



**BOARD OF CORRECTION  
CITY OF NEW YORK**

OPEN MEETING  
September 9, 2014

**MEMBERS PRESENT**

Gordon Campbell, Esq., Chair  
Alexander Rovt, PhD. Vice Chair  
Greg Berman  
Robert L. Cohen, M.D.  
Honorable Bryanne Hamill  
Michael Regan

**DEPARTMENT OF CORRECTION**

Joseph Ponte, Commissioner  
William Clemons, Chief of Department  
Erik Berliner, Deputy Commissioner  
Heidi Grossman, Deputy Commissioner and General Counsel  
Errol Toulon Jr., Deputy Commissioner of Operations  
Winette Saunders, Assistant Commissioner, Community Affairs & Program  
Development  
Shirvahna Gobin, Executive Director for Intergovernmental Affairs  
Carleen McLaughlin, Director of Legislative Affairs and Special Projects  
Sean Cussen, Deputy Director of Investigations  
Robin Campbell, Public Information Specialist  
America Canas, Senior Policy Advisor  
Sean Jones, Deputy Chief of Staff  
James Perrino, Warden  
Kenneth Stukes, Warden  
Lennox Hackett, Captain  
Ana Billingsely, Urban Fellow

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

Dr. Sonia Angell, Deputy Commissioner, Division of Prevention and Primary Care  
Homer Venters, M.D., Assistant Commissioner, Correctional Health Services  
Elizabeth Ford, Executive Director  
George Axelrod, Chief Risk Officer  
Sarah Glowa-Kollisch, Director of Policy and Evaluation  
Nathaniel Dickey, Special Assistant

**MAYOR'S OFFICE OF CRIMINAL JUSTICE**

Elizabeth Glazer, Director of Mayor's Office of Criminal Justice

**OTHERS IN ATTENDANCE**

Anna Andel, Mailman School of Public Health  
Joseph Antonelli, Office of Management and Budget (OMB)  
Katrina Blackman, Board of Correction (BOC)  
Amanda Bulas, Jails Action Coalition (JAC)  
Eliza Carbone, NYS Nurses Association  
Dahianna Castillo, OMB  
Michael Corriero, Judge  
Albert Craig, Correction Officers Benevolent Association (COBA)  
Megan Crowe, JAC  
Emily Daughtry, Department of Justice/USAO  
Laurie Davidson, Doctors Council SEIU  
Riley Evans, Brooklyn Defenders Services/JAC  
Verna Ezeji, BOC  
Petra Figueroa, NY Center for Juvenile Justice  
Fred Fusco, COBA  
Chrissy Fiorentini, NYC Independent Budget Office (IBO)  
Christina Gdisis, JAC  
Allegra Glashausse, City Bar Association  
Susan Goodwillie, JAC  
Rahzeem Gray, BOC  
Richard Heflign, Public  
William Hongach, City Council  
Terry Hubbard, JAC  
Dashone Hughey, OMB, Senior Analyst  
Karen Imas, Doctors Council  
Deandra Kahn, NY Civil Liberties Union (NYCLU)  
Martha Kashickey, Stoll, Glickman & Bellina  
Martha King, Senior Policy Analyst  
Elena Landriscina, Disability Rights NY  
Neil Leibowitz, M.D., Director, Mental Health, Corizon  
Jennifer Levy, Public Advocate, General Counsel  
Jeff Mailman, City Council  
Elizabeth Mayers, JAC  
Five Mualimmak, JAC

Christine Pahigian, Friends of Island Academy  
Jennifer Parish, Urban Justice Center/JAC  
Daniel Pearlstein, City Council  
Julie Pennington, no affiliation listed  
Beth Powers, Children's Defense Fund  
Jeffrey Prey, UA Attorney's Office (USAO)  
T. Raymond, NYSNA  
Dakem Roberts, JAC  
Alisa Roth, Open Society Foundations  
Michael Schwartz, New York Times  
Yuval Sheer, NY Center for Juvenile Justice  
Jane Stanicki, JAC  
Marc Steier, COBA  
Marcia Tillery, Corizon  
Gale Weiner, JAC  
Marylynne Werlwas, LAS  
Michael Winerip, NY Times  
Milton Zelermyer, Esq., Legal Aid Society, Prisoners' Rights Project  
Jenny Zon, NY World

The meeting commenced at 9:00 a.m. A complete video record of the meeting is available on the Board of Correction (BOC) website at [www.nyc.gov/boc](http://www.nyc.gov/boc).

The Board Chair, Gordon Campbell, gave a brief report on two matters:

- On August 21, 2014, an emergency variance was granted by the Board to the Department of Correction (DOC) for a lockdown of all inmates at the George M. Davoren Center (GMDC) after a series of violent incidents.
- The City Council has recently enacted a new law which requires the Department of Health and Mental Hygiene (DOHMH) and Department of Correction (DOC) to make public quarterly reports on the DOC website regarding the number of inmates in punitive segregation, restricted housing, and clinical alternative to punitive segregation housing, and other statistics concerning the city jails.

Amanda Masters, Deputy Executive Director, gave the following report:

- Board staff continues to work on rule-making, and have begun drafting new rules after holding numerous meetings with stakeholders and experts, which were very helpful. We expect to have an internal draft for purposes of deliberation by the end of the month.
- The Board issued a report concerning access to recreation at the Central Punitive Segregation Unit (CPSU) at the Otis Bantum Correctional Center (OBCC) which found that 90% of inmates are not accessing the one hour of outdoor recreation they are entitled to. This has been a longstanding issue, and the report made recommendations to DOC to improve access to recreation.

Warden Stukes of OBCC gave the following report: A review was conducted to see if the recreation practices were compliant with the Operational Manual for CPSU, and some deficiencies were found. He asserted that 26% of the population now participates in recreation at CPSU; the practices have been changed so that recreation is afforded after sunlight as well as during sunlight hours; and further increases in participation are expected.

A motion for a resolution to approve the minutes for the July 8, 2014 board meeting was unanimously approved.

Elizabeth Glazer, the Director of the Mayor's Office of Criminal Justice, gave the following report: The Task Force on Behavioral Health and the Criminal Justice System has been created by Mayor DeBlasio to examine interactions with the criminal justice systems from "beginning to end," and, among other things, develop strategies for the city's jails to improve the provision of mental health services for mentally ill inmates already in the criminal justice system who place particular strain on the system. The task force plans to present its action plan to the Mayor in September, and so Director Glazer explained that she would not be able to provide in depth detail at this meeting. She explained that almost 500 people have participated in the Task Force, and a report outlining solutions will be delivered to the Mayor, after which she hopes to move directly into an implementation mode.

The Chair then reported on the recent Department of Justice (DOJ) letter finding systemic civil rights violations against juveniles in New York City jails. The report covers the period immediately prior to this Administration. The DOJ interviewed numerous people during its investigation, including Board of Correction staff. On August 7, 2014, BOC sent a letter to the Mayor endorsing the findings and solutions in the report.

Director Glazer then responded that this report was delivered in the context of potential litigation, which limits the level of detail that she can report, and the City is taking the issues very seriously. Commissioner Ponte stated that this is an investigation, but not yet litigation. He reported that the Department is already improving conditions for juveniles, and intends to cooperate fully with the DOJ and go even beyond their concerns to find and adopt best practices. McKinsey has been retained as a consultant to do a holistic review of the system, and find causes of the problems.

Honorable Bryanne Hamill opened a discussion of moving the youth of off Rikers Island and into a juvenile justice type of facility, and asked for a report from the Commissioner. Commissioner Ponte explained that lack of appropriate space is a hurdle – both lack of physical plants in the boroughs, and architecture that does not allow direct supervision. He is however able to reduce inmate to officer ratios to 15:1, and would like to increase programming. The new building on Rikers that was planned to be an intake center will be re-purposed and it is not yet determined what it will be used for.

Board Member Cohen asked what DOC will do about the culture of violence referred to in the DOJ report. Commissioner Ponte reported that model programs will be developed

at RNDC which could be replicated system-wide, and that he has asked the Legal Aid Society to sit in on meetings to decide where camera installation should be a priority. He pointed to the 21:00 lock-in as an improvement. He stated that no holistic plan has been developed yet.

Honorable Bryanne Hamill asked whether McKinsey will review the due process procedures for infraction hearings, which she has observed to be “flawed” and the DOJ report mandates be reviewed by an independent consultant. Commissioner Ponte stated that this specific issue may or may not be part of their review, which will be more general.

Honorable Bryanne Hamill proposed a resolution, as the Chair of the Adolescent Committee, as follows: The Board of Correction endorses the findings of the United States Department of Justice investigation and report of August 4, 2014, finding a pattern and practice of conduct violating the constitutional rights of adolescents incarcerated in the New York City jails, and the Board of Correction urges the Department and the City of New York to seriously weigh and consider the Department of Justice recommendations and to implement remedial measures and best practices identified therein. The motion was passed unanimously.

The Chair then reported that the New York State Commission on Correction had issued a violation to the Department due to the fact that a significant number of inmates who had been adjudicated guilty of infractions have yet to serve punitive segregation time. The Department has asked for and received an extension of time to remedy this problem till the end of September. He asked the Commissioner to report on his plans. Commissioner Ponte reported that:

- Punitive segregation beds were reduced from a thousand beds to 700 or so, and that there is a backlog. It is Correction’s view that it is important to develop other sanctions, including informal sanctions, beyond just punitive segregation.
- 300 people on the backlog owe “historical” time. DOC will eliminate historical time.
- A slight majority of the rest of the inmates on the backlog have committed serious grade one infractions.
- DOC will develop a plan which will be a holistic “package.” This plan may include lock-ins that are less than 23 hours.
- DOC will also reduce maximum sentences to 30 days from 90 days.
- The chronically mentally ill should not go to segregation, and new mental health units should be ready in November.

The Board Members expressed that the Department has come a long way toward reform of punitive segregation.

Winette Saunders, Assistant Commissioner, Community Affairs & Program Development, then gave a presentation concerning adolescents. Assistant Commissioner Saunders’ PowerPoint slides are attached to the minutes in their entirety as Appendix One. The report explained: On April 7, 2014, Commissioner Ponte came to work at the

Department, and on April 14, 2014 he met with Assistant Commissioner Saunders and Warden James Perrino, who is the warden at the Robert N. Davoren Center (RNDC). A working group -- which drew from a variety of areas within DOC and also partners -- was created immediately to address the adolescent problems. Literature reviews, meetings with experts, and nation-wide site visits were conducted. Goals such as creating age-appropriate programs and a culture shift were identified. Five priority areas are: staff recruitment and training, custody management (15:1 staffing ratio), educational services, program and reentry services, and family engagement. Additionally alternatives to punitive segregation are important. When asked by Board Member Cohen whether there will be increased staffing for the 18 to 21 year old cohort, Commissioner Ponte said that there is not currently sufficient budget to accomplish that. Commissioner Ponte acknowledged this would be a positive development for the Department. When asked by Honorable Bryanne Hamill why DOC has not yet ended punitive segregation for adolescents, Commissioner Ponte explained that first something needs to be in place, ready to replace punitive segregation.

Warden Perrino then gave a report which explained that DOC is aggressively trying to move the less violent adolescents out of punitive segregation, and has in fact placed 14 adolescents in “second chance” housing, which is a step toward being back in general population. Honorable Bryanne Hamill asked about access to recreation and programming, and emphasized that OBCC segregation cells are brighter and lighter than those at RNDC. Perrino agreed, and noted that much painting has been done to lighten the space. Commissioner Ponte followed up on this report by emphasizing that a core problem is that DOC operates entirely with adult policies, and needs to new policies specifically for adolescents. Honorable Bryanne Hamill suggested that hiring an adolescent psychiatrist would enhance quality of care and interactions generally. Assistant Commissioner Homer Venters from the Department of Health and Mental Hygiene (DOHMH) agreed that this is an important goal.

Assistant Commissioner Venters then gave a report in which he introduced Dr. Elizabeth Ford, a psychiatrist who previously ran the Bellevue jail ward and has now come to work on Rikers Island to make dramatic improvements to the quality of care. He noted that most interactions with a psychiatrist at Rikers are for medicine prescriptions, and the adolescents generally don't need medicine as much as they need therapy, particularly talk therapy. So, it may be clinical social workers and psychologists who should have the specialized training for adolescents, but these specialists should certainly be working with the young people.

Chair Campbell then discussed the conditions and expectations that accompany the pending variance request by DOC to create housing areas for 18 to 21 year olds. This includes having a sizeable portion of officers trained to interact well with adolescents. The Commissioner agreed and stated that DOC is committed to the training element, but also this “is a moving train” and the reality is that DOC is already interacting with young people without the specialized training. Deputy Commissioner Erik Berliner added that the single largest change will be the culture change – in getting officers to see that this is a population that must be treated a bit differently. That culture change is underway and

happening even before the training. Board Member Cohen pointed out that training and staffing are important, that it is not inherently obvious that 18 year olds should be mixed in with the other young people, and he made the analogy to a freshman-only dorm at college.

Chair Campbell made a motion to grant the variance with the understanding that subsequent discussions between DOC and BOC staff would set the terms of the variance which would include timelines on staff training, young adult programs, and installation of cameras. [At minute 1:02:56] The motion was approved unanimously.

Chief of the Department William Clemmons reported the following: The 9 p.m. lock-in time has been gradually rolled out at the facilities. There was one “glitch” at GRVC involving a large number of inmates refusing to lock in, and a related use of force, which was reported. A disciplinary process was initiated in response to that use of force. There were also issues at Rose M. Singer Center (RMSC) around access to telephones, which were promptly resolved. Since then, there have been no problems with the earlier night-time lock in. It is unclear, and too early to tell, whether there has been any reduction in use of force or violence as a result of the earlier lock in. Chief Clemmons was then asked by Board Member Cohen why the young people were moved to GMDC despite a lack of cameras, and he responded that it is a resource issue.

Assistant Commissioner Homer Venters then presented on the success of the Clinical Alternatives to Punitive Segregation (CAPS) units. He explained that the units are for seriously mentally ill people who would previously have been housed in punitive segregation housing areas after infractions. CAPS is a therapeutic and clinical environment with steady staff. DOHMH is taking these lessons and expanding them into four newly enhanced mental observation units (MOU).

One of the challenges in rolling out the enhanced MOUs is that patients must be moved out while work is done on the physical plant issues. These changes are important for the patients and also for the safety of the staff. DOHMH will be filling the units with much higher levels of staffing – and more types of staff – working on the units.

The Chair then asked the Commissioner to report on 12 Main, a highly problematic unit in GRVC for the infraacted seriously mentally ill inmates. Deputy Commissioner Berliner stated that DOC is working on finding a solution to move the inmates. Assistant Commissioner Venters said that generally the system must find appropriate physical space for violent inmates, and that inappropriate environments create more violence.

Deputy Commissioner Berliner presented on the nursery, and explained that efforts have been made to improve policies to encourage women to use the nursery. DOC has been working with the Administration for Children’s Services (ACS) to clarify the ACS role in the nursery admission process.

Commissioner Ponte explained that he would be coming to the Board with a request for variances in order to explore new ways to manage difficult populations. Shirvahna

Gobin, Executive Director for Intergovernmental Affairs, explained that soon all valuable property intake would be centralized. She also stated that DOC has ordered institutional uniforms for all inmates and expects them to arrive in October.

Chair Campbell reported that on October 7, 2014 the Occupational Health and Safety Administration (OSHA) found that Corizon employees were not sufficiently protected from the dangerous environment in the jails. Assistant Commissioner Venters reported that all stakeholders have been convened, and physical plants have been upgraded, and regular meetings between DOC and health staff will be held. He stated that this is an ongoing crisis for the health staff, and DOHMH is working on scenario-based training for all health staff so they know how to react to difficult situations. DOHMH is also committed to higher ratios of staffing for housing areas with mentally ill patients.

The public comment period may be viewed in full here: [www.nyc.gov/boc](http://www.nyc.gov/boc), and written public comments provided to the Board staff are appended to these minutes.

A motion to adjourn the meeting was unanimously approved. The public board meeting concluded at 10:50 a.m.

Appendix:

1. DOC PowerPoint presentation
2. Public comments



Good morning members of the Board,

My name is Council Member Elizabeth Crowley, and I am the Chair of the Committee on Fire and Criminal Justice, where I have oversight over the NYC Department of Probation and Department of Correction and its facilities including Rikers Island.

When I first became Chair of the Criminal Justice committee back in 2010, I sounded the alarm on the out of control violence at Rikers Island and I continued to press the Bloomberg administration for years to take action.

I now come before the Board with my concerns.

Rikers is suffering from chronic issues of deteriorating infrastructure, severe understaffing, growing mentally ill population that requires specialized care.

Even though the inmate population has decreased over the years, incidents of violence continue to rise and correction officers are working unacceptable levels of overtime. My committee has become aware of instances where CO's are clocking up to 80 hours of overtime a month

The recent U.S. Attorney's report indicates that even our youngest inmates are not being protected from this violence while in the City's custody.

The Department of Justice has highlighted several reasons for the violence and specified many reforms that need to be implemented.

I will be holding a hearing in early October to explore several of the recommendations made in the report.

Chief among these recommendations, is exploring ways to immediately move adolescent inmates off of Rikers Island so that they can be housed in facilities that will allow for better supervision and better programming.

With the benefits of a new facility, we can better prevent incidents of violence from occurring in the first place.

We also need to re-examine training.

Correction Officers have some of the toughest and most stressful job in our City. And we do a disservice to them, and to all New Yorkers, when we do not equip them with the proper training and tools to do their jobs as best as possible.

The City currently does not provide special training to COs to manage adolescents, whose minds are still not fully developed and can be more impulsive

Different populations – whether adolescents or the mentally ill – have unique needs, and the department's training and procedures must reflect that.

Over the last several years, the mentally ill population on Rikers Island has drastically increased – and now makes up nearly 40% of the entire jail population.

With mounting reports of mentally ill inmates doing harm to themselves and others, both while in custody and after release, I am extremely concerned that the NYC Departments of Health and Department of Correction do not have a comprehensive plan for properly managing this population.

The only way we can achieve real reform is by lifting the veil of secrecy that has loomed over Rikers Island and begin open and candid discussions about conditions and culture at the facility.

That's why last month the NYC Council passed legislation to bring unprecedented transparency to the use of punitive segregation, or solitary confinement, on Rikers. With this new reform, we will not have quarterly data on who is in solitary, how long they have been in solitary, and what happened while in solitary

This data will enable the Council and the public to have a better understanding of DOC's use of punitive segregation and whether changes to the disciplinary process need to be made.

The problems on Rikers Island have been decades in the making, but I am optimistic that we now have the right leadership and momentum to discuss reform and the threshold of acceptable use of force in our city jails.

I would like to work with the Board of Correction, and understand where you believe our major hurdles lie moving forward.

My committee will continue to ask the tough questions and I look forward to continuing a constructive dialogue with the Board about improving our criminal justice system.

**NYC Department of Correction**

**ADOLESCENT and YOUNG ADULT WORKGROUP STRATEGIC  
ACTION PLAN**

**PRESENTATION TO THE BOARD OF CORRECTION**

September 9, 2014

# Agenda

- **Why the Workgroup was Formed**
- **Members**
- **Action Plan**
- **Areas of Concentration**
- **Preliminary Steps Taken**
- **Budget Considerations**

# Why the Workgroup was Formed

1. to research evidence-based programs and best practices for working with adolescents in correctional settings and
2. to develop recommendations that strengthen the Department's approach in defining and addressing the needs of this unique population.

# Members

## NYC Department of Correction

- James Perrino, Warden, Robert N. Davoren Center (RNDC)
- Winette Saunders-Halyard, Assistant Commissioner, Community Partnerships and Program Development
- Christine Allen, Assistant Commissioner, Training Academy
- Francis Torres, Executive Director for Educational Services
- Shirvahna Gobin, Executive Director for Constituent Services
- Clement Glenn, Deputy Warden, Operations, RNDC
- Hazel Jennings, Deputy Warden, Security, RNDC
- Becky Scott, Deputy Warden, Administration, RNDC
- Clifton Brown, Captain, Environmental Health Operations, RNDC
- Robert Franza, Captain, Operations, RNDC
- Sharlisa Walker, Captain, Learning Center, RNDC
- Martina Galvan, Officer, Operations, RNDC
- James Stanton, Officer, COBA Delegate

## NYC Department of Education

- Nicholas Marinacci, Senior Executive Director, District 79, DOE

## NYC Department of Health and Mental Hygiene

- Cecelia Flagherty, Director of Programs, DOHMH

# Action Plan

Reviewed and evaluated current practices and policies

Conducted literature review and consulted experts and leaders in the field

Identified emerging themes in research

Engaged with jurisdictions of interest

Developed guiding principles and goals



Conducted literature review and consulted experts and leaders in the field



BROOKINGS



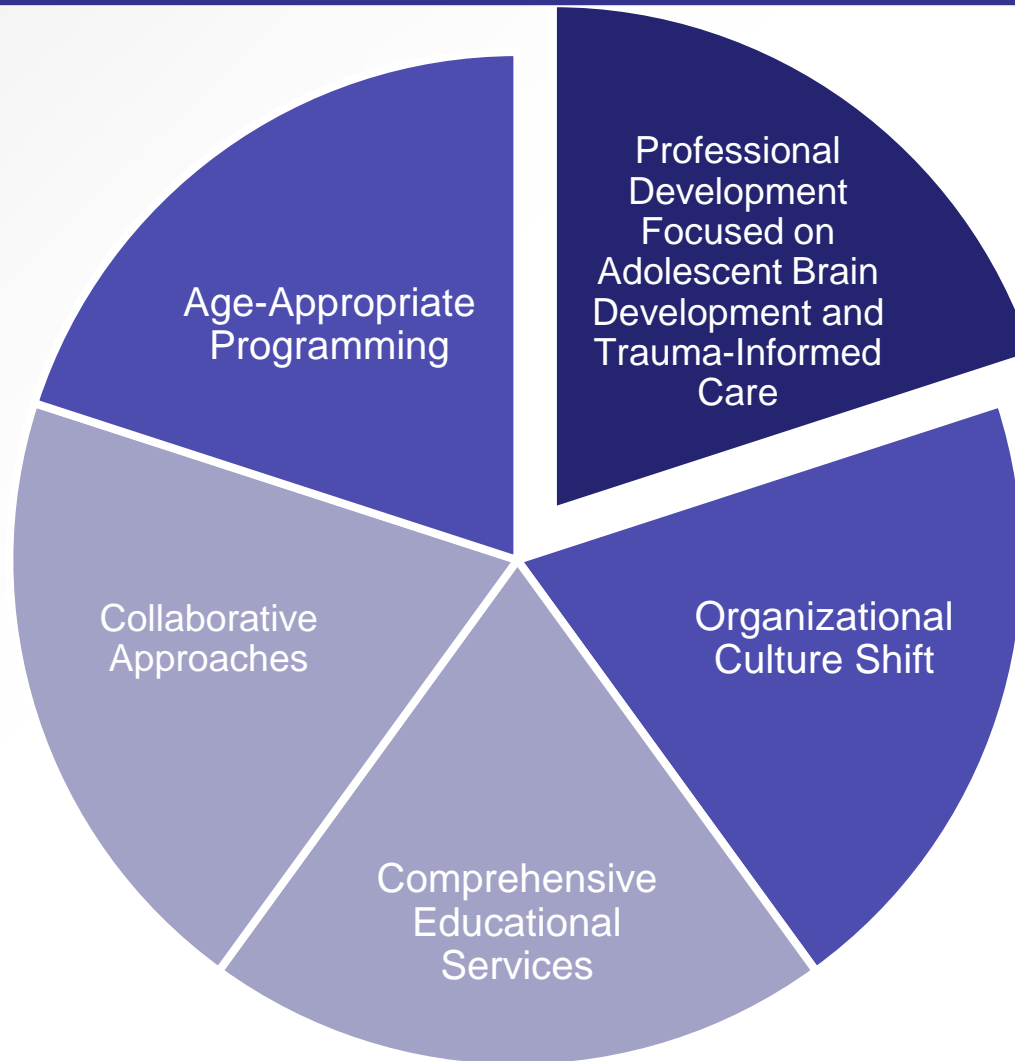
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Long Island, New York



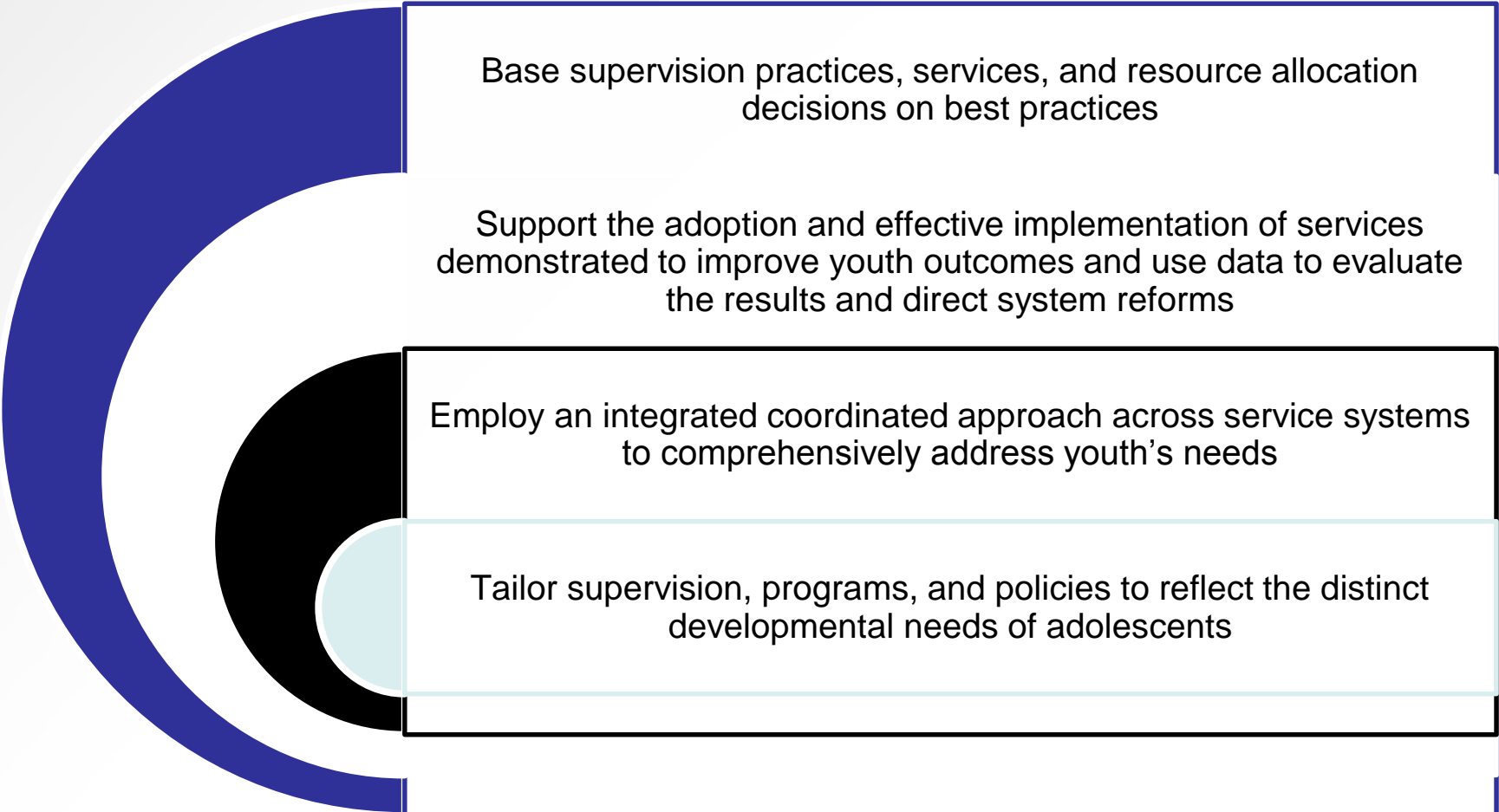
CITY AND COUNTY OF SAN FRANCISCO  
SHERIFF'S DEPARTMENT



# Identified emerging themes in research



# Developed guiding principles and goals



Base supervision practices, services, and resource allocation decisions on best practices

Support the adoption and effective implementation of services demonstrated to improve youth outcomes and use data to evaluate the results and direct system reforms

Employ an integrated coordinated approach across service systems to comprehensively address youth's needs

Tailor supervision, programs, and policies to reflect the distinct developmental needs of adolescents

# Areas of Concentration

- Staff Recruitment and Training
- Custody Management
- Educational Services
- Program Services and Reentry Services
- Family Engagement

# Preliminary Steps Taken

- Utilization of newly designed screening tool focused on the identification of staff best equipped to work with the adolescent population.
- Implementation of safe crisis management and trauma informed care curriculums for staff.
- Implementation of new custody management model. e.g. Increase of officer to adolescent ratio
- Exploration of recalibration of the classification instrument.
- Exploration of options for alternatives to punitive segregation.

# Young Adults

Much of the research conducted is applicable to the young adult population and the following steps have been taken:

- Requested a variance from the Board of Correction to allow NYC DOC to house 18 -21 year olds together.
- Expansion of I-CAN reentry services to 18 year olds are underway.
- Expansion of Moral Reconciliation Therapy (ABLE) and animal assisted therapy are underway.
- Plans for expansion of violence interruption and prevention services underway. Funding is actively being sought.
- Additional programming options are being explored to offer a robust and structured schedule including but not limited to reentry services, life skills, and workforce development. Funding is actively being sought.

# Budget Considerations

Training

Increased Staffing Levels

Facility Renovations

New programs  
- Internal  
- Aftercare

**Thank You**