

MINUTES

JANUARY 23, 1979 MEETING

BOARD OF CORRECTION

A regular meeting of the Board of Correction was held on Tuesday, January 23, 1979, in the 14th floor conference room (room 1410), 100 Centre Street, New York, New York.

Present from the Board were Peter Tufo, Chairman; John Horan, Vice-Chairman; Wilbert Kirby, David Lenefsky, David Schulte, and Rose Singer, Members.

Board staff present by invitation of the Board were Michael Austin, Executive Director; Michael D. Cleary, Deputy Executive Director; Joseph V. Smith, Director Field Operations, Erica Dickert, Principal Administrative Associate; and David Gilman.

Present from the Department of Correction were William Ciuros, Jr., Commissioner; Cynthia Wainwright, Deputy Commissioner for Management and Administrative Services; John F. McNiff, Deputy Commissioner for Program Services; Gerard L. Brown, Chief of Operations; Marc Rosen, General Counsel; Anthony K. Umina, Special Deputy Commissioner; C. C. Hommel, Assistant Commissioner for Support Services; Don Lemire, Director, Conditions of Confinement Unit; Ed Lepkowski, Staff Analyst, Office of the General Counsel.

Also present were:

Ken Schoen, Director, and David Bogard, New York City Correction Planning Project.

Paul Silver and Charles Silverman, Gruzen & Partners, Architectural Associates.

Carol Gerstl and Clay Hiles, staff attorneys; Legal Aid Society, Prisoners Rights Project.

Peter Tufo served as Chairman of the meeting and Erica Dickert served as Secretary.

The Chairman called the meeting to order at 2:50 P.M.

Upon motion duly made by Wilbert Kirby and seconded by Rose Singer, the minutes of the December 19, 1978 meeting were adopted with the following amendment: Mrs. Singer reported on visits she and Mr. Schulte made to various Rikers Island institutions.

The Chairman opened the meeting with a review of the three-day assessment of the mental health service delivery system in City correctional facilities conducted by Dr. Jerome Miller and his staff from January 18 through 20, 1979. Dr. Miller will submit a preliminary report of his findings in mid-February. The Chairman noted that in response to recent suicides the Department of Correction had asked the Board to participate in a Departmental mental health and suicide prevention task force. Joseph Smith has been selected to represent the Board.

The Chairman reviewed the January 8, 1979 suicide of Joseph Giammanco, an inmate housed in the administrative segregation area of the New York City House of Detention for Men, on 3 Block.

Michael Austin reported on the progress of the Department's grievance procedure grant application. On January 18, 1979, the Mayor's Criminal Justice Coordinating Council met and approved the grant. However, the State Crime Control Planning Board must also approve the grant before it can become operational. The New York State Division of Criminal Justice Services' staff has indicated that endorsement by the State Commission of Correction is required in order for this grant to be placed on the agenda of the February 22, 1979 State Crime Control Planning Board meeting. Further discussion followed.

Clay Hiles of the Legal Aid Society presented the Society's position on the Department's requested amendment to Section 6.3 of the Minimum Standards (optional lock-in). He indicated that the Society was generally opposed to any deviation from the existing standard which would in any way abridge the right of an inmate to optional lock-in.

Mrs. Singer reported on a visit she and Mr. Schulte made to HDM. Mr. Schulte cited the disrepair of the kitchen area, particularly missing floor tiles. Deputy Commissioner Cynthia Wainwright noted that the Office of Management and Budget had just approved funds for repairs in this area and Assistant Commissioner C. C. Hommel indicated that he would investigate and report in writing on the status of the kitchen area.

Marc Rosen reported on the Department's efforts to come into compliance with the Board's Minimum Standards.

The Chairman requested that the Department provide the Board with detailed justification for their variance requests by February 10, 1979, and that they further provide an additional monthly Minimum Standards report on February 10, 1979. The Department agreed to provide both documents by that date. However, Marc Rosen did request that an expanded schedule be considered by the Board for subsequent Departmental Minimum Standards compliance reports.



Michael Austin requested that pursuant to a previous agreement, the Board be provided with any Departmental orders relating to the Minimum Standards before they are issued, or, at the very least, at the time they are issued to the institutions. Marc Rosen responded that the Procedures Manual had been made available to the Board and that he would see to it that the Board received Minimum Standards-related orders at the time of release to the institutions. In addition he offered to show drafts of such orders to Board staff in his office prior to their release.

The Department stated that by April 1, 1979, all Policy and Procedures will be issued, and by June 30, 1979, post studies will have been completed.

The Chairman introduced Ken Schoen, Director of the New York City Correction Planning Project. Ken Schoen and Paul Silver of Gruzen & Partners presented plans for the renovation of the Manhattan House of Detention for Men (Tombs). Ken Schoen indicated that because so many important issues still had to be discussed, the approval schedule would have to be modified. Discussion followed.

Arrangements were made for the Board and Board staff to examine the scale model of a proposed Tombs housing area at the offices of Gruzen & Partners, 1700 Broadway, on January 25, 1979.

The Board resumed discussion of the Department's optional lock-in variance request. Michael Austin presented the staff's position on the Department's optional lock-in request. A temporary variance was granted to April 1, 1979, consistent with staff's submission to the Board.

The next Board meeting was tentatively scheduled for February 15, 1979.

The meeting was adjourned at 5:55 P.M.