

MINUTES OF THE MEETING OF THE BOARD OF CORRECTION

October 22, 1974

A regular meeting of the Board of Correction was held on Tuesday, October 22, 1974 at the office of Mr. Tufo, 645 Madison Avenue, New York, New York.

Present from the Board were Mr. Lehman, Mr. Gottehrer, Mr. Jackson, Mr. Tufo, Father Rios, Mrs. Singer, and Rev. Wilson. Present by invitation of the Board were John M. Brickman, Executive Director; Marc Rosen, Assistant Executive Director; Greg Harris, Director, Clergy Volunteer Program; Eileen Shanahan, Co-Director, Investigation and Reporting Unit; and Stephen Fisher, Staff Assistant.

Present from the Mayor's Criminal Justice Coordinating Council (CJCC) were Judge Benjamin Altman, Chairman; and Terry Baldwin, Eric Lowen and Larry Siegel, members of the CJCC staff.

The meeting was called to order at 2:15 p.m.

Mr. Lehman served as Chairman and Ms. Shanahan and Mr. Fisher as secretaries of the meeting.

The Chairman welcomed Judge Altman and his associates to the meeting.

Judge Altman referred to the Law Enforcement Assistance Administration's renewed efforts toward creating innovative programs for law enforcement in an attempt to "get criminals off the street". He declared that he believed that too much money is going into the administration of police and the courts, and not enough going into agencies that will stem the tide of growing crime. He said most diversion programs offer nothing of value, and believes the focus should be on saving youthful offenders. He expressed the realization that some Board members believe change within the prison system is essential, but declared that he felt a great many more were needed.

Mr. Tufo questioned Judge Altman's statement regarding the Board's function within the prisons. Judge Altman explained that he was not sure that what happens within the prison is mandated in the Board's charter. He declared that he believed that the Board should be more program-oriented than condition-oriented, and wondered if the Board should focus on creating learning situations, and on setting up other interests for prisoners which might remain paramount

upon their return to society. On the other hand, he said, he believes that the Board should have a total picture and expressed disagreement with Judge Ross' interpretation of the Board's role as expressed at the June CJCC meeting on funding. Judge Altman said he was sure the annoyance expressed at that meeting grew from the Board's utilization of media in the past.

Mrs. Singer asked Judge Altman for his view of the purpose of the Board. The Judge replied that the Board's purpose was to come up with constructive criticism (e.g., as in the past study of the Department's Investigations Unit) and to make recommendations for the "correction" of inmates.

Mr. Jackson asked Judge Altman to clarify how the Board could recommend changes within the prison system without getting involved in the internal working of prisons. Judge Altman replied that the Board should make overall policy recommendations.

Mrs. Singer asked Judge Altman what, in his opinion, should be the relationship between the Board and the Department. The Judge answered that the Board should make recommendations to the public for suitable legislation, and should not necessarily make recommendations to the Department.

Mrs. Singer asked if the Judge thought the Board should have good public relations and press coverage. Judge Altman responded strongly in the affirmative but stated that the Board might not always be popular since it was not created to be a "patsy."

A discussion ensued on procedure. All agreed that when the normal course of action failed, the Board must take matters further, i.e., to the press. The telephone problem on Rikers Island was cited as an example.

Mrs. Singer asked Judge Altman in what direction he thought the Board should go now. The Judge responded that the Board should protect the rights of defendants, and educate and help them.

Mr. Jackson suggested that since the Department is locked into its own role, the Board might do better lobbying and performing related activities. Judge Altman said he was not sure the public was ready for such activity. He cautioned that before pressing for a lobby, the Board should be aware of what changes the Commissioner has it

within his power to make, and when those changes would be feasible. He reminded the Board that at present, custody is the Department's chief role.

The Chairman expressed discontent that the Board found it necessary to spend so much time doing patchwork, e.g., supervising poorly executed prison libraries. Mr. Lowen said there are ten prison libraries at present, two possibly closing (Branch Queens, the Tombs), and a new one opening at Rikers Island Hospital.

At 3:00 p.m. Mr. Siegel left the meeting.

Mr. Brickman asked Judge Altman for his opinion of the forthcoming release of the Court Recordkeeping report. The Judge regretted that he had not yet had an opportunity to read it. He expressed his special interest in the report, in terms of Family and Federal Court recordkeeping.

A discussion ensued about circulating the reports widely. Mr. Brickman explained that the Investigation and Reporting Unit had prepared the report prior to its refunding monitoring activities. Ms. Baldwin declared that the Board of CJCC has no right to control the release of the recordkeeping report. The only effect might be opposition if the Unit applied for third year funding, using the report as a major exhibit. Judge Altman promised to consider the report carefully. Mr. Brickman declared that he would call the Judge for his reaction.

Mr. Lowen expressed his view of the function of the Board in relation to the closing of the Branch Queens House of Detention. From his observations, he was impressed that the staff at Branch Queens seemed to be "street-smart" and compassionate." He declared that he felt strongly that the Board should help to keep such a place open, in view of its relative success. He also stated that the Board should isolate certain prison problems related to city government structure, such as machinery arriving a year late and delaying the workings of a funded group, personnel salary lines backing up and causing delays in hiring new staff people, and endless examples of mismanagement within the Department. He cited the example of the poor planning of the Tombs' new recreation area, which cannot be used because of a leaking roof.

Mr. Brickman stated that he had rescinded a staff report concerning the status of CJCC funded Department of Correction programs, and he was convinced that the Department misspends, wastes, and misplans the use of large

amounts of Federal money. He expressed special concern for the work release programs, and referred to discrepancies in statistics given to the Board. He said that Commissioner Ford had stated that eleven out of forty beds were in use at Sloane House two months ago, fourteen were in use in October 18, and twenty-eight were in use on October 22nd. Mr. Brickman declared that this was obviously a waste of available facilities.

At 3:25 p.m. Judge Altman and his staff left the meeting.

A discussion followed regarding the Department's disregard for the role of the Board in the decision to close Branch Queens. All Board members agreed that Department information, e.g., prison closings, should be communicated officially and promptly to the Board, and that the Board should be consulted before such decisions were made. The question arose whether the Board should take a public stand against closing community institutions, smaller institutions, or renovated institutions, because such institutions have a value in themselves, and because their closing leads to overcrowding in other facilities.

At 3:40 p.m., Mr. Fisher began acting as secretary of the meeting.

Mr. Brickman noted that the Tombs should have been closed several months ago, until renovations were effected that would have made the building constitutionally sound.

Mr. Rosen urged the Board to speak out on this issue by supporting publicly the continued operation of Branch Queens or a viable alternative. Moreover, he declared that the Board should have been involved in the decision-making which resulted in the closing of both institutions. The Chairman agreed. Mr. Brickman added that the Board has the independent credibility, as Judge Altman stated, to make public criticisms on any decisions which were not in the interest of the Department of Correction and the City of New York.

Mr. Tufo declared that he believed that there was a deliberate effort to close the Board out of any discussions, and that the Board was left only with the recourse to investigate and go public. He added that the decision to close Branch Queens suggested no commitment to handle mentally disturbed inmates. There is a constituency for mental health care in the prisons, he said.

The Chairman stated that he will make an appointment with Deputy Mayor Judah Gribetz and inform him of the

Board's displeasure at not being involved in the discussions concerning Branch Queens. Father Rios suggested that the Chairman and Mr. Brickman investigate the whole matter regarding Branch Queens and then make a public statement.

The Chairman then announced that the annual report would be ready shortly. He asked that the Board approve the report and upon motion duly made and seconded, the report was approved with the necessary changes.

The Chairman asked Mr. Harris to discuss the Clergy Volunteer Program. Mr. Harris reminded the Board that it had been almost two years since the anniversary of the chaplaincy report and noted that the Clergy Volunteers have been called upon increasingly to perform duties that an institutional chaplain should handle. Mr. Harris then asked Father Rios to describe the genesis of the Chaplaincy Task Force and the idea of a Clergy Volunteer Program.

Father Rios stated that Clergy Volunteer Program was initiated shortly after the riots of 1970, with the idea of opening up the prisons to the community with the most acceptable and least controversial people, clergymen. A year later, he said, as a result of the CVP, the Board's Chaplaincy Task Force was created. In April 1972 the Task Force held public hearings, he added, and released its report in October 1972. The report, Father Rios noted, was welcomed by Mayor Lindsay and other city officials. However, two years since the report, he said, none of the recommendations have been implemented, no full-time chaplain has been appointed based upon the guidelines, and two part-time chaplains have been appointed under the old guidelines which the report criticizes. Presently, there are two full-time positions and two dozen part-time positions which are vacant, he said. He declared finally that the clergy volunteers are doing a thankless job.

The Chairman stated that he believed the support of the major religious bodies should be enlisted. Father Rios responded that such support already exists, although it is not a priority. Mr. Brickman suggested that the Chairman seek an appointment with Cardinal Cooke, the head of the Board of Rabbis, and leading Protstant clergy, in order to seek their support of the Task Force recommendations.

Father Rios declared that the Clergy Volunteer Program has a great deal of cohesiveness and effectiveness, noting that it was really the only link with the outside world. If the Department does not establish a chaplain in each institution, he said, the Clergy Volunteer Program will be strangled.

Mr. Harris noted that clergy volunteers have been operating as part-time chaplains since institutional chaplains sometimes cannot be located. He added that the Program was supposed to be responsible for matters concerning social services, but that the Department has increasingly called upon the volunteers in a religious capacity, i.e., to conduct services. In addition, Mr. Harris informed the Board of reoccurring problems the volunteers have encountered in the past few months.

The Chairman then asked Mr. Rosen to report on the status of the Prison Health project. A brief discussion ensued as to its direction. The Chairman stated that the main question is what health program do the prisons have now and how much do they spend.

Mr. Brickman announced that David Rivera, a New York City Urban Fellow, had been assigned to the staff. Mr. Rivera will be working on a follow-up to the Hispanic report, the commissary study, and inmate complaints, and will assist in bilingual interviewing. Mr. Brickman also informed the Board of a number of ongoing projects, and agreed to supply the Board regularly with a status report.

Mr. Brickman then raised the matter of Board member attendance at Inmate Liaison Committee meetings and prison visits. He declared that several Board members had not been at a prison since the Tombs hearings or have never attended an inmate council meeting. He noted that some of the members to whom discussion was directed to were not present. Further, Mr. Brickman commented that it is difficult for the Board to be a credible body in the eyes of the public and the press when it does not visit the institutions on a regular basis.

Mr. Tufo responded that not all Board members have the time and commitment to visit the prisons and that each member fulfills his or her function in a different manner. Mr. Brickman agreed, but noted that each member of the Board has sworn to fulfill the duties of the position, one of which is to visit the prisons.

Mrs. Singer suggested that the Board meet at a different institution each month. Mr. Brickman responded that he meant for a Board member to go unannounced to an institution and not be taken on a pre-arranged tour.

At 4:55 p.m. upon motion duly made and seconded the meeting was adjourned.