing incident that never was reported to the Communication Control Center (CCC) for inclusion in the 24-Hour Reports. Commissioner Jacobson agreed. He said that after reviewing the information presented by Mr. Wolf, he directed that the incident be added to the DOC monthly statistics for October.

Mr. Wolf told the Members that the Department's success in reducing reported stabbing and slashing incidents had continued, and that reports had been reduced from an average of 34.6 per month in 1996 to 18 in September, 1997 and 11 in October. Mr. Wolf stated that a Montefiore doctor had described an obvious slashing as an "abrasion". He added that Board staff had been told that the doctor had been directed to write "abrasion" by unidentified DOC uniformed staff.

Board Member David Schulte opined that the doctor may have been trying to avoid "rocking the boat". Commissioner Jacobson responded that one creates more of a problem by improperly categorizing an incident. He said that he would prefer that

staff overestimated the seriousness of an incident, and then downgraded it if warranted.

Mr. Wolf then described a second incident, in which an inmate with long cuts on both arms told Board staff that, in what he described as a gang-related incident, he had been slashed in his cell by four inmates. ARDC staff had conducted an investigation and determined that the wounds were self-inflicted. Mr. Wolf said that the problem was not the cause of the injuries, but rather the fact that they were never reported on the CCC 24-Hour Report. Security Chief Ronald Galletta, after first asserting that all allegations must be called in to CCC, then stated that if the facility concluded that the allegation was false, it was not obliged to notify CCC. Mr. Wolf added that available information contradicted the facility's conclusion. Commissioner Jacobson urged Mr. Wolf to continue to bring such information to the Department.

Mr. Wolf asked about the status of the Department's investigation into the suicide of inmate Carol Sugrue at the Rose M. Singer Center. Member David Lenefsky expressed concern that the suicide could have occurred in a mental observation area, which has an additional correction officer and two inmate observation aides. Commissioner Jacobson said that the Department would be announcing disciplinary action within the next few days. Mr. Lenefsky asked the Department to consider developing a mental health center for women similar to C-71 for male inmates who have been identified as requiring a higher level

of mental health care than is available in a mental observation area. Mr. Lenefsky said he had observed that female inmates seem to have more mental health problems than in years past, and he reminded Commissioner Jacobson that he had previously raised this issue with the Commissioner. Art Lynch, Director of Mental Health Services for HHC's Correctional Health Services, said that to establish a mental health center for women would be expensive, as it would require 24-hour staffing coverage. He added that St. Barnabas is looking into establishing a mental health dormitory at RMSC. Mr. Lenefsky urged that services equivalent to those provided for male inmates at C-71 be made available for female inmates at RMSC without delay.

Mr. Lenefsky asked about protease inhibitor therapy.

Gregory Kaladjian, CHS's Executive Director, said that CHS had hired Louise Gore as its Director of Discharge Planning, and that two of the five discharge planners had been hired and were undergoing orientation. Mr. Lynch added that discharge planning should be fully operational by January 1st.

Board Member Canute C. Bernard, M.D., asked how many inmates were receiving protease inhibitor therapy. Mr. Lynch responded that he did not have the information with him, but that if an inmate says he/she was receiving protease inhibitor therapy in the community, the inmate receives it without delay. When an inmate identifies as HIV-positive, a viral load study is ordered, and the inmate receives the informational materials presented at the Board's November meeting. An inmate is given an "aftercare

letter" at this time. The letter is updated during the inmate's incarceration to reflect most recent medical information. Deputy Executive Director Cathy Potler asked if a letter explaining discharge planning procedures was currently being distributed to inmates, and if so, whether it was available in Spanish. Mr. Lynch responded that Dr. Compton told him that the letter was being distributed, and was available in both English and in Spanish. Ms. Potler said that Board staff had been told that the letter was not being distributed.

Ms. Potler stated that approximately 38% of all inmates are released from DOC custody directly from court, and asked what procedures are in place to insure that court-bound inmates receive appropriate quantities of medication. Mr. Lenefsky asked whether there were procedures to ensure that inmates received medication when they went to court. Mr. Lynch responded that he was not sure of the procedures, and would get back to the Board with more information.

Dr. Bernard asked about the status of the Department's plans to implement a no-smoking policy in the jails. Commissioner Jacobson said that he wanted to give St. Barnabas an opportunity to acclimate itself to the jails before the smoking ban is implemented. The Commissioner said that St. Barnabas would review the smoking ban implementation plan after the initial medical phase-in is completed.

Mr. Kaladjian announced that the contract with St. Barnabas should be concluded and signed within a couple of weeks, as soon

as some final legal matters, including indemnification, are resolved. Mr. Schulte asked that the Board be provided with a copy. Mr. Kaladjian added that St. Barnabas is continuing to interview and to hire Montefiore staff. He noted that, to facilitate a smooth transition, it is in St. Barnabas' interest to hire as many jail-experienced practitioners as possible. He added that St. Barnabas has an agreement with the NYS Nurses Association, but has not yet reached agreement with District Council 1199.

Mr. Schulte asked why in the RMSC suicide case (Sugrue), the inmate observation aides were watching television, and whether the officers had an obligation to make the inmates perform their duties. Commissioner Jacobson said that the officers are required to supervise the inmate observation aides.

Mr. Schulte asked whether the Department had revised its plans for the SEEDS program. Assistant Chief Sheila Vaughan said that ADW Joseph Patrissi is working on a revised plan to submit to the Board.

Mr. Schulte asked whether the Department had replenished its supply of eggs, and whether DOC had sufficient supplies of other foodstuffs. Assistant Chief Vaughan responded that DOC had decided to remove eggs from the inmate menu, although eggs will be available for staff and visitors. She added that there were no shortages of foodstuffs.

Mr. Wolf asked for information about teleconferencing. Commissioner Jacobson said that a pilot has begun to test for

routine court appearances, and that modifications to the audio system must be made. He said that video booths had been constructed in JATC and RMSC, and one will be constructed in AMKC. He added that the system allows for private discussions between an inmate and his/her attorney. The Commissioner said that the biggest expense will be to wire the court rooms, but that ultimately teleconferencing will save a significant amount of money. He added that he does not believe any other major urban system uses teleconferencing for court appearances.

Mr. Kaladjian said that teleconferencing will be instituted for mental health sessions between inmates at MDC and psychiatrists at Bellevue Hospital, and that eventually it could be used for medical examinations and the off-site review of an EKG.

Mr. Wolf asked about DOC's heating systems, and reminded the Department that the Board has received numerous complaints in preceding winters about insufficient heat in modular and Sprung housing areas. Deputy Commissioner Antonio Figueroa responded that DOC is better prepared this year. It has replaced 300 heat pumps in the modulars. The pumps were the primary source of past heating problems. He added that the pumps have a limited thermal range. Temperatures below 20 degrees and above 85-90 degrees create problems for the modulars, which have only limited amounts of insulation. Deputy Commissioner Figueroa said that the Department had entered into a new contract for generator repairs, and that all modular roofs had been resurfaced with spray

insulation-foam material. Finally, he noted that new procedures had been developed for facility staff, so that when a heating system breaks down, staff will turn off water and drain pipes to minimize damage.

A motion to renew all existing variances was passed unanimously. Acting Chair Horan adjourned the meeting at 2 p.m..

BOARD OF CORRECTION MEETING

DATE Nov. 12, 1997

SIGN-IN SHEET

	<u>NAME</u>	<u>ORGANIZATION</u>
1.	Tom Antenea	DOC
2.	Rich Palmer	DOC
3.	EDWARD Reilly	DOC
4.	RONALD GAZETTA	DOC
5.	Richard Filippazzo	DOC
6.	SHEILA VAUGHAN	DOC
7.	Art Lynch	AAC
8.	ANTONIO FIGUEROA	DOC
9.	Roger HARRIS	DOC
10.	Trace Lucas	SEOC
11.	ERIKA GOODMAN	Council
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