

NEW YORK CITY BOARD OF CORRECTION

MAY 13, 2025 PUBLIC MEETING MINUTES

ATTENDEES

MEMBERS PRESENT

Dwayne C. Sampson, Chair Helen Skipper, Vice Chair Robert L. Cohen, M.D., Member Hon. Barry A. Cozier (Ret.), Member Jacqueline Pitts, Member Lauren Stossel, M.D., Member Jude Torchenaud, Member

DEPARTMENT OF CORRECTION (DOC)

Francis Torres, First Deputy Commissioner
Fritz Frage, Senior Deputy Commissioner
James Conroy, Deputy Commissioner of Legal Matters/General Counsel
Kevin Doherty, Deputy Commissioner of the Facilities Maintenance & Repair Division
Patrick Gallahue, Deputy Commissioner of Public Information
James Walsh, Deputy Commissioner of Security Operations
Nell McCarty, Deputy Commissioner of Programs and Community Partnerships
Ned McCormick, Associate Commissioner
Allison Pace, Associate Commissioner of Facility Operations
Kathleen Zadzora, Assistant Commissioner of Health Affairs
Monique Antoine, Assistant Commissioner of Environmental Health

Jenelle Bazil-Charles, Director of Strategic Partnerships of Intergovernmental Affairs Lisa Barnaby, Acting Warden of OBCC

Raymond Sanchez, Assistant Deputy Warden of the Custody Management Centralized Movement Unit

NYC HEALTH + HOSPITALS - CORRECTIONAL HEALTH SERVICES (CHS)

Patsy Yang, Dr. PH, Senior Vice President

Carlos Castellanos, Chief Operations Officer/Deputy Executive Director

Nancy Arias, RN, Chief Nursing Officer/Deputy Executive Director

Nicole Levy, Director, Communications & Intergovernmental Affairs

Joseph Otonichar - Chief of Service, Mental Health

Clarence Muir – Senior Director, Health Service Administration

Jeanette Merrill, Sr. Assistant Vice President, Communications & External Affairs

OTHERS IN ATTENDANCE

Chaplain Dr. Victoria A. Phillips, Visionary V Ministries and Jail Action Coalition

Richenda Kramer, HALT

Natalie Pacht, Legal Aid Society

Greg Williams, Freedom Agenda

Fran Geteles, HALT

Michael Klinger, Brooklyn Defenders

Jennifer Parish, Urban Justice Center

Veronica Vela, Legal Aid Society

Casey Dalporto, NYCDS

Roya Touran, NYCDS

Christopher Boyle, NYCDS

Stephanie Bazell, NYCDS

Natalie Fiorenzo, NYCDS

Khari Jenkins, NYCDS

Courtney Gross, NY1 News

Justyna Rzewinski

Introduction of Newest Board Member, Lauren Stossel, M.D.

Dr. Lauren Stossel was appointed by the New York City Council on April 11, 2025. See this portion of the video here.

Approval of May 13, 2025 Meeting Agenda

Chair Dwayne Sampson called the meeting to order with a quorum of members present. Board Member Cohen motioned to add discussion of the new receivership to the agenda, and it was passed by a majority. Chair Sampson then requested a motion to approve the agenda of the Board's May 13, 2025 meeting. Upon being moved and seconded, the agenda was unanimously approved. See this portion of the video here.

Approval of the March 11, 2025 Public Meeting Minutes

Chair Sampson requested a motion to approve the draft public meeting minutes of the Board's March 11, 2025 meeting. Upon being moved and seconded, the minutes were unanimously approved. See this portion of the video <u>here</u>.

Public Comment Period - People in Custody

Six comments from people in custody were played. Board Member Cohen requested that Board staff respond to these messages, and Chair Sampson indicated that Executive Director Jasmine Georges-Yilla would respond in her update. See this portion of the video here.

Executive Director Update

In response to Board Member Cohen's request, Executive Director Jasmine Georges-Yilla stated that comments by people in custody are shared with Board Members in advance of the public meeting. Additionally, ED Georges-Yilla noted that BOC monitoring staff address the concerns as they are called in to the agency's phone line.

Executive Director Jasmine Georges-Yilla shared condolences with the families of Sonia Reyes and Dashawn Jenkins, who both died in DOC custody after the March Board meeting. ED Georges-Yilla also shared condolences with the family of Ariel Quidone, who died one day after his release from DOC custody. ED Georges-Yilla also shared condolences with the families of Department staff who have passed since the March meeting.

As of May 12, 2025, the approximate total census of people in custody is 7,542, a 10.33% increase since March 1st. In April 2025, the DOC began housing male populations in the RMSC, referring to the area as the RMSC Enhanced Supervision Housing Annex. For data

reporting purposes, this area will be referred to as RESH non-ESH. As of May 12, the census numbers by facility were as follows: BHPW (45), EHPW (4), EMTC (1,742), GRVC (1,039), NIC (315), OBCC (1,647), RESH-ESH (164), RESH non-ESH (173), RMSC (429), RNDC (1,170), and WF (812).

ED Georges-Yilla noted that the Board finished its second assessment of law library services on Riker's Island which can be found here. Additionally, the Board's Special Investigations Unit will soon conclude the fact-finding portion of an audit on the Department's use of individualized involuntary lock-ins. These recommendations are expected to be published in June. See this portion of the video <a href="https://example.com/here.com/he

Renewal Request for limited variance from BOC Minimum Standard §§ 1-04(c)(2), 1-04(c)(3), and 1-04(c)(5)(i) (regarding overcrowding)

DOC's Senior Deputy Commissioner Fritz Frage presented the Department's request to renew the limited variance granted during the February public meeting regarding overcrowding for an additional four months. Senior Deputy Commissioner Frage spoke on the increasing census numbers, the Department's use of the 6A program, ongoing staffing concerns, and DOCCS' temporary inability to accept individuals from local correctional facilities that have been deemed eligible for transfer to state facilities. These transfers resumed May 5, 2025, and 35 individuals have been transferred. Senior Deputy Commissioner Frage noted that there are an additional 775 eligible individuals awaiting state transfers. Senior Deputy Commissioner Frage confirmed that the Department does not wish to open new facilities, but rather to maximize bed space in three already operating facilities: OBCC, EMTC, and West Facility Annex. See this portion of the video here.

Board members asked DOC staff questions about the overcrowding variance requests. See this portion of the video here. Chair Sampson called for a vote to have Board Member Stossel work with the Department and BOC staff to review 6A criteria and measure success/failure indicators. Upon being moved and seconded, the resolution passed. Board Members Skipper, Cozier, Pitts, Torchenaud and Chair Sampson voted in the affirmative. Board Member Cohen voted against the motion. See this portion of the video here. Questions from Board members to DOC staff then resumed. See this portion of the video here.

The Board heard in-person and virtual public comment about the Department's overcrowding variance requests. See this portion of the video <u>here.</u>

No Board member seconded the motion to vote on renewing the overcrowding variance, so the motion died. See this portion of the video <u>here.</u>

The Board reopened discussion on the renewal variance request later this meeting during the Department's update on bed capacity plans. Discussion was reopened with the condition that the 6A reviewal process would occur concurrently with the potential overcrowding variance. See this portion of the video <a href="https://example.com/her

The Board moved into deliberation on a potential overcrowding variance renewal due to urgent Department need. See this portion of the video here. Chair Sampson requested a motion to vote on the renewal. Board Member Torchenaud moved to amend the renewal variance request to a two-month variance. The Board also considered and discussed conditions submitted by Board Member Stossel and Board Member Skipper. See this portion of the video here.

Following debate, ED Georges-Yilla read the proposed amendment of a two-month variance renewal and the variance conditions that the Board members agreed to vote on. These conditions included all previous conditions agreed upon during the original variance request and two additional conditions: the Department will make a commitment to maximize releases under the 6A program and the Department will work in collaboration with the Board's *ad hoc* committee to review the 6A program. See this portion of the video here. Read the approved conditions for EMTC, for OBCC, and for West Facility Annex here.

Upon being moved and seconded, Board members voted on the conditions added to the overcrowding variance renewal request. The conditions passed with all present Board members voting in the affirmative except for Board Member Cohen. See this portion of the video here. A majority of Board members approved the amended two-month overcrowding renewal variance request with the previously approved conditions. Board Members Skipper, Cozier, Pitts, Torchenaud and Chair Sampson voted in the affirmative. Board Member Cohen voted against the motion. See this portion of the video <a href="https://example.com/here.com/

Comments on Riker's Island Receivership

DOC's General Counsel James Conroy stated that the Department will not be commenting on the receivership order due to its status as an open and active case. See this portion of the video here.

New Request for limited three-month variance from BOC Minimum Standard § 1-11(e)(1)(i) (regarding all incoming non-privileged correspondence)

DOC's Deputy Commissioner of Security Operations James Walsh presented the Department's request for a limited four-month variance regarding nonprivileged mail. The Department seeks to be able to open and inspect all incoming nonprivileged mail outside of the individual in custody's presence in the newly opened mail screening trailer on Rikers Island. Deputy Commissioner Walsh spoke on the presence of contraband and its ability to be concealed through mail. He also spoke on the Department's plan to rectify the issue of mailed contraband if this variance were to be approved: nonprivileged mail would be opened and inspected by trained staff, K-9s, and drug detection technologies in the central mail trailer. Deputy Commissioner Walsh stated that the Department planned to return cleared nonprivileged mail to intendent recipients within the required 48 hours. See this portion of the video here.

Board members asked DOC staff questions about the correspondence variance request. See this portion of the video here. The Board heard in-person and virtual public comment about the Department's correspondence variance request. See this portion of the video <a href="here. Chair Sampson then asked DOC staff more questions about the request. See this portion of the video <a href="here.

The motion to vote on the requested correspondence variance was not seconded. Board Member Stossel then motioned for a month delay on the correspondence variance to give the Department time to provide more data regarding accuracy. It was determined that Board Member Stossel's motion was out of turn, as the original motion to vote died due to lack of a second. The variance request was, therefore, not granted. See this portion of the video here.

Update on the operation of SMU

Acting Warden of the Otis Bantum Correctional Center (OBCC) Lisa Barnaby provided updates on incidents in the unit and operational changes to enhance safety. See this portion of the video here. Board members asked DOC staff questions about SMU operations, mainly regarding emergency lock-in times and act-of-violence statistics. ED Georges- Yilla reported Board data regarding incidents in the SMU. See this portion of the video here.

Update regarding the Department's heat mitigation plan for the summer months

Assistant Commissioner of Environmental Health Monique Antoine provided information about the Department's heat mitigation plan for the upcoming summer months, especially due to increasing population numbers. Information regarding air-conditioning facility capabilities, individual medical needs, and sharing information publicly were provided. See

this portion of the video <u>here</u>. Board members asked DOC staff questions, mainly regarding locations of ACs and inspections. ED Georges-Yilla also asked a question regarding daily monitoring of temperatures in housing areas See this portion of the video <u>here</u>.

<u>Update regarding the Department's plan to address capacity issues given the steady rise of the jail population</u>

First Deputy Commissioner Francis Torres provided an overview on overcrowding and bed capacity, reiterating information provided during the overcrowding variance request earlier this meeting. Information regarding new Department staff was also provided. See this portion of the video here. Senior Deputy Commissioner Fritz Frage stressed the need for the overcrowding variance that was not approved earlier in this meeting. See this portion of the video here.

The overcrowding variance was ultimately renewed for a two-month duration with additional conditions. For more information regarding the discussion and subsequent votes, please see "Renewal Request for limited variance from BOC Minimum Standard §§ 1-04(c)(2), 1-04(c)(3), and 1-04(c)(5)(i) (regarding overcrowding) above."

Status of dashboard to track information regarding unscheduled sick call requests and visits pursuant to BOC Minimum Standard § 3-02(c)(5) (Sick-Call Records)

Assistant Commissioner of Health Kathleen Zadzora provided updates on the dashboard that is being built in collaboration between the Department and CHS. Assistant Commissioner Zadzora stated that the goal is still to complete the dashboard by the end of the calendar year. See this portion of the video here.

Board members and ED Georges-Yilla asked questions about sick call. See this portion of the video here.

Chair Sampson voiced concerns regarding how long the dashboard development process is taking. Board Member Cozier voiced his concern that regardless of the dashboard development process, the Department is not in compliance with the Minimum Standard, as the Department is failing to keep a complete centralized record of all sick call requests. Board Member Cozier stated that the Department needs to take actions immediately to rectify record keeping. See this portion of the video here.

CHS' Chief Operations Officer Carlos Castellanos provided updates from CHS' perspective, focusing on the collaboration with the Department and progress on the dashboard. See this portion of the video <u>here</u>.

Update regarding recreation at RNDC

Deputy Commissioner of the Facilities Maintenance & Repair Division Kevin Doherty addressed interruptions in recreation at RNDC, stating staffing difficulties, overpopulation, and construction as the sources of the interruptions. He also reported that the safety of comingling certain individuals needs to be considered by the Department. Deputy Commissioner Doherty also provided details regarding Department plans to expand outdoor zones. Board members asked questions about recreation. See this portion of the video here.

<u>Update regarding CHS's plan for providing clinical services to the male population</u> housed in the 800-bed tower at RMSC

CHS' Director of Health Administration Clarence Muir stated that CHS is currently providing services to the male population housed in the 800-bed tower at RMSC at RESH main clinic. CHS will continue to use this area until an official main clinic can be created. Chair Sampson asked a question about staffing. See this portion of the video here.

Public Comment

The Board heard in-person and virtual public comments from Chaplain Dr. Victoria A. Philips, Justyna Rzewinski, Veronica Vela, Michael Klinger, Natalie Fiorenzo, Eileen Maher, and Fran Geteles. See this portion of the video <u>here</u>.

The next public meeting is scheduled for June 10, 2025 at 1:00 pm.