

**NEW YORK CITY
BOARD OF CORRECTION**

May 8, 2003

MEMBERS PRESENT

Stanley Kreitman, Chair
John R. Horan, Vice Chair
Richard M. Nahman, O.S.A.
Jane Paley Price
Michael J. Regan

Excused absences were noted for Members John H. Banks III, Louis A. Cruz, and Fredrick J. Patrick.

DEPARTMENT OF CORRECTION

Martin Horn, Commissioner
Tom Antenen, Deputy Commissioner for Public Information
Richard White, Deputy Commissioner for Investigations and Trials
Leroy Grant, Bureau Chief, Inspectional Services & Compliance Division (ISCD)
Judith LaPook, Special Counsel
Florence Hutner, General Counsel
Elizabeth Meyers, Director, ISCD

HEALTH & HOSPITALS CORPORATION - CORRECTIONAL HEALTH SERVICES

Michael Tannenbaum, Chief Operating Officer
Dr. Patrick Brown, Medical Director
George Axelrod, Chief Risk/Quality Officer
Arthur Lynch, Mental Health Director
Robert Berger, Director, Service Delivery Assessment Unit
Eric Zimiles, Chief Financial Officer

OTHERS IN ATTENDANCE

Amy Anderson, NYU
Osvaldo Cruz, Analyst, Office of Management and Budget (OMB)
Sara Goonan, Analyst, OMB
Michele Kalafer, City Council, Legislative Policy Analyst
Dr. Trevor Parks, Medical Director, Prison Health Services (PHS)
Becky Penney, Project Director, PHS
Russell Unger, City Council, Legislative Attorney
Dale Wilker, Prisoners' Rights Project

Chair Stanley Kreitman called the meeting to order at 1:05 p.m. A motion to adopt minutes from the Board's April 10, 2003 meeting passed without opposition.

Chair Kreitman asked DOC Commissioner Martin Horn to discuss the Department's budget, including press reports that DOC, facing layoffs of 300 officers, had been negotiating with the Correction Officers' Benevolent Association (COBA) to generate savings by changing the officers' work hours. Commissioner Horn said that the Executive Budget requires reductions of more than \$47 million, and therefore 315 officers and more than 100 civilians will be laid off. He said that no agreement had been reached with COBA to change work rules and achieve productivity savings to avert layoffs. Chair Kreitman asked how the lay offs will affect safety in the jails. Commissioner Horn said that the inmate census, 14,200, is down from February's count of 15,500. He said that this reduction will enable DOC to close the Brooklyn House of Detention (BkHDM) by July 1, 2003, which will eliminate the need for 153 officers. He added that the remaining 162 positions will be absorbed among sixteen different commands and among three shifts, resulting in a loss of two posts per command per tour. He said this will not compromise safety and security. Chair Kreitman said that closing BkHDM will increase the costs of transporting inmates to court. Commissioner Horn responded that the economies of scale resulting from housing more inmates in large Rikers Island jails will more than offset higher transportation costs. He said that the problem is that borough jails have small capacities and are inefficient. Further, he noted that buses already are needed to transport inmates from BkHDM to Brooklyn Supreme Court. Chair Kreitman asked about DOC's plans to close several jail kitchens. Commissioner Horn said that BBKC's kitchen will provide meals for all court pens and for BkHDM until it closes; the Rose M. Singer Center will serve the West Facility and the George R. Vierno Center; the Eric M. Taylor kitchen will provide meals for the Otis Bantum Center (OBCC) and the Vernon C. Bain barge; and the Anna M. Kross Center (AMKC) will serve the North Infirmary Command, the George Motchan Detention Center and the Adolescent Reception and Detention Center. He added that the AMKC kitchen has been renovated and has enormous capacity. The Commissioner said that DOC is purchasing additional trucks and hot carts. Chair Kreitman asked how consolidation would affect inmate intake, medical care and other services that the jails provide. Commissioner Horn said that intake of Brooklyn cases will occur at OBCC. BOC Executive Director Richard Wolf asked whether the number of medical providers at OBCC and other Rikers jails will be increased to accommodate the additional intake from BkHDM. Commissioner Horn said that Prison Health Services (PHS) would make that determination. Correctional Health Services' (CHS) Chief Operating Officer Michael Tannenbaum said that PHS will be submitting an operating plan to CHS to cover the additional workload. BOC Deputy Executive Director Cathy Potler noted that BkHDM medical providers are employees of the Health and Hospitals Corporation, and asked what will happen to them. Mr. Tannenbaum said that CHS is working with the unions, HHC and PHS to address Ms. Potler's question. He said that PHS will continue to operate all Rikers health care facilities. Board Member Michael Regan asked whether DOC will "mothball" closed facilities. Commissioner Horn said this would be the case. Mr. Regan noted that if the economy or inmate population changes, DOC would have the option to reopen a closed facility. Commissioner Horn noted that he told the Brooklyn Borough President that the BkHDM would not be made available for economic development. He noted that there is an ongoing renovation project at BkHDM, which will continue. He added that the closing of BkHDM will enable DOC to complete renovations sooner and less expensively. Ms. Potler asked how many additional health care staff PHS will require when BkHDM closes. Mr. Tannenbaum declined to give an assessment, noting that he preferred to wait until PHS presents its submission. He said that PHS' submission will be

on a "phase-in basis", and that it will contain two staffing patterns, one for intake and another for clinics. Ms. Potler requested that CHS provide to the Board the revised staffing patterns, as soon as they are established. Mr. Tannenbaum agreed to do so.

Chair Kreitman asked for a report on the transfer of correctional health functions from HHC to the Health Department, including a discussion of who will monitor the vendor's performance. Mr. Tannenbaum said that CHS Executive Director Ernesto Marrero has set up a series of meetings with personnel from the Health Department, but that no formal announcement of the transfer of function has been made. He added it appears that the same monitoring group will monitor the vendor, using the same performance indicators and perhaps some new ones.

Chair Kreitman asked for a report on the smoking ban. Commissioner Horn introduced Richard White, DOC's new Deputy Commissioner of the Investigations Division who also will have responsibility for the Trials Division. The Commissioner said that Mr. White spent a year as Deputy Commissioner at the Probation Department and before that served for twelve years as an assistant district attorney in Manhattan. Mr. White said that he will be meeting with Mr. Wolf and other BOC staff next week. Commissioner Horn said that Mr. Wolf had correctly noted there had been two still fires in the days preceding last month's BOC meeting. He said there were two still fires in April, as compared to twelve in March, fourteen in February, and ten in January. The Commissioner said that sixteen smoking-related infractions had been issued in April, and that DOC had conducted many searches. He said the ban was working well. Chair Kreitman said that he reviewed use of force statistics, and noted that incidents had not increased as a result of the smoking ban. Chair Kreitman said that the one facility that was not following the trend was AMKC, where reported uses of force apparently doubled from January through April. Commissioner Horn said he was aware of this, and DOC staff are looking at the facility. He said that Warden Oliver from BkHDM has been reassigned to AMKC. Commissioner Horn added that he could not explain the increase at AMKC, which has recently "quieted down".

Bureau Chief Leroy Grant requested that all existing variances be renewed. A motion was approved without opposition, and the meeting was adjourned at 1:15 p.m.