

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CRIMINAL JUSTICE

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February 26, 2019
Start: 10:10 a.m.
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HELD AT: 250 Broadway - Committee Rm, 14th Fl

B E F O R E: Keith Powers
Chairperson

COUNCIL MEMBERS:

Alicka Ampry-Samuel
Robert F. Holden
Rory I. Lancman
Carlina Rivera
Daniel Dromm
Donovan Richards

A P P E A R A N C E S (CONTINUED)

Becky Scott
Acting Bureau Chief New York City Department of
Corrections

Michael Tausek
Deputy Commissioner of Programs of Community
Relations Community Partners

Patrick Dail
Deputy Commissioner for Training and Development
at the Department of Corrections (DOC)

Nili Ness
Correctional Services Librarian Queens Public
Library

Diego Sandoval-Hernandez
Correctional Services for Brooklyn Public
Library

Nick Higgins
Chief Librarian Brooklyn Public Library

Emily Jacobson
Correctional Services Librarian for the New York
Public Library

Elizabeth Williams
Social Worker in Criminal Defense Practice at
the Bronx Defenders

A P P E A R A N C E S (CONTINUED)

Nancy Ginzberg
Legal Aid

Danielle Gerard
Staff attorney at Children's Rights

Messiah Ramkissoon
Director of Programming and Community
Partnerships at Friends of Island Academy

Bena Ammons (SP?)
New York City Books Through Bars

Julia Davis
Children's Defense Fund

Steffi Jean-Jacques
Staff attorney at Youth Represent

Kelsey De Avila
Brooklyn Defender Services

Darren Brown
Senior Director of the I-Can program Osbourne
Association

Mikken Cade (SP?)
Sylvia Rivera Law Project

Mia Ryder
Works with Justice and Education Initiative at
Columbia University

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2 SARGEANT AT ARMS EDWIN LOPEZ: Test,
3 test. This is a test. Today's date is February 26,
4 2019. This is a Committee Hearing on Criminal
5 Justice. This is being recorded by Sargeant at Arms
6 Edwin Lopez.

7 CHAIRPERSON POWERS: And if you haven't,
8 it is a reminder that there is an election happening
9 today. This is not the most exciting thing of the
10 day, maybe, maybe tied for first. Thank you
11 everybody for being here today. I just want to
12 quickly acknowledge that we are joined here today by
13 Committee Member and my Colleague Council Member
14 Alicka Ampry-Samuel, Council Member Daniel Dromm and
15 Council Member Richards. Both Council Member Dromm
16 and Richards have Bills that are before the Committee
17 today and we will offer them an opportunity in a
18 moment to say a quick word. If you are here, if you
19 are here, you should be here for the Chair of the
20 Committee on Criminal Justice, on the Hearing on
21 Programming and I want to acknowledge that we have a
22 number of folks who are downstairs who are still
23 coming, a number of providers and other folks who
24 want to attend the hearing so we will be making room
25 for them here and looking for space for them as well

1 but we will start moving ahead in the meantime, so
2 thank you everybody for being here. My name is Keith
3 Powers. I am the Chair of the Committee on Criminal
4 Justice. I want to welcome everybody to this hearing
5 focusing on the Department of Corrections
6 programming. As many of us know, the programming
7 really has the power to transform lives and impact
8 those who are in custody in our city jail's. by
9 addressing the needs of the needs of incarcerated
10 people, the programs can help improve behavior before
11 and after releasing custody which in turn can reduce
12 misconduct in the correctional facilities, increase
13 post release employment opportunities and reduce
14 recidivism. Given the importance of the programming
15 this hearing gives us a crucial opportunity to learn
16 more about the programs offered at correctional
17 facilities here in New York City. The DOC has a
18 commitment as is required by law to offer at least
19 five hours of programming per day to incarcerated
20 individuals and to give them information about
21 available programs upon admission to DOC custody.
22 However, today we want to find out more information.
23 We want to know whether either the requirements are
24 being met and we want to have more data to
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1 sufficiently measure the efficacy of programs offered
2 in DOC facilities. In the department's most recent
3 report on correctional programming information on
4 volunteer-led programs was absent and information on
5 successful completion of many programs was listed as
6 not available. Program providers have also raised
7 concerns surrounding clearance and training,
8 temporary clearance often go missing once volunteer
9 providers arrive at DOC facilities to conduct
10 programming. As such, clearances are maintained and
11 communicated via fax. As a result, incarcerated
12 persons miss out on days of programming. Volunteer
13 providers have also expressed concern that the
14 content of the training which features video of
15 violence conducted outside of DOC facilities to sway
16 volunteers from providing program. With along side
17 that here we are also hearing two Bills today,
18 introduction number 261, a Bill by Council Member
19 Richards which requires DOC to conduct a survey
20 related to the quality of life of incarcerated
21 persons. We are also hearing Introduction 1184, a
22 Bill by Council Member Dromm which would require DOC
23 to maintain a library offering general interest books
24 to incarcerated individuals in New York City Jails.
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2 I want to know and just say thank you as well to the
3 providers but also to the Department of Corrections
4 for, we had a round table last week to discuss some
5 of these issues, they attended to help hear from
6 directly from some of the providers about the issues
7 facing them. So, I want to thank them for their
8 commitment before this to help start dressing those
9 issues and we look forward to their continued
10 partnership and trying to resolve some of the issues
11 that had been raised and to continue to find out more
12 information about the efficiency and the
13 effectiveness of the programs being offered. I want
14 to thank my staff for helping to put together this
15 hearing and with that being said I want to hand it
16 over to the members who have Bills before us today,
17 starting with Council Member Dromm to speak about his
18 Bill.

19 DANIEL DROMM: Thank you very much Chair
20 Powers. I am a firm believer in the power of books
21 to transform lives and no where is that more evident
22 than in our jails and prisons. History is replete
23 with instances where access to books make a
24 difference in turning away individuals from crime and
25 toward productive ends. A voracious reader during

1 his period of incarceration, Malcolm X referred to
2 books as his alma mater and urged individuals in and
3 out of prison to read absolutely everything you get
4 your hands on because you will never know where you
5 will get an idea from. In 2017, New York State
6 announced that it would effectively be restricting
7 among other things the books in its correctional
8 facilities. This subsequent outcry forced Governor
9 Cuomo to back down. Unfortunately, other
10 jurisdictions across the country have pressed forward
11 in their efforts to restrict access to books and
12 other written materials. From the advocates, I have
13 already learned about challenges around the
14 Department of Correction Publication and Provision of
15 Connections, a resource guide for incarcerated
16 individuals written by the New York Public Library.
17 I look forward to getting clarification on this as
18 well as a host of books that should be available to
19 those on the inside who are so hungry for connection
20 with the outside world. As our jails transition from
21 pits of despair to places where people can begin to
22 patch a re-entry, we must focus on the role of books
23 in this process. Intro 1184 would require the New
24 York City Department of Correction to maintain a
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1 library offering general interest books in New York
2 City jails. The Department would also be required to
3 report on the number of books it receives, the source
4 of those books and if those books are censored and
5 the reason for censorship. And I would also be
6 interested in hearing from the Department today on
7 how often access to books and to the library occurs.
8 Thank you, Chair Powers, for holding this hearing
9 which I hope will shed light on the benefits and
10 challenges of programming and specifically books in
11 our jails.
12

13 CHAIRPERSON KEITH POWERS: Thank you and
14 thank you for your Bill here today. I will also hear
15 from Council Member Donovan Richards who has another
16 Bill on the agenda today.

17 DONOVAN RICHARD: Thank you, Chair Powers
18 and thank you Council Member Dromm and to all of my
19 colleagues. So, I am sponsoring so I am sponsoring
20 Intro 261 which would amend the City Charter in
21 relation requiring DOC to conduct surveys related to
22 the quality of life of people incarcerated and partly
23 one of the reasons we came up and drafted this Bill
24 was last summer I had the opportunity visiting Riker
25 and I think some of you might have been there. And

1
2 you know, he spoke to a lot of the individuals who
3 were incarcerated, whether they were female or male
4 or wherever we are at in that specific facility. You
5 know one of the things that I heard over and over and
6 again was the need for better programming. You know,
7 more training and updated law library and when you
8 spoke to some of those young men, especially, where
9 we were at, they were really concerned about their
10 voice not being heard within the walls where, where
11 they were at. So, we wanted to ensure that as a
12 Council that we can push DOC to do a better job. I'm
13 not saying that you are not trying. I think we
14 specifically went to some locations where I remember
15 a young lady being there and her learning culinary
16 arts I believe, but there was a big disconnect I
17 believe within the facility we were in when it came
18 to teenagers opposed to people who are 21 and older,
19 so, we hope that you support this Bill, surveys is
20 not one of my favorite things to Legislate but I
21 think it gives us an opportunity to gauge data and to
22 hear from those who may feel like they are voiceless
23 when incarcerated to really give them an opportunity
24 for their voice to be heard. So, I look forward to
25 working with you and look forward to seeing the

1 results on this Bill and I want to thank you for what
2 you do day in and day out. Thank you.

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4 CHAIRPERSON KEITH POWERS: Thank you,
5 thanks to both of you for your Bills and for your
6 statements. So, now we will move over to the
7 Administration, Department of Corrections testimony.
8 We will start just by swearing you in, we will have
9 Counsel swear you in. Thanks.

10 COUNSEL: If everyone could raise your
11 right hand please. Do you affirm tell the truth, the
12 whole truth and nothing but the truth in your
13 testimony before this Committee and to respond
14 honestly to Council Member questions?

15 ALL: I do.

16 CHAIRPERSON KEITH POWERS: Great thank
17 you, and if, if before you start, if you don't mind
18 just introducing yourself, your names and your role.

19 PATRICK DAIL: My name is Patrick Dail, I
20 am the Deputy Commissioner for Training and
21 Development at the DOC.

22 MICHAEL TAUSEK: Good morning, Deputy
23 Commissioner Michael Tausek. I am the Deputy
24 Commissioner of Programs and Community Relations,
25 Community Partners.

1 BECKY SCOTT: Good morning.

2 CHAIRPERSON KEITH POWERS: Speak into the
3 microphone. Just into the microphone. Thank you.

4 BECKY SCOTT: Becky Scott, New York City
5 Department of Corrections, Acting Bureau Chief.

6 CHAIRPERSON KEITH POWERS: Great, thank
7 you. So, we will swear you in and then you can be in
8 your testimony.

9 COUNSEL: Do you affirm to tell the whole
10 truth, the truth, the whole truth and nothing but the
11 truth in your testimony before this Committee and
12 respond honestly to Council Member questions?

13 ALL: I do.

14 MICHAEL TAUSEK: Good morning Chair
15 Powers and Members of the Criminal Justice Committee,
16 thank you for this opportunity to discuss the
17 Department of Corrections approach to programming for
18 those justice-involved. My name is Michael Tausek
19 and I am the Deputy Commissioner for Programming and
20 Community Relations at the New York City Department
21 of Correction. Joining me to my left is Becky Scott,
22 Acting Bureau Chief of Facility Operations who has
23 have 25 years of service with the DOC and to my right
24 is Deputy Commissioner Patrick Dail who recently
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2 joined the Department and oversees training and
3 development. Today I will briefly walk you through
4 the department's programming strategy, current reform
5 efforts underway and our plans for future
6 improvement. I will also comment on Intro 261 and
7 Intro 1184 are the two Bills being considered today.
8 First, I will provide you some background. DOC
9 offers a wide variety of program options that promote
10 the acquisition of life skills, vocational skills,
11 internal growth and well-being and assist with
12 successful re-entry. The Department utilizes a
13 number of approaches and programs for those in our
14 care, including but not limited to the designation of
15 program staff, to focus on group facilitation,
16 contract providers, individualized re-entry planning,
17 tablet based educational offering and workforce
18 development courses. It is our job to ensure that
19 people are better prepared to contribute to their
20 communities on their way out of custody than they
21 were when they came in. We acknowledged the vital
22 role that programming plays in attaining that
23 objective and we do not take that responsibility
24 lightly. The Department is dedicated to a
25 programming vision that promotes pro-social behavior

1 and provides individual services targeted to specific
2 needs. For that reason, the Programs Division offers
3 a vast array of programming that ranges from concrete
4 skill building to supporting behavioral and emotional
5 wellness. Program offerings also play a critical
6 role in the Department's violence reduction efforts,
7 engagement in program reduces idle time which is
8 critical in eliminating violence and other negative
9 behaviors. The Programs Division within the DOC has
10 undergone recent structural changes that standardize
11 operational processes. Previously programming was
12 overseen by two separate divisions within the DOC.
13 One division oversaw programming for the adult
14 population and another division oversaw programming
15 for individuals 21 years old and younger. Today with
16 the adolescent population no longer Riker's Island,
17 the two divisions have combined into one division
18 responsible for the coordination and provision of
19 programming to all individuals in department custody.
20 Provision of Services is not incorporated into a
21 single unified structure, our data collection is more
22 uniform and centralized and our processes for
23 identifying program gaps and program needs are
24 enhanced. By more easily identifying gaps in the
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1 areas for improvement, we are better able to address
2 individual needs and advocate for sensible housing
3 placements that allow access to more targeted
4 programming. In recent years with the support from
5 this Committee, the City Council and the Mayor and
6 the Department has made significant advances in
7 growing its network of program providers, its range
8 of program offerings and its responsibility to the
9 distinct needs of different populations. While or
10 programming is now structured under one Division, we
11 still remain more committed than ever to providing
12 everyone in our custody comprehensive evidence-based
13 programming based on correctional and best practices
14 that addresses the distinct needs of each population
15 and individual. As a component of the Department's
16 commitment to housing young adults and young adults
17 specific housing whenever possible, we are able to
18 provide education and tailored programming
19 accordingly. By developing creative solutions to
20 safely house individuals with a history of violence,
21 we created an opportunity to provide targeted
22 programming designed to disrupt violent behavior and
23 encourage pro-social behavior in its place. Further,
24 we continue to provide and develop gender-responsive
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1 programming that addresses the unique needs of women
2 and mothers in our custody. Our approach to
3 programming is holistic, we leave no stone unturned,
4 and we are always happy to meet with our programming
5 partners to explore ways we can continuously improve
6 our efforts. Current initiatives. The Programs
7 Division is committed to providing all individuals in
8 custody with individualized programming that
9 addresses core needs, provides opportunities for pro-
10 social skill development and prepares individuals for
11 successful re-entry into their communities. Program
12 services include but are not limited to: AA, NA,
13 alternatives to violence training, culinary
14 programming, horticulture programs, behavior
15 management and group counseling, job readiness
16 training, life skills courses, parenting courses,
17 literacy assistance, vocational training and
18 transitional assistance. We also offer engaging
19 programs that provide soft skill training such as
20 Riker's Rovers and Paws, programs in which rescue
21 dogs are cared for and trained by incarcerated
22 persons helping those participants to develop a
23 greater sense of accountability and responsibility.
24 Similarly, the horticulture program tasks
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1 participants with caring for gardens on a facility
2 grounds, providing an opportunity to build soft
3 skills while preparing for re-entry into the work
4 force. Beginning in the spring of 2019, the
5 Department will roll out a Programs Menu that will be
6 given out during the intake process. The Programs
7 Menu will be tailored to each facility and provide a
8 comprehensive overview of the program and educational
9 opportunities that are available as well as provide
10 information on how to sign up for those offerings.
11 In recent months, the Programs Division has
12 undertaken several reform efforts to improve the
13 Department's ability to meet individually critically
14 important educational, vocational and therapeutic
15 needs while in custody. In effort to incentivize
16 positive behavior, the Department recently piloted an
17 innovative incentive-based housing structure. This
18 four-tiered pilot affords participants targeted
19 programming and rewards sustaining positive behavior
20 with desirable privileges. For example, individuals
21 in the lowest level receive programming that
22 addresses criminogenic thinking and promotes pro-social
23 behavior. As individuals progress through the
24 levels, they attain additional privileges including
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1 access to tablets with educational content and
2 entertainment. Individuals in higher levels who have
3 demonstrated positive behavior, gain access to more
4 vocational training and associated certifications to
5 help facilitate outcomes such as meaningful and long-
6 lasting employment upon release from custody. The
7 pilot not only rewards positive behavior but in doing
8 so, it creates an incentive for otherwise disruptive
9 individuals to pursue constructive engagement with
10 programming that will better prepare them for re-
11 entry into the community. The Department has also
12 undertaken a number of efforts aimed specifically at
13 improving services for women in custody. Recognizing
14 the unique needs of women in our care, the Department
15 recently created and filled a position of Executive
16 Director of Women's Initiatives. This role is tasked
17 with gaining a holistic understanding of the needs of
18 women in Department's custody and working with
19 providers to tailor programs and meet their unique
20 needs. Further, the Executive Director Women's
21 Initiative works with a population to identify and
22 remove barriers to family visitation. The Department
23 is proud to partner with the Children's Museum of
24 Manhattan to offer off island visits for incarcerated
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1 mothers who have at least one child under the age of
2 16. Originally the Children's Museum visits were
3 only available to sentenced women but two months ago
4 we were able to successfully expand the program to
5 detained women as well. This visitation program
6 which was the first of its kind is now being
7 replicated by Departments across the country. The
8 Department also has initiated efforts to improve
9 family engagement including expanding opportunities
10 for children in foster care to visit their mothers
11 outside of regular visit hours and without going
12 through the regular visitor intake process. In
13 addition to those initiatives, we are very encouraged
14 by our growing partnership with the Department of
15 Education regarding the provision of educational
16 services to individuals in our custody. Through a
17 coordinated effort, DOC and DOE work directly with
18 young people upon admission to DOC custody to
19 encourage involvement in educational services. We
20 recognize the value of focusing efforts on our shared
21 goal of engaging people in education and vocational
22 services. The Department will continue to work with
23 DOE and various providers to ensure similar
24 opportunities are expanded and further developed.
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2 Further, the Department is encouraged by the success
3 of the Jails to Jobs Initiative which is supported in
4 conjunction with MOCJ and offers intentional linkages
5 with I-CAN and SMART Programs, provides access to
6 employment and educational programs in our facilities
7 and upon an individual's return to the community.

8 The I-CAN and SMART programs provide re-entry
9 planning, support individual in procuring necessary
10 identification documents and connect individuals to
11 services once they return to community. By
12 addressing educational, vocational, therapeutic and
13 other needs in an individualized way, time inside
14 jail can be used productively to lay a foundation
15 that can prevent future interaction with the criminal
16 justice system. These efforts improve lives, make
17 our jail safer and more restorative and ultimately
18 lead to safer and stronger communities. Further
19 improvements. While the Department is encouraged by
20 the success of recent efforts to engage various
21 populations in meaningful programming, we acknowledge
22 that we must address operational challenges and
23 improve service provision to individuals in custody.
24 The Department is committed to providing more
25 transparent communications regarding the availability

1 of programming in each facility and housing area. We
2 are currently considering opportunities, advised
3 programming options including through the use of
4 newly installed video monitors and intake areas. We
5 are considering solutions that better capture data
6 pertaining to Programming which will provide us with
7 the information necessary to most effectively rule
8 out new programs and tailor existing program
9 provision across our facilities. We are committed to
10 building partnerships with service providers in order
11 to better capture data regarding service provision
12 and attendance in order to better match programs with
13 distinct populations. We will continue to engage
14 people and seek innovative ways to further increase
15 participation. Additionally, the Department will
16 continue to improve and grow its volunteer services.
17 We are always looking for new volunteers' partners
18 and encourage anyone interested in volunteering their
19 time or interested in partnering with the Department
20 to provide a program to contact the Department's
21 Office of Volunteer Services or the Office of
22 Community Partnerships. Contact information or both
23 offices and an application to obtain volunteer
24 clearance are available on our website. We are
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1 taking steps to improve the organizational structure
2 of the office to better serve the incarcerated
3 population and incredible people who selfishly
4 dedicate their time and energy to engage in our
5 population. We celebrate all of our volunteers'
6 initiatives and thank them for the service to our
7 population and to the City. The Department is
8 excited by the incredible progress we have made in
9 recent years to grow, develop and improve our program
10 provision across our 11 operational facilities. As
11 we continue to improve our program provision, we must
12 continue to be responsive to our community partners
13 and volunteers who dedicate their time toward our
14 shared goal of improving programming, provisions and
15 impacting lives. Their input is invaluable to us and
16 we look forward to creating a sustained dialog moving
17 forward in order to continue engaging our partners.
18 In recent weeks, the Department piloted a revised
19 securities training based on comments we had received
20 from several provider organizations. The updated
21 training focuses on security and situation awareness
22 in a manner more appropriate for civilian staff. We
23 have received positive feedback on a new training and
24 will continue to be responsive to feedback that
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1 improves out training courses. In addition, I am
2 proud to announce that the Department will be
3 creating a program provider working group that will
4 meet quarterly. This working group will enable the
5 Department to get direct feedback from our
6 programming partners and enable us to react to
7 suggestions and concerns in real time. We will also
8 be assigning providers with a point of contact in
9 each facility, will assist them in getting escorted
10 to their assigned classroom or housing unit in a
11 timely manner. The Department also has been heavily
12 involved in a programming subcommittee as part of the
13 Riker's Implementation Task Force and a Culture
14 Change Working Group and we look forward to the
15 continued and productive engagement with community-
16 based organizations and program providers. With
17 these partnerships I am confident that the Department
18 will continue to develop innovative solutions and
19 improvements towards the imperative of providing
20 individuals in our custody with the critical,
21 educational, vocational, and therapeutic
22 opportunities to improve their lives and our
23 communities upon their re-entry. Introduction 261,
24 Intro 261 would require the Department to provide all
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1 inmates with an annual survey regarding their
2 experiences in city jails. Although we appreciate
3 the goals behind this Bill, we believe that this sort
4 of undertaking requires careful plan in order to
5 create methodically sound survey that it most
6 accurately represents the experiences of those
7 detained in New York City jails. Moreover, in our
8 view, the results of this survey should product
9 information that could be acted upon. In order to
10 create a survey that produces valuable and useful
11 information it is critical that Department have
12 reasonable amount of time to investigate how to best
13 conceptualize, roll out, compile and evaluate this
14 type of survey. We are determining what steps are
15 needed to plan, create, and implement this survey and
16 look forward to working with the Council as our
17 discussions progress. Introduction 1184. The
18 Department believes all individuals in custody should
19 have access to a wide variety of reading materials.
20 The intellectual engagement that is facilitated by
21 reading cannot be overstated. The Department
22 currently contracts with the New York Public Library,
23 Queens Public Library and the Brooklyn Public Library
24 which provides library services all 11 of our DOC
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1 facilities. Through these partnerships, individuals
2 in our custody have regular access to books through
3 mobile library services. Our library partners keep
4 their shelves updated on a variety of joineries
5 including new releases and ensure books are in good
6 condition. These library services are available to
7 inmates weekly or biweekly depending on the facility.
8 Books and periodicals are available in English and
9 Spanish and additional languages are available upon
10 request. Many of the individuals in our care also
11 have access to electronic tablets which contain
12 reading materials in addition to educational
13 materials. The Department of Correction is committed
14 to meeting the needs for library access and is open
15 to expanding efforts. The current library
16 partnerships which bring books directly to inmate
17 housing areas are working well and it is unclear how
18 creating dedicated library services would improve
19 access. Mobile libraries and rolling book carts
20 offer library services to inmates directly and
21 safely. The Department already operates Law
22 Libraries in each facility and is open to re-imaging
23 these spaces as joint library/Law Library services
24 but would need to investigate the logistics further.
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2 While the Department supports the spirit of
3 Introduction 1184, and is committed to working with
4 library partners and a Council to improve existing
5 library services we do not believe that this Bill
6 would have the desired outcome of actually increasing
7 the level of access to reading materials. Thank you.

8 CHAIRPERSON KEITH POWERS: Thank you, I
9 will just hand it over to my two colleagues who have
10 Bills here today because I know that they have busy
11 schedules today so I am going to allow them to ask
12 just a few questions about the Bills that you just
13 commented on. So, I will just start with Council
14 Member Richards. Do you want to ask a few questions?

15 DONOVAN RICHARDS: Thank you Chair.
16 Actually, you want to go first because you have a
17 Committee outlet.

18 DANIEL DROMM: Thank you very much, I am
19 Finance Chair so I have to have a Finance Meeting
20 after this and it is keeping me pretty busy. But
21 thank you for your coming in and giving your
22 testimony and I want to acknowledge some of the
23 efforts that you have made in terms of improving
24 programming within Riker's. I think you briefly
25 walked us through a little bit about how library

1 services are delivered, basically on carts, there is
2 no specific room or a place that is actually a
3 library am I right?
4

5 MICHAEL TAUSEK: Yes, thank you for that
6 question sir. We have three physical libraries
7 throughout our facilities. One is located at MDC, we
8 also have one at Rosie's and one at EMTC.

9 DANIEL DROMM: So, how does a detainee
10 get access to that library?

11 MICHAEL TAUSEK: Through controlled
12 movement. So, by housing unit they would be called
13 down to access that library.

14 DANIEL DROMM: And then what, a detainee
15 would have to sign a request to go to the library?

16 MICHAEL TAUSEK: That would be true, sir,
17 yes.

18 DANIEL DROMM: And do you track how often
19 a detainee request is granted or follow through upon?

20 MICHAEL TAUSEK: Not at this time. That
21 would be part of our progression through our data
22 collection on how to acquire that information.

23 DANIEL DROMM: If a detainee misses an
24 opportunity to go the library, does he or she have an
25 opportunity to see the cart?

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COMMITTEE ON JUSTICE SYSTEM

MICHAEL TAUSEK: Our cart for instance, in EMTC where we have a library is open to all 28 units, so if an individual in EMTC missed library services in a physical space, they would have an opportunity to choose a book off of that cart.

DANIEL DROMM: That is offered at a different time?

MICHAEL TAUSEK: Housing units receive the cart twice a month, so bi-weekly.

DANIEL DROMM: Twice a month?

MICHAEL TAUSEK: Twice a month.

DANIEL DROMM: How many books are the allowed to take?

MICHAEL TAUSEK: For that facility, I do not have that information at this time sir but I can get that for you?

DANIEL DROMM: But there is a limit?

MICHAEL TAUSEK: I would say yes there would be, I just do not know what that number is.

DANIEL DROMM: Okay. Can you get us that number?

MICHAEL TAUSEK: Yes sir.

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COMMITTEE ON JUSTICE SYSTEM

DANIEL DROMM: Okay. What about for those who are punitive segregation? How do they access library services or books?

MICHAEL TAUSEK: Punitive segregation is one of those housing units at this time that does not receive the rolling cart library service.

DANIEL DROMM: So, they get no library service at all?

MICHAEL TAUSEK: Correct sir.

DANIEL DROMM: Wow. I mean imagine being in solitary confinement and not even having access to a book.

BECKY SCOTT: Sir, if I may add although the library itself as described here isn't available punitive seg they are allowed reading material. If their family member wants to bring an approved reading material, they can access periodicals and publications.

DANIEL DROMM: But if they don't have a family member who wants to bring it, they don't have access?

BECKY SCOTT: Well, if, well if you want to share other inmates, they can share reading materials. If the newspapers are delivered daily in

1 every housing area, excuse me, including punitive seg
2 in English and in Spanish so they have access to the
3 daily newspapers every single day.

4 DANIEL DROMM: One newspaper?

5 BECKY SCOTT: It is a certain amount for
6 each housing area so it is not just one. There is
7 more than one in English and in Spanish that is
8 available every day.

9 DANIEL DROMM: So, that's pretty amazing
10 to me actually. That the DOC does not provide
11 reading to those who are in solitary confinement. I
12 mean that's probably where you need it the most. How
13 do you pass time if you are sitting in a you know, 10
14 x 6 cell, and not go crazy if you don't have at least
15 reading materials?

16 MICHAEL TAUSEK: Sir, it is an excellent
17 point. I think as we move forward that would be part
18 of our vision to expand our library services to, we
19 can encompass all housing areas, that includes
20 specialized housing area, our mental observation
21 housing units, punitive segregation so it is
22 something that is on our radar that we are concerned
23 about to offer every housing unit library service.
24
25

1 DANIEL DROMM: And I think that's why my
2 legislation is necessary. I just proved it. That
3 not every inmate or detainee I should say is getting
4 access to books. I mean that is just a basic thing
5 to get a book, you know, be able to read. That is
6 amazing to me, it's really, it's actually shocking to
7 me. Are there any proactive efforts taken by the DOC
8 to encourage use of the libraries?
9

10 MICHAEL TAUSEK: In our housing units we
11 have postings of all of our mandatory services and
12 services that are offered to that housing it. It is
13 encouraged by our internal staff, external staff as
14 well to, to motivate individuals to read, to, to
15 utilize the library services. I was in a housing
16 unit just a few weeks ago and I'm not, I cannot
17 recall which public library was providing the cart
18 service but I, there were three individuals that had
19 come out of their housing units to acquire books and
20 it was great to see, there were affirmation by not
21 only myself but other staff as well. There was
22 positive engagement with those individuals so it was,
23 it was a positive sign and so a lot of that is done
24 informally by just encouraging everybody to read as
25 much as possible.

1
2 DANIEL DROMM: Are books offered in
3 different languages?

4 MICHAEL TAUSEK: Yes, we have them in
5 Spanish as well as English and also different
6 languages can be asked for on request and then
7 provided to them.

8 DANIEL DROMM: And then in the
9 specifically designed library rooms that you have,
10 not the mobile carts, does DOC put in any resources
11 into those libraries? Do you stock those shelves?
12 Do you buy books for those libraries? How does that
13 work?

14 MICHAEL TAUSEK: Those are stocked by our
15 library partners.

16 DANIEL DROMM: By the, by the public
17 library system?

18 MICHAEL TAUSEK: Yes sir.

19 DANIEL DROMM: And is that, does that
20 circulate the selections that are in there or?

21 MICHAEL TAUSEK: They are changed out.
22 I'm not quite sure of the frequency of that schedule
23 but we have current books in there, recent releases
24 and just like any library service in an institution
25

1
2 they are turned over to ensure that there are current
3 books that are accessed.

4 DANIEL DROMM: Do you know the number of
5 books that are available?

6 MICHAEL TAUSEK: For the free shelves.

7 DANIEL DROMM: In libraries.

8 MICHAEL TAUSEK: No, but I can try to get
9 that information. I'm not quite sure if the public
10 libraries also maintain what their inventory is but I
11 can try to acquire that for you.

12 DANIEL DROMM: Okay. Are there any
13 publications that are banned?

14 BECKY SCOTT: Our policy on incoming
15 publications shall not be sense of delayed unless
16 they contain specific instructions on the manufacture
17 or use of dangerous weapons or explosions, plans for
18 escape or other material that may be compromise the
19 safety and security of our facility. That's how our
20 policy is written.

21 DANIEL DROMM: Are books offered on LGBT
22 topics?

23 BECKY SCOTT: Nothing is prohibited
24 except what is described here sir.

1 DANIEL DROMM: But that is not the answer
2 I was looking for. Are LGBT books are included?

3 BECKY SCOTT: Unless it contains any of
4 those.

5 DANIEL DROMM: Okay, so you have LGBT
6 reading material available.

7 BECKY SCOTT: I can't give you an example
8 off of the top of my head, I cannot but nothing
9 prohibits it being available, no.

10 DANIEL DROMM: Okay, are there any
11 individuals who are denied access to libraries?

12 BECKY SCOTT: To the library you are
13 describing or law library in general?

14 DANIEL DROMM: Well, let's say both?
15 Let's say for the, oh not for the law library? Let's
16 say for the building libraries that we are talking
17 about, I think you said there were three of them
18 and/or maybe even to the library cart. Are there
19 times when a punishment or something like that would
20 say that you can't go to library or you can't get
21 something off the cart?

22 BECKY SCOTT: Not retaliation or punitive
23 reasons sir. If there is a safety concern, perhaps,
24 but that would be the exclusion.
25

1
2 DANIEL DROMM: And what type of a safety
3 concern?

4 BECKY SCOTT: If you were discovered and
5 found guilty of passing contraband in that manner.
6 If you were found guilty of an infraction where there
7 was an act of violence, after the disposition then
8 there may be some sanctions as it relates to that
9 incident but not punitive and not in retaliation.

10 DANIEL DROMM: Okay, uhm and what are the
11 hours that the facilities, of the facility libraries?

12 MICHAEL TAUSEK: Sir, for instance at
13 EMTC the Library Services take place every Friday
14 from 9 to 12. At MDC, I would need to get that
15 schedule for you and for Rosie's I would have to get
16 that. So, I have two jails that I would have to get
17 that particular schedule for you.

18 DANIEL DROMM: Okay, I would like to get
19 that also.

20 MICHAEL TAUSEK: Yes sir.

21 DANIEL DROMM: And does DOC work with any
22 other outside organizations to bring books in?

23 MICHAEL TAUSEK: As of this time we are
24 currently working with the three public libraries and
25 as we stated earlier that family members could drop

1 off up to three books, I believe it is for an
2 individual to, to have in their possession.
3

4 DANIEL DROMM: And they can drop off
5 three per visit?

6 BECKY SCOTT: If I may add, the amount
7 isn't dictated by the volume. Within these
8 restrictions is a certain spacing requirement, how
9 you are housed. So, we have to, in the dorm area is
10 about the spacing that is permissive not the volume
11 of actual publications.

12 DANIEL DROMM: So, what would be the
13 general rule in terms of how many books a family
14 could bring?

15 BECKY SCOTT: If a person did not have
16 any material and the amount didn't violate the
17 spacing requirements.

18 DANIEL DROMM: So, what is that spacing
19 requirement?

20 BECKY SCOTT: I have it but I didn't
21 write that in my notes, sir, I could provide it
22 later.

23 DANIEL DROMM: Okay, uhm you know you are
24 a little bit unprepared for answering questions about
25 the library when you knew this was going to be the

1
2 legislation and that you are opposed to the
3 legislation. So, I'm a little bit surprised about
4 that. But uhm I hopefully will have a followup
5 letter to you on these questions. I'm going to ask
6 some questions about connections. I am getting a lot
7 of complaints that the Connections Book is not being
8 distributed. Assumed to local law is the DOC
9 providing Connections to every individual upon
10 admission?

11 MICHAEL TAUSEK: Thank you for that
12 question sir, this is our 2018 edition and I am happy
13 to report that we just print. We are in the process
14 of actually distributing as we speak the first piece
15 of 7,000 copies of the Connections Book and so in
16 2018, we had 700 copies that were released,
17 distributed to facilities and then January of 2018,
18 I'm sorry 2018, 4500 copies were distributed to our
19 facilities. In January, we had a 700-copy batch made
20 and just we are in the process now of distributing
21 the first set of our 7000 of the Re-entry Handbook.

22 DANIEL DROMM: So, does the 4500 number
23 match the number of admissions? Currently in the
24 same period?

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COMMITTEE ON JUSTICE SYSTEM

MICHAEL TAUSEK: Excellent question, with our current batch of 7000 we looked at each facility and we looked at that discharge information and then we matched that correspondingly.

DANIEL DROMM: And so, you are saying that it does match?

MICHAEL TAUSEK: It does match for the amount of discharges, yes.

DANIEL DROMM: Okay, is DOC publishing the newest ver... oh you just said that, that that 700 is the latest publication?

MICHAEL TAUSEK: Sir, 7000 through EMTC in our printshop.

DANIEL DROMM: Okay 7000.

MICHAEL TAUSEK: Correct, sir.

DANIEL DROMM: Okay 7000.

BECKY SCOTT: Sir if I have an opportunity to follow back on the issue question on what the permissible space is, 1 cubic foot 12 x 12 x 12 of nonlegal printed including soft and hard cover books magazines, newspapers, periodicals, pamphlets, advertisement and other printed articles. These items must be neatly stored as to avoid constituting a health or fire hazard. No limit is on legal

1 material, law books, publications where the spacing
2 in each cell is limited. All alternative methods of
3 safely storing legal materials elsewhere in the
4 institution, so that is the description on what they
5 can have that is not legal material. Legal material,
6 there is no limit and if it poses a threat in terms
7 of space, then we store it off site.

8 DANIEL DROMM: Okay.

9 BECKY SCOTT: So, those are our
10 guidelines on what they are permitted.

11 DANIEL DROMM: Okay, thank you for that
12 clarification.

13 MICHAEL TAUSEK: Sir, if I can also add
14 that with our Connections book that is upon
15 discharge; however, in all of our new admission
16 units, we also have a Beyond the Bridge booklet for
17 every new admission and that has resources in all of
18 the boroughs. So, everyone is getting information
19 coming into the system as well as upon discharge.

20 DANIEL DROMM: Okay uhm, I want to thank
21 the Chair for his generous allotment of time to me.
22 Of course, there are many more questions and I will
23 follow up with you as well.
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COMMITTEE ON JUSTICE SYSTEM

CHAIRPERSON KEITH POWERS: Thank you, I want to hand it over to Council Member Richards on his Bill and then I have some members that have some follow up questions on just these two Bills and then I will jump in. I am here all day so I'm here all day, so I'll give them an opportunity to go first. Council Member Richards.

DONOVAN RICHARDS: Thank you for being so generous. Can you start off with just speaking about what's the total allotment in the budget that goes towards programming? And I guess while you get that answer unless you are ready.

MICHAEL TAUSEK: Thank you sir so as we know over the last several years there has been quite an investment in the Programming and Services Division of the, of the Department so I would like to thank that Council as well as the Mayor and the Mayor's office in terms of helping us support this mission. So, in Fiscal year '19, 38.1 million and Fiscal year 38.1 million.

DONOVAN RICHARDS: Okay so 38.1 million and that goes to the Program and?

MICHAEL TAUSEK: Program Services and yes.

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2 DONOVAN RICHARDS: Take me through so I,
3 I am a detainee I come into Riker's, how do I learn
4 about these programs and services?

5 MICHAEL TAUSEK: Excellent, so if I can I
6 would like to break it down to young adults first and
7 then to our adult population. So, with our young
8 adults we have admission units in RNDC. So, upon
9 entrance into that new admission housing unit they
10 are going to be met by DOE staff as well our own
11 internal staff and at that point are offered
12 information on our educational program. The DOE...

13 DONOVAN RICHARDS: How are they offered?
14 Are they given a piece of paper?

15 MICHAEL TAUSEK: They are met with.
16 There is a physical interaction between staff and
17 individual.

18 DONOVAN RICHARDS: So, verbal.

19 MICHAEL TAUSEK: Correct. DOE actually
20 just recently has even gone a step further because
21 they have access to transcript and educational
22 information that they will actually have the
23 information to provide to the individual about where
24 they are in their educational history and what they
25 need to do to complete their education, achievement.

1 We also have educational specialists that bolster
2 that process up as well and also the educational
3 specialist and correctional counselors, youth
4 counselors also offer opportunity, information on
5 what is the next step for them in terms of moving
6 from the new admissions unit to a housing unit. So,
7 they are offered information on programs, education
8 and services. Also, through our relationships with
9 friends while in Academy and the Youth Re-entry
10 Network. There is also a touch there as well by
11 those organization, that organ... that entity to link
12 them up to stakeholders in the community or to give
13 them that support upon release. So there is a touch
14 both by an external provider, external providers,
15 internal staff and DOE and our adult population, not
16 very different, but for the educational component in
17 terms of the educational history that the DOE has for
18 younger adults, young adults, all adults that are met
19 in our new admission unit, physical interfacing,
20 verbal information, regarding what is provided to
21 them as they move on through the system as well as
22 their offered a brochure which has external resources
23 in the community because as we know we have a large
24 portion of our new admissions that are going to be
25

1 released. So, we want to ensure that they have this
2 vital Re-entry Book when they come on board and then
3 they will also get that Connections Book as well.

4 DONOVAN RICHARDS: So, in that book it is
5 the external programming?

6 MICHAEL TAUSEK: So, I meant.

7 DONOVAN RICHARDS: So, but when they come
8 in, it's, it's given to them verbally he information
9 on what programming exists.

10 MICHAEL TAUSEK: Yes but.

11 DONOVAN RICHARDS: So, why not have both
12 options?

13 MICHAEL TAUSEK: As we heard in my
14 testimony, in June we are going to have a programs
15 menu that is facility specific.

16 DONOVAN RICHARDS: Okay, and that would
17 be offered to them not verbally but with a physical
18 copy.

19 MICHAEL TAUSEK: Exactly.

20 DONOVAN RICHARDS: Of something that they
21 know is available to them. Can you go through the
22 average number of hours of programming an individual
23 receives?
24

1
2 MICHAEL TAUSEK: So, as we know, we have
3 a mandate to provide five hours of programming. This
4 has been a mission of our Division and the Department
5 to meet that five hours across all housing units.
6 And so, we know that through our recent analysis that
7 we are not achieving that goal.

8 DONOVAN RICHARDS: Uh-huh.

9 MICHAEL TAUSEK: If we look at RNDC with
10 our younger pop... with our young adult population. We
11 are meeting that.

12 DONOVAN RICHARDS: Yes.

13 MICHAEL TAUSEK: We are meeting that with
14 our young adults. We are meeting that with our young
15 adult female population. But we know that we can do
16 better and we strive to do better and we are in, we
17 are in that process right now of doing that analysis
18 to see where our gaps are and then to fill them with
19 internal, external providers as well as our volunteer
20 base.

21 DONOVAN RICHARDS: Alright, great
22 answers, now why is it that you are not meeting the
23 minimum requirements? What would you attribute that
24 to?

1
2 MICHAEL TAUSEK: Capacity. It is a
3 logistical challenge. We have approximately 300
4 housing units that are occupied by individuals and so
5 that would take a large contingent of staff in order
6 to provide that.

7 DONOVAN RICHARDS: So, you need more
8 staffing you are saying too?

9 MICHAEL TAUSEK: What we are doing right
10 now is we are analyzing where the gaps are and how we
11 can better utilize our current resources.

12 DONOVAN RICHARDS: From what I saw when I
13 visited last summer, a lot of people aren't taking
14 necessarily taking, in the adult population aren't
15 taking advantage of the programming because they
16 don't the programming suits. They didn't feel like
17 they had an array of options when it came to
18 programming, so would you say that is one of the
19 reasons a large percentage of people are not taking
20 advantage of these programs?

21 MICHAEL TAUSEK: It is an excellent
22 question and it is hard to answer globally. If, if,
23 if, let me explain further. There are sections of
24 our population that are just focused on their trial
25 and what may await them down the road. So, they

1
2 become, they tend to more case specific and not
3 interested for a variety of reasons in addition to
4 their case. And then we have other individuals, yes,
5 indeed, you are absolutely correct that are
6 interested in more than what we offer in that
7 particular housing unit. And we try, we try as best
8 as possible to meet those needs and be responsive to
9 those needs. We are hearing what they are saying.
10 We are hearing as well from external providers and
11 even in our own internal staff of certain areas are
12 looking for more than just soft skilled development.
13 They are interested in an OSHA 30 certification.
14 They are interested in other hard skill development
15 and sometimes with this population, initially, we had
16 to look at how do we build that into a program
17 package that keeps individuals motivated to work on
18 their soft skill development, their emotional
19 wellness, their cognitive restructuring as well as
20 that hard skill development. And so, it is a work in
21 progress, I think we have made great, great strides
22 in that area but we can, we can do better.

23 DONOVAN RICHARD: And how do you gauge if
24 the programming that you are doing is, is successful?

25

1
2 MICHAEL TAUSEK: We look at our
3 participation rates.

4 DONOVAN RICHARDS: Okay.

5 MICHAEL TAUSEK: And generally they have
6 been hovering right around 40% without looking at my
7 specific information right here and so what we try to
8 do is engage with family engagement activities, other
9 milestones event achievements in terms of offering
10 them a special event but not only the external
11 provider, whether it is fortune or Osborn or one of
12 our other providers or on our internal staff,
13 security staff get involved with that as well to try
14 to keep them motivated to try to boost these numbers
15 up. So, if you look at 2018 it's, it's in the 40%
16 engagement for our, our re-entry soft skill
17 development programming.

18 DONOVAN RICHARDS: Alrighty, I mean I
19 didn't, and I don't want to downplay the work that
20 you are trying to do but I just did not get that
21 feeling when I was in there that we are really
22 meeting the needs of the detainees. And then last
23 question, uhm so just speak to what is the follow up
24 when individuals get up. So, how do you gauge, so,
25 you are saying that you have this wonderful

1 programming inside and then when people get outside,
2 they get this glossy pamphlet and you send them on
3 their way to external programmers that perhaps were
4 doing some work with them internally. What is the
5 followup work that you do? Do you track the rates of
6 recidivism, do you track did they successfully obtain
7 a job? And are they keeping that job? What is the
8 long-term strategy around ensuring that the
9 programming that you are offering internally is
10 followed up externally but that, obviously there is a
11 success rate that you are tracking?

13 MICHAEL TRAUSEK: Sure, great question.
14 On both a large global macro perspective as well as
15 in a logistical operational perspective. Recidivism
16 rates, that is going to be determined by a party, a
17 branch other than myself in terms of what, who is
18 defining what recidivism is. That to me is more of
19 a, of a Mayoral or a City Council definition because
20 that can vary from state to state, from agency to
21 agency on how recidivism is defined. Is it going to
22 be defined as a new crime? Is it going to be defined
23 as contact with law enforcement? That requires an
24 integration of multiple different systems to try to
25 determine what a true recidivism rate is.

1
2 DONOVAN RICHARDS: Do you think that the
3 City should explore that?

4 MICHAEL TAUSEK: Absolutely, if it not
5 being done already. Absolutely. I mean that is
6 vital information for us, not only to, to determine
7 on both a State and City level whether our programs
8 are working. And that gives us further information
9 into what may be going wrong. We have our national
10 averages across the board that have been done by very
11 comprehensive studies of what recidivism rates are so
12 that is a very large global perspective on whether
13 programming works, age groups, demographics. In
14 terms of our own analysis, due to the merger of young
15 adults and adults, we are now able to set that course
16 and we are on that course to look at not only
17 internally how our programs are doing. What the
18 participation rates are. What attendance rates are
19 in education but also to look to the community with
20 our external providers to start digging into that
21 engagement in the community and work and housing.
22 How successful are our external providers with that?
23 So, there is ongoing dialog just as a couple of weeks
24 ago over the definitions for, for certain topics,
25 what does participation mean? What does it mean in

1
2 terms of contact in the community? So, we are on
3 that course to further clarify how successful our
4 program, our programming is in terms of continuity
5 into the community.

6 DONOVAN RICHARDS: I want to thank you
7 for indulging me. I will say the first way to gauge
8 and know if what you are doing is working, is to
9 actually speak to the individuals who are using the
10 product and that would be the detainees, certainly,
11 and I was so impressed but it. I talk about them all
12 the time because you know when I went in, they
13 weren't complaining about the food. I thought that
14 is what I was going to hear, we want better food.
15 What they were complaining about was the need for a
16 better law library and better programming and access
17 to programming that they actually are interested in
18 and utilizing. So, I don't want to undercut anything
19 you are saying but I think you know, this is the
20 importance of us coming up with this survey so that
21 at least you can, we can gauge that knowledge and,
22 and have a precise way of measuring if what we are
23 doing is really working in a realistic way and a
24 global way as you said. So, I look forward to
25 working with you and I also would urge and I forgot

1
2 if we wrote this one and we talked to the Osbornes
3 and other organizations along the way of developing
4 the survey to make sure that we are not leaving
5 anything out that would be importantly delayed
6 whoever works with these individuals on a daily
7 basis. Uhm.

8 BECKY SCOTT: If I could add, just one
9 comment. I believe last summer you visited OBCC, or
10 the Correctional Center I believe?

11 DONOVAN RICHARDS: I can't remember.

12 BECKY SCOTT: Yeah, yeah, I was right so
13 I happen to be there that day. I'm sure you don't
14 remember.

15 DONOVAN RICHARDS: I, I do remember you.

16 BECKY SCOTT: Well, I have a forgettable
17 face, and that is.

18 DONOVAN RICHARDS: There was a good BBQ
19 going on that day.

20 BECKY SCOTT: Well maybe too. So yes,
21 and so what I can say to speak to your point on how
22 you gauge, because I was very active, I worked in
23 that facility as a correctional through the ranks,
24 even up until Assistant Chief I was assigned to that
25 facility and various other facilities. The competing

1 things that are not stated. The understated
2 challenges that represent that particular population
3 that is there and similarly in other facilities is
4 when we all get together, sometimes we don't get
5 together in a safe way, so we have to consider how to
6 some of these services, which can impact your use of
7 a service.

9 DONOVAN RICHARDS: Right.

10 BECKY SCOTT: Which, when talking with
11 the population as you describe, which is the best way
12 to get that information. That is what the
13 communication is. And I've had that experience in
14 other ranks as well, where I am assigned to the
15 facility exclusively and we talk regularly because
16 this group may not want to participate in something
17 with "that" group and that's a challenge because we
18 have certain criteria to engage a service. Right?
19 We have to have certain folk to have a chaplain. We
20 have to have a licensed ba... so on and so forth.

21 DONOVAN RICHARDS: Uh-huh.

22 BECKY SCOTT: So, I feel like that is a
23 conversation that we are continuously having with the
24 population of a facility similar to the one that we
25 interacted with last summer. So, I don't want that

1 part to get lost on our engagement or assessment. I
2 don't want to say survey, that is maybe not
3 appropriate but our assessment and engaging and
4 asking how can we get everyone there as described.
5 So, I just wanted to share that.

7 DONOVAN RICHARDS: Well, I hope that we
8 are looking to things like coding and you know really
9 out of the box. That is what they are asking for.
10 You know, not the soft, you know.

11 BECKY SCOTT: Yes. Uh-huh.

12 DONOVAN RICHARDS: But some things that
13 they could, skills they can really take and utilize
14 in the world when they leave out so.

15 MICHAEL TAUSEK: In terms of the Bill,
16 sir, I think one of the points that we put forth was
17 for us to collaborate and work together and maybe
18 look at that timeline. I'm professionally familiar
19 with surveys and with incarcerated persons and vital
20 information can come out of that. Not only from a
21 programming perspective, from a grievance
22 perspective, as well as from operational perspective,
23 case management, so, if we take our time and are
24 contemplative about that I think we could gain a lot
25 of information on what we are doing well and what we

1 could work on. In terms of direct programming, in
2 terms of that question, that some are not pleased
3 with what the offerings are, I urge to visit our, our
4 Veterans unit, where we in collaboration with
5 Samaritan Village, I am working in conjunction with
6 the city's veteran's agency as well as the VA. You
7 see there a continuity of services for not only
8 internal in terms of that soft-skill development that
9 some are resistant to because there is not a
10 certification attached to it in terms of employment
11 but it is, it is a very small group, naturally in
12 terms of our veterans that are interested in being
13 housed together to, as like minded individuals to
14 work on their issues, to work on their needs. If our
15 transgender unit, if you visit that housing unit area
16 as well you will see that the services that are being
17 provided are directly related to gender identity and
18 to supporting them both while they are incarcerated
19 as well as going out. So, uhm but as we all know, as
20 you grow the population in terms of the program menu
21 and those that the scope that the individuals
22 involved. There is always going to be a percentage
23 of those that are not but as you stated and I state
24 as well and, in our department, we can always do
25

1
2 better and that is where that survey will definitely
3 come in handy.

4 DONOVAN RICHARDS: Right and thank you
5 Mr. Chair but I want to say that this Bill goes into
6 effect immediately. So, I know you want to talk your
7 time with the survey but I don't think it takes 365
8 days to get a survey done. So, let's try to work on
9 getting this done fairly in a responsible manner but
10 not taking 500 days to get this done.

11 MICHAEL TAUSEK: Thank you sir.

12 DONOVAN RICHARDS: Alright, thank you.

13 CHAIRPERSON KEITH POWERS: Thank you so
14 much. We are going to move to Council Member Holden
15 and then I think Council Member Ampry-Samuel.

16 ROBERT HOLDEN: Thank you Chair Powers.
17 I just want to followup. And by the way, thanks for
18 your testimony. Commissioner, I just want to follow
19 up on Council Member Dromm's, remarks and questions
20 about books in punitive segregation, uh, is there a
21 logic why we are not providing books or not even a
22 bookshelf filled with books possibly recommended by a
23 counselor or a mentor?

24 MICHAEL TAUSEK: I think we have look at
25 the housing area and why, and there are certain

1 protocols that are in place as far as specialized
2 housing or restrictive housing which we could deem
3 punitive segregation. If you think of, if you look
4 at the logistics of providing library services
5 globally across the, across our Department to all
6 housing units, we rely on a very small cadre of
7 library staff to facilitate that mission. And so, we
8 have a fine number of people to assist in that.
9 That's why we are looking forward to the future of
10 how we could do better. How we could expand library
11 services through a more mobile system. Generally
12 speaking, an individual that is in a restricted
13 specialized housing are would not be escorted to the
14 library. That is a security issue that I will ...

16 ROBERT HOLDEN: My question is a little
17 different. Why wouldn't we have a stationary
18 bookshelf in punitive segregation on self-help? Or
19 something to read? It's, it's kind of inhumane to
20 put somebody in a 10 x 6 cell with nothing to read.
21 Wouldn't it be prudent, I mean to actually, smart to
22 put a number of books that they could read and
23 actually better themselves? I mean, it doesn't take
24 much money I would think to leave the books there.

1
2 I'm not asking for a library service. What we would
3 like them to read, probably to help them?

4 MICHAEL TAUSEK: I agree and that's why I
5 look forward to. The point is well taken and that
6 moving forward.

7 ROBERT HOLDEN: Can we do it? Without a
8 Bill, can we do it? I mean could we put a bookshelf.
9 Is anybody, anybody in corrections feel that that is
10 a reward for going into punitive segregation to have
11 some books there?

12 MICHAEL TAUSEK: Absolutely not sir.

13 ROBERT HOLDEN: Okay, so, I would think
14 that we can start immediately without any Legislation
15 that somebody should figure out that let's put some
16 books in there, let's, let's even tailor it to the
17 person going in there, because what, their behavior,
18 their interest. That's where we, if they are in the,
19 I don't know how long they are in punitive
20 segregation, it could be days, weeks possible. It is
21 inhumane to just leave them in there and it is
22 actually to our benefit, the public's benefit to put
23 in a bookshelf. I'm not asking for a library, a
24 bookshelf.

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MICHAEL TAUSEK: I agree and also uhm to amplify some of our efforts there. We do have correctional counselors that service that area that do provide information for him. For those individuals that are interested in self-help that paper materials are provided to them. And there is engagement self-side as well as one-on-one with individuals but point, absolutely I agree with you as well.

ROBERT HOLDEN: Okay, good, one other question, Chair if I may? You mentioned that you want to increase the volunteer services. How many volunteers do we have now in the system?

MICHAEL TAUSEK: Approximately 1200.

ROBERT HOLDEN: 1200 volunteers is a lot. So, it's, it's great. And what, what's they come in all walks of life, different, some of former teachers? Retired teachers, possibly? Or executives?

MICHAEL TAUSEK: It crosses the strat of those both faith-based and not based.

ROBERT HOLDEN: And, how do you? How do you reach out to them? How do we get the word out

1
2 that you want volunteers? And could, could we get
3 any details on that?

4 MICHAEL TAUSEK: Okay so I'm happy to
5 report that as recently as yesterday that we created
6 an email portal which is on our website for
7 individuals that are interested in seeking out
8 volunteer opportunities to email our Division
9 directly for us to start that engagement process. We
10 heard from in our meeting last week that there is,
11 there is some uncertainty about how someone can get
12 involved. There is pocket with our particular young
13 adult division just due to our enormous roster of
14 subcontractors and contractors and people wanting to
15 be engaged that we have, that there is visible and
16 knowing names and faces for people to reach out to or
17 to be referred to. And we are looking, that is one
18 of our plans is to improve that area, and I believe
19 that we start, we have just started with that, on our
20 website, to have that email portal, that email link.

21 ROBERT HOLDEN: Yeah, that's great,
22 because I get a lot of people coming into the office,
23 they are retired from teacher or they just feel that
24 they want to do something and I never knew that we
25 could actually get volunteers into the, into the

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jails and actually help. So that's enlightening me, obviously but I think what we have to do is get the word out, like you are doing. You are starting to do but I think that is an important step so actually the detainee could have somebody to talk to and they can get more counseling or more help based on life experiences so thank you very much.

MICHAEL TAUSEK: But even beyond that Mr. Holden it is a different face. It is someone from the out... it is a volunteer, someone that they don't see every single day and they look forward to that and it can be just. It can also be used as a way to keep someone motivated over a course of a few days or a week whatever the schedule for that volunteer is, so I think that the email link is going to be vi... it is going to be extremely valuable.

ROBERT HOLDEN: I agree, thank you.
Thank you, sir.

CHAIRPERSON KEITH POWERS: Thank you and Council Member Ampry-Samuel. Thanks.

ALICKA AMPRY-SAMUEL: Good morning, everyone.

MICHAEL TAUSEK: Good morning ma'am.

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2 ALICKA AMPRY-SAMUEL: I visited, well, we
3 visited Riker's Island last year and I don't remember
4 exactly which unit we were on or which house but this
5 is just in reference to the young men who were
6 restrained to desks. They were pretty young and at
7 the time we visited, they were taking an exam of sort
8 but each individual was taking like a different exam
9 and there was someone standing over them. So, just
10 in reference to those individuals, what type of
11 programming is available for those specific
12 individuals who are restrained to desks?

13 MICHAEL TAUSEK: Uhm thank you for your
14 questions. That is our enhanced supervision area and
15 if. I'm sorry I might have missed, young adults, was
16 that your specific question regarding young adults
17 or?

18 ALICKA AMPRY-SAMUEL: So, whoever was
19 restrained to the desk. Like so what's the, what's
20 the type of programming that is available to those
21 individuals that are detained but the ones who are.
22 Restrained to desks.

23 MICHAEL TAUSEK: So, we have both
24 individual, group, facilitation, education and we
25 have tablet-based programming as well. So, on your

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2 young adult end, we have tablets as well as
3 engagement by our counseling staff and the same can
4 be said for adults.

5 ALICKA AMPRY-SAMUEL: So, what type of
6 setting is it? And just, just so, my observation and
7 just my lens with me going into this facility and
8 just seeing rows of individuals who are restrained to
9 desks. So, how do you provide programming, so then,
10 are they then you know removed from the desk or taken
11 some place else or is the programming in that same
12 fac... so, can you just explain to me what I.

13 MICHAEL TAUSEK: Programming is done on
14 the floor at our program desks and we also knowing
15 some of the, some of the unique needs and concerns of
16 that population in terms of security risk group
17 history that well, we had seen and responded to is
18 that a lot of those individuals are not ones to
19 engage in group work for various reasons in regards
20 to their, their gang affiliation. So, what we've done
21 is use a strategy of tablet programming as well. So,
22 we have a series of podcasts and messages from
23 individuals that have stepped out of SRG/gang life
24 and have been successful on that outside. So, what
25 we've done is embedded that programming into tablet

1 form so that when an individual is in his, is in his
2 cell that he could gain that confidence and sense of
3 security to be able to listen to that type of
4 message, that type of programming while he is one,
5 while he is alone and then can work independent, work
6 one-on-one with a counselor. We also have education
7 that takes place there on the floor as well. So,
8 with the efforts of DOE we have two teachers
9 dedicated to that area to work with our individuals
10 that are on level 1 and we are talking a very small
11 number of, number of individuals by the way not large
12 numbers of, of, individuals that are at the level 1
13 status. So, similarly group work on the floor at the
14 program tablets and that's education group work as
15 well as working independently, we have one on one
16 engagement at the tables if others, those that are
17 involved are not interested in sharing or processing
18 in a group format and then we have where, one on one
19 by cell that whether through tablet form or other
20 journal work interactive journaling.

22 ALICKA AMPRY-SAMUEL: How do you do a
23 group format in that type of setting?

24 MICHAEL TAUSEK: On the floor?

25 ALICKA AMPRY-SAMUEL: Uh-huh.

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2 MICHAEL TAUSEK: Two or three individuals
3 that are, that are at the program tablets would be
4 facilitated with an individual that is working with
5 those that are participating, whether, how they, you
6 know, it is positioning and facilitation.

7 BECKY SCOTT: If I may add some context
8 to the environment that I think you are describing is
9 like, I know that you are describing is the young
10 adult enhanced supervision. So, these are
11 individuals who have demonstrated an inability to
12 safely interact with their peers and this is only
13 limited to serious acts of violence against another
14 individual or staff member. It is an adjudicated
15 process that is documented and is evidenced by an
16 objective body that adjudicates this incident and
17 their stay at those desks are very limited. And then
18 for the first I believe 15 days it is reviewed and
19 unless a similar act of violence has occurred then
20 they are to be removed and leveled up, so this
21 process, although.

22 ALICKA AMPRY-SAMUEL: So, the level up
23 would be, would they then go to a level 1 or to a
24 level 2 where they will not.

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2 BECKY SCOTT: That level that you
3 describe is for the extreme and only extreme acts of
4 violence against another individual or staff member
5 that has been documented and adjudicated. Right.
6 So, at any given time, uhm even though at your
7 occasion you describe several. There is normally, I
8 would say that the capacity is three because in that
9 individual space. I'm sorry, this is just a
10 hypothetical I mean.

11 ALICKA AMPRY-SAMUEL: Oh, okay because
12 there were, like, I thought it was like 10 of them or
13 more.

14 BECKY SCOTT: So, we have several desks
15 but we have separation so if you are at one desk, you
16 are not going to be right next to this person so they
17 are spaced out again, that is based on safety. And
18 uhm, so I wanted to give context to that, although
19 appearing perhaps a little bit difficult on the eye
20 and I can understand that because it is difficult to
21 see someone but if I could just put the context of
22 how you got there and the length of time that you can
23 stay there. And this, this is a process that weighed
24 up to the Chief of the Department. So, everyone in
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2 this agency, that is a high priority housing are that
3 you are describing.

4 ALICKA AMPRY-SAMUEL: Okay.

5 MICHAEL TAUSEK: If I can add one more
6 thing ma'am, one of the big steps that we took as a
7 Division in our ESH Housing Area is at the beginning
8 of 2018 we commenced multi-disciplinary team meetings
9 with individuals that are housed there. So one like
10 years past, individuals are brought before a multi-
11 disciplinary team that encompasses counseling staff,
12 uniform leadership, those are working directly with
13 those individuals and as the chief said we neither
14 further refined lengths of stay for those reviews and
15 it is a holistic interaction between individual and
16 the team where they are, as we speak about response
17 and feedback and surveys from the individuals, they
18 are given an opportunity to provide feedback to us.
19 The logistics, the programming, the food, everything
20 that resolves around being housed in our, in that ESH
21 area. They provided criticism for us and for us to
22 do better in terms of providing a better learning
23 experience for them there. So, over 1200 reviews
24 have taken place since January. We meet on a weekly
25 basis and our goal is to certainly at level 1 for

1 adults and young adults to safely move them through
2 the system because as the Chief says, some violent
3 act has been committed before that placement and we
4 just want to ensure safety for all involved, both,
5 themselves, others as well as staff.

6 ALICKA AMPRY-SAMUEL: Okay, thank you.

7 CHAIRPERSON KEITH POWERS: Alright thank
8 you and that's to the members who are still here and
9 ask questions and I want to take a couple. Ask a
10 question of just, take a step back and other members
11 have a number of questions but I want to just, just
12 to start, you guys heading out here at working group
13 of, have a new working group with the providers
14 quarterly. I know there is a number of providers
15 here and we obviously had a roundtable last week.
16 Can you just start by telling me what that might look
17 like and how groups are participate in that are
18 chosen for that and how what, should be some
19 expectations here for the group sett... or would be
20 interested in that.

21 MICHAEL TAUSEK: Thank you Chair, I can't
22 recall whether I spoke about what currently goes on
23 now in terms of bi-weekly phone calls or face to face
24 between ourselves and our external providers and
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2 monthly meetings that take place as well with our
3 Division as well as external providers. And what we
4 took away from that, from that roundtable discussion
5 was that more could be done. So, we are exploring
6 what that agenda would look like. We already know
7 that we are discussing weekly regarding participation
8 rates, bi-weekly regarding participation rates, so,
9 we have and we talked staffing as well on their end
10 of if there are vacancies. So, we have that
11 logistical piece that is being address. But what
12 could we do as a better partner in terms of maybe its
13 access that with myself included and other leadership
14 involved both uniform and nonuniform staff that to
15 address those issues that they spoke about in terms
16 of access into facilities? How we can better manage
17 that day to day operation to ensure that our
18 facilitators are getting to where they need to go.
19 So, by having that higher-ranking staff members
20 involved that they can send a message to the
21 facilities of how we can grant better access.

22 CHAIRPERSON KEITH POWERS: And no, maybe
23 I'm sorry, maybe, maybe you are answering it but the
24 question I am really asking was, this statement. I
25 am proud to the announce the Department will be

1
2 creating a program provider working group that will
3 meet quarterly. The group will enable to Department
4 to get direct feedback from our programming partners
5 enable to access through action and concerns in real
6 time. So, that is, that is the announcement that you
7 are making today? Right? Is that a new
8 announcement?

9 MICHAEL TAUSEK: Correct.

10 CHAIRPERSON KEITH POWERS: Okay, if you
11 are a provider here today, some are testifying, some
12 are obviously just an interest group. Is this, this
13 will be a group of providers that will be meeting
14 with the Department of Corrections on a quarterly
15 basis to provide feedback, is that correct?

16 MICHAEL TAUSEK: That announcement will
17 go out and that meeting, and anyone can attend that
18 is interested in coming and expressing, offering some
19 feedback.

20 CHAIRPERSON KEITH POWERS: And those will
21 be hosted where?

22 MICHAEL TAUSEK: Uhm I would say at our
23 Headquarters which is probably the best, the best
24 place for it.

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CHAIRPERSON KEITH POWERS: Okay and how will you be circulating information to groups to know if they want to be part of that?

MICHAEL TAUSEK: Electronically through email as well as phone calls.

CHAIRPERSON KEITH POWERS: Okay and that will sort of resemble the format that we had last week with the groups sort of?

MICHAEL TAUSEK: Exactly.

CHAIRPERSON KEITH POWERS: Okay great, thank you for that. And uhm and for making it clear on that because I know that many folks were, just opportunities to get you. How many providers do you have today for programming?

MICHAEL TAUSEK: I would, I, if I can categorize it. And.

CHAIRPERSON KEITH POWERS: I know you guys do some programming as well but yeah, go ahead.

MICHAEL TAUSEK: So, we have uhm if I can break it off into buckets. We have 11 primary providers and I use that term to encompass everyone but we have 11 large contracts and then through those contracts we have sub-providers. So, it is our providers, it is our 11. And that would be Fortune

1
2 and Osbourn and SCO, Friends of Island Academy,
3 Samaritan Village and then, there is also subs under
4 that, that work in partnership with those, larger
5 entities.

6 CHAIRPERSON KEITH POWERS: And do you
7 know how many sub, sub-providers that you have?
8 Subcontractors?

9 MICHAEL TAUSEK: I could get that number
10 for you Chair, in terms of, it's a long roster.

11 CHAIRPERSON KEITH POWERS: Yes.

12 MICHAEL TAUSEK: Particularly in our
13 young adult area.

14 CHAIRPERSON KEITH POWERS: And a
15 subcontractor has to be approved by the Department of
16 Corrections before beginning their work?

17 MICHAEL TAUSEK: Yes.

18 CHAIRPERSON KEITH POWERS: And how do the
19 11 providers get chosen? Is it through an RFP?

20 MICHAEL TAUSEK: Correct sir.

21 CHAIRPERSON KEITH POWERS: Got it. And
22 how long is the term of the RFP?

23 MICHAEL TAUSEK: Uhm, the ones that are
24 currently coming up?

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CHAIRPERSON KEITH POWERS: Yeah, like how long are they there?

MICHAEL TAUSEK: Three years.

CHAIRPERSON KEITH POWERS: Three years, okay, got it and then they chose sub, they chose subcontractors and those contractors get chosen get approved by you? And then there are volunteers that presumably that have to be cleared by you as well?

MICHAEL TAUSEK: Yes sir.

CHAIRPERSON KEITH POWERS: Okay, thanks. We talked about the goals here. I said this is in my, in my opening statement that I thought the goals were really sort of reducing recidivism and improving misconduct or behavior, bad behavior I guess in those settings. Do you share that as like the two primary goals?

MICHAEL TAUSEK: Absolutely.

CHAIRPERSON KEITH POWERS: Okay. And it doesn't sound like today those are being measured in any way and maybe they are difficult in some manner to define and to measure but it sounds like we are doing this mostly through participation rather than and I understand why that's, why that's an easy sort of metric to pull immediately but if the goal is

1 really those two other items, participation sort of
2 serves to those goals and strikes but doesn't
3 actually measure whether there are any group or any
4 program is meeting that specific goal and uhm so,
5 maybe you could just share with me your thoughts or
6 what processes are going on in terms of how to
7 measure those other two items? Recidivism I disagree
8 with your notion that you guys couldn't study, I mean
9 it is predominantly your, maybe its not your own.
10 You have a number of missions here; the programming
11 part is to decrease recidivism and hopefully never
12 see people back in your custody again. Uhm, I think
13 this statement was the Mayor's office or City
14 Council, where all is due, measured at or studied or.

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16 MICHAEL TAUSEK: Or to define it.

17 CHAIRPERSON KEITH POWERS: To define, to
18 define it, okay. I think we can define it together
19 but my real question is how are you measuring
20 programs to know they are meeting that goal and how
21 are you measuring programs to know if they are also
22 improving conduct?

23 MICHAEL TAUSEK: If I can walk the Council
24 through the process. How we have progressed. With
25 the merger of the young adults and adults and even

1 before that, we focused initially on process, on how
2 to gather the information. And that is a series of
3 steps and as I stated earlier, over the last few
4 months we've made great strides in capturing
5 information and starting that analytical process of
6 seeing where the gaps in, for instance the five hours
7 are. So, we've made incredible strides there. We
8 started a deeper dive in gathering information from
9 the Community end of things of what is happening in
10 the community in terms of, and speaking to about
11 outputs and outcomes and milestones. How many
12 individuals have acquired work? How many uhm found
13 housing? So, that's ways to measure the success of
14 the program. Uhm, evaluations will take place as we
15 further refine our process. Now the next step, as we
16 move further along is while we, there are some
17 current evaluations that have taken place, that, what
18 more can we do move forward? So that's the formal
19 way in which to evaluate our program successes and in
20 terms of recidivism yes, as that is defined by
21 collaboration between individuals about what we want
22 to define as recidivism that is our look on the
23 outside. There is also a look on the inside in terms
24 of misconduct, grievances. I think that programming
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1 plays a part in that in terms of institutional
2 success. We look at medial information in terms of
3 sick calls, success and getting people there timely,
4 we look at court production in terms of do we get
5 individuals to court on time? We can also I think
6 look at institutional issues on are we having an
7 impact? Then there is that informal evaluation that
8 can take place through a survey, through immediate
9 feedback from individuals that are in our care as
10 well as from our providers and volunteers of looking
11 at for instance, our re-entry program whether it is
12 I-CAN or SMART. That feedback from participants as
13 well as facilitators and internal and external staff
14 that that module is just not exactly working. There
15 is not that responsivity from it that we are looking
16 for. For, a good example of that is Cage Your Age,
17 which is a workbook-based program that we were
18 providing in and so there was not a lot of great
19 response to that, or interactive journaling.
20 Sometimes they are not grabbing on to that, so what
21 other means can we use to start to shift that
22 thinking or at least to enlighten to give them that
23 engagement for the day. Uhm, a great example in our
24 ESH area is the Performing Arts. Where at times we
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2 have found, at this time in which I am going to speak
3 about there wasn't a lot of responsivity to
4 interactive journaling. There was just resistance to
5 that, so, we used performing arts to try to engage
6 that pop, that audience to pull out some of the
7 things that they were processing. They just did it
8 in a different manner. So, we are always looking at
9 creative way, so that's that informal evaluation that
10 can be done in real time.

11 CHAIRPERSON KEITH POWERS: And it sounds
12 like you actually identified a third goal which would
13 be sort of improving some institutional outcomes
14 whether it is improving, a degree of it. It is just
15 sort of serving the sort of institutional goals
16 around make sure people have proper information and
17 things like that as well.

18 MICHAEL TAUSEK: And Chair, if I can just
19 interrupt really quickly. Our Graduated Sanction
20 Level System in GRDC that pilot program is an attempt
21 to address that. We heard from, from uhm our staff
22 member. We are looking at certain behaviors, certain
23 instances that have taken place and whether through
24 an incentive-based level system that we can see, we
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2 can realize and decrease incidents in that
3 particular.

4 CHAIRPERSON KEITH POWERS: Is that pilot
5 program completed or is it still happening?

6 MICHAEL TAUSEK: No, it is still
7 happening.

8 CHAIRPERSON KEITH POWERS: It is still
9 happening. When is it? When do you anticipate it
10 finishes or you have some data that lets you come up
11 with a larger?

12 MICHAEL TAUSEK: As one of the
13 stakeholders in that particular project.

14 CHAIRPERSON KEITH POWERS: Well I mean.

15 MICHAEL TAUSEK: We see that as a.

16 CHAIRPERSON KEITH POWERS: The pilot
17 suggests it's a trial period.

18 MICHAEL TRAUSEK: Right, we see that as
19 long-standing. There may be some tweaks to it but it
20 is all based on individual conduct and which is,
21 which is as you would look at other institutions
22 around the country, it is based on individual
23 progress versus group progress so to speak and we are
24 also looking at replicating that in another facility
25 as well so.

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2 CHAIRPERSON KEITH POWERS: Okay and, and
3 so, I would encourage uhm you know that there as you
4 sort of set goals here, you have appropriate ways to
5 measure it. I think participation by the way is not
6 a bad, one bad metric to have here, to know that
7 people actually want to take advantage of it and
8 being able to question whether it is actually serving
9 a purpose beyond uhm taking advantage of it. I did
10 want to note that we, we received from a local law
11 122 which is passed in 2016, 2016, uhm we got, we
12 received a report from the DOC about different
13 programs and we do, we get, I am happy to I can hold
14 it up but you won't be able to see it, uhm, you've
15 report to us information but you don't have any
16 participation data in it or very for many of the
17 programs or completion data. So, the data we are
18 getting from the DOC uhm from local law 122 from the
19 calendar year 2017 for instance, uhm we are getting
20 data from you. You are measuring by participation it
21 seems like primarily as a one as a one major metric
22 about whether programs are working or meeting. Uhm
23 meeting the constituency that wants to take advantage
24 of programming but yeah, we are getting no data from

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2 you guys. These are all NAs here, not available.
3 Can you explain why you can't report that to us?

4 MICHAEL TAUSEK: I can, we will have to
5 get your more information. I'm not sure but what I
6 want to stress is that over the last several years
7 the amount of programming and the size of staff has
8 has grown exponentially and with that has become
9 various reporting uhm requirements. And not every
10 reporting requirement is the same and so as we've
11 grown to try to meet the needs of various reporting
12 requirements, it is hard to fit how some of the
13 technological limitations that we have had can fit
14 into some of the reporting structures. So, that is
15 just part of the growing process and we are actually
16 going back, as we move forward and collecting in real
17 time and meeting the needs of various requests for
18 information and data, we have also done a look back
19 to try to correct some of the information that was
20 reported out in the past. So, as I have, I have 122
21 here in terms of the law and what is required, and
22 the, what is required, I would have to go back and
23 look at that exact report with the NAs and talk to my
24 team of why there are NAs there.

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2 CHAIRPERSON KEITH POWERS: And I, I would
3 appreciate that but I mean, we, we, we often try to
4 pass these laws to give us and folks who are uhm
5 working in this area a better understanding of what
6 is meeting and I know that uhm you know sometimes we
7 are asking for one set of data, you have others
8 asking for other sets of data and it is hard to
9 reconcile them and I can tell you I am always
10 committed to try to make the. The lots of reporting
11 requirements put on the agencies meet their actual
12 intended goal and not make them burdensome but ensure
13 that we are asking for one similar set of data, the
14 DOC is asking to try to streamline those, that
15 information but I will say that it is somewhat, and
16 without really an accompanying statement explaining
17 why there is not any uhm data here, like DOC
18 Counseling Services. Your own DOC counselor-led
19 programs, no participation data, no completion data,
20 number of the groups actually do. I just don't want
21 to pick on any specific one but Fortune Society has
22 the participation data reported here, that, but most
23 of the groups don't have completion data and I
24 understand that the completion becomes a separate set
25 of issues, but at the minimum we would want something

1
2 to explain why we can't have even the participation
3 data. Because it sounds like to me that that is your
4 primary measurement here is whether people are taking
5 advantage of it but aren't actually able to account
6 how many people actually participated at any point of
7 time or for a calendar year, rather.

8 MICHAEL TAUSEK: Sure, sure, excellent
9 point, I wasn't there for public testimony regarding
10 that law and I am so I am unaware of whether there
11 was discussion on reporting standards and definition
12 and how to. It is great to hear what you just said
13 about hearing from the agencies on how they are
14 repor... capturing information, reporting out that it
15 meets your need as well as our ability to collect
16 that information. So uhm respectfully request an
17 opportunity to refresh my memory with that and then
18 get back to you on it. But it all comes down to
19 that, we are looking for that robust system so that
20 we can report out in a timelier and keep providing
21 accurate information.

22 CHAIRPERSON KEITH POWERS: Can you
23 followup with that that point. So, what, what is the
24 system that you are looking for? Is it, are you
25 making a budget as? Or have you? And it sounds like

1
2 you need some technological update here. And then
3 but maybe start with what is the system today for
4 tracking person and participation rates in a program?
5 How is that being tracked? And then, what are, what
6 are the systems that you need to do this more
7 effectively?

8 MICHAEL TAUSEK: If I can present this so
9 eloquently and in these terms. It is a paper-based
10 process of capturing information. A group takes
11 place in a housing unit and an attendance sheet is
12 filled out. That attendance sheet is then transposed
13 into an Excel spreadsheet which is then transposed
14 into another spreadsheet and with some of our areas,
15 we are talking about thousands and thousands of rows
16 that have been captured over time which has its own
17 inherent risk and our team, our Department if you
18 think about that sort of mechanical process.
19 Ultimately is then transposed if you, if you have
20 seen a DOC report particularly for young adults in
21 our specialized housing areas, our team then takes
22 all of that information and then puts it, puts it
23 together into a substitutive report. So, a lot of
24 effort goes into taking this information and putting
25 it together in to some type of report. So, one of

1 the things when I talk about strides that we have
2 made, even within that context is that we've reached
3 out to our external partners to get better
4 definitions on how they are viewing, how they are
5 defining certain things as, as something like work or
6 temporary housing versus permanent housing. How are
7 partners defining those things so we are all on the
8 same page? So, when we report out for the next
9 physical year particular in terms of that law, that
10 there will be a more comprehensive, more informative
11 report.

12
13 CHAIRPERSON KEITH POWERS: I appreciate
14 that we have spent a lot of time in the Council you
15 know pushing but I certainly supporting tech... the
16 sort of technology that you guys need to do your jobs
17 better, to track these outcomes better. But I want
18 to ask when the, who is actually collecting this
19 data? Is it DOC staff or is it the provider that is
20 providing like headcount data like for a particular
21 session or day?

22 MICHAEL TAUSEK: It is both. So, an
23 external provider comes on board and they are going
24 to, they have an attendance sheet that they complete.
25 They transpose it to a spreadsheet which then goes to

1 a supervisor within their, within their organization
2 which then is shared with DOC staff.

3
4 CHAIRPERSON KEITH POWERS: So, you have
5 all of these providers and subcontractors per se who
6 are just filling this stuff out on a piece of paper,
7 giving it, working some way up the food chain and
8 then ending up in an Excel spreadsheet?

9 MICHAEL TAUSEK: Okay.

10 CHAIRPERSON KEITH POWERS: Okay uhm,
11 pardon my surp... I mean pardon my feeling that that is
12 an inefficient way maybe to do it. I'm not saying
13 with all of the groups that there is necessarily an
14 easy way but it seems like a lot of opportunities for
15 miscounting or, or hard to track. You are also I am
16 guessing don't track individual progress then? You
17 are not tracking by it individually? You are trying
18 by how many people took, took advantage of it? It is
19 just a head count, it's not a per person sort of
20 tracking system of whether somebody is taking
21 advantage of. Knowing what they are taking advantage
22 of?

23 MICHAEL TAUSEK: So, Chair, if you looked
24 at one of our tracking sheet, you would see every
25 single housing unit has individual names that are

1
2 gathered by daily rosters, because some leave, some
3 get transferred, some move to a different housing
4 unit and those are taken off and new names are placed
5 on and if you look across column, to column to column
6 for that individual, with his booking case number,
7 you will see the amount of time that was spent,
8 whether it is individualized counseling, social
9 services, group participation and then go down that
10 spreadsheet and then particularly for group
11 participation, you will see what that particular
12 group was.

13 CHAIRPERSON KEITH POWERS: So, so you do
14 know an individual person, sort of what their, what
15 programming they are doing or how much programming
16 they are getting? Is that correct?

17 MICHAEL TAUSEK: Yes, but as we, but as
18 look at, for instance, for five hours, we look at
19 that on a more aggregate level. We maintain it but to
20 report out it is so comprehensive that we look at, we
21 report out on an aggregate level on terms of what
22 housing units need what in terms of meeting that five
23 hours so.

24 CHAIRPERSON KEITH POWERS: Okay, so, as
25 you are reporting this. You mentioned earlier a

1 statement that you are not yet meeting. The young
2 adults I think were meeting their five-hour
3 requirement but perhaps the other, the other groups
4 are not, or the adults are not. Can you share with
5 us, what is the average amount of time today that an
6 individual is receiving in programming? Or being
7 offered programming?

9 MICHAEL TAUSEK: Thank you Chair, great
10 question. Without encompassing or incorporating rec...
11 mandatory recreation, without incorporating volunteer
12 hours, without incorporating education or other
13 events and as, as we kind of distance ourselves from
14 the nucleus it becomes what does that 45 minutes,
15 what does that hour really mean in terms of the
16 overall mission. But we are approximately 3 hours
17 short without encompassing some of those areas that
18 could lead to disturbances which could potentially be
19 utilized in terms of I don't the five hours indunas
20 reduction.

21 CHAIRPERSON KEITH POWERS: So, you are at
22 two hours today when you take those other top...
23 subjects out average?

24 MICHAEL TAUSEK: Approximately three
25 hours.

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CHAIRPERSON KEITH POWERS: You are providing, okay, you are providing at least three, you are providing approximately three yours. And what is the timeline by where you, by which you think you are at five hours offered, excluding those items? If we are, and why are you, if I remember this law reading it, I would have to go back, it doesn't necessarily exclude those items but you are tracking those differently meaning recreation time or religious service or other, other things that you mentioned, those could be, you could be, could those be included in the five hours by, the definition of the laws but you are talking about with your program providers, is that correct?

MICHAEL TAUSEK: I will put a caveat on what I say. I would love for those other activities to be incorporated.

CHAIRPERSON KEITH POWERS: It would make your numbers valid.

MICHAEL TAUSEK: No, with that said Chair, we will continue to strive to bring as much engagement and programming as possible that would put us over.

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2 CHAIRPERSON KEITH POWERS: So, but you,
3 you have a, there is a commitment from the Mayor and
4 then there is a City Council Law that both speak to
5 the five-hour requirement, you are saying that you
6 are short of that today? So, what is, what is the
7 expected timeline to be at the man... the mandatory
8 five hours? Or beyond it?

9 MICHAEL TAUSEK: I cannot give you a
10 specific date which that five hours will be met
11 across the board. I can say that moving forward into
12 the new Fiscal year and even for calendar year 2019,
13 we are looking at our internal resources how we can
14 better deploy our resources, how we can look at the
15 time in which internal and external staff stay on
16 floor. Can we spread that out? And then how we can
17 utilize other resources to bring that back up, you
18 know bring that up to five hours to meet that five
19 hours. As I said earlier, it was acknowledged that
20 this year's scope of all of the housing units
21 requires a lot of staff and how we can do that in a
22 physically minded way and that's why we are looking
23 at our internal staff of how we could utilize people
24 dif... staff differently to at least have a broader
25 reach?

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COMMITTEE ON JUSTICE SYSTEM

CHAIRPERSON KEITH POWERS: Do you have a number, a budget number associated with what would it take to get you up to five hours?

MICHAEL TAUSEK: Uhm, not at this time but.

CHAIRPERSON KEITH POWERS: Okay.

MICHAEL TAUSEK: We can look at that.

CHAIRPERSON KEITH POWERS: Yeah, I mean I think you are mentioned \$38.1 million is your budget right now so I would be interested to know how much you need in order to get up to the five-hour program. Uhm, and, and so, you are tracking? How are you determining that, those three hours you are just doing it through the spreadsheet?

MICHAEL TAUSEK: That's through internal providers, internal staff, external providers and areas in which we have that uhm added recreation and that is by internal program recreational staff.

CHAIRPERSON KEITH POWERS: And you you're, so, how, okay. Uhm and you are somehow tracking this through, you are taking all of that data and incorporating it essentially into the spreadsheet to know. You are not, you don't actually know that if an individual is receiving five hours or

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not because you are tracking in the aggregate of all of the jails? Is that correct?

MICHAEL TAUSEK: No sir, we do have that individual information, but we report out on an aggregate level because are providing to the housing units, so.

CHAIRPERSON KEITH POWERS: Because of the changeover in population?

MICHAEL TAUSEK: Programming is done on a housing unit.

CHAIRPERSON KEITH POWERS: Right, right.

MICHAEL TAUSEK: Therefore, they have some other services. So, we look at the housing units on where the gaps are. We could potentially have an individual that is in a housing unit that hypothetically is receiving five hours but that individual let's say because of court of what have you.

CHAIRPERSON KEITH POWERS: Oh, I got ya, I gotcha.

MICHAEL TAUSEK: Only received three hours.

CHAIRPERSON KEITH POWERS: Gotcha.

1
2 MICHAEL TAUSEK: So, it's from a
3 logistical standpoint we gather more information
4 based on housing unit than individual.

5 CHAIRPERSON KEITH POWERS: You are saying
6 aggregating meaning that you are reporting the data
7 based on which, each housing unit is receiving, got
8 it, versus an individual. Okay. If, I notice that a
9 different, a different, different jails and I guess
10 the different housing units do receive different
11 programming. The different would take it off of
12 different programs and uhm there is one I think that
13 had financial literacy and some other didn't. How is
14 it determined what a housing unit receives or a jail,
15 how is it determined what they receive? Who makes
16 that determination and how often is that re... you know
17 re-evaluated to make sure that it is meeting the
18 intended goal?

19 MICHAEL TAUSEK: Our team looks at that
20 on a regular basis in terms of what is deployed
21 where? If I can break up our programming into
22 buckets. We have our cognitive restructuring bucket,
23 we have re-entry, we have our hard skill development,
24 we have education, we have workforce development and
25 so within those buckets are those modules that are

1 contained within them. For instance, if you look at
2 our, over our chain re-entry programs of the I-CAN
3 and SMART programs, within those two over-arching
4 programs that are provided by our external providers,
5 there is a series of modules that are contained
6 within that, in terms of soft skill development,
7 emotional, regulation, self-awareness, what have you
8 and so in terms of, so, we deploy our resource where
9 we can because there is a fine amount of money that
10 is available through those contracts with our
11 external providers. What we would like to do moving
12 forward we have had discussions about how can we be
13 more prescriptive, more targeted with, with our
14 programming in terms of looking, using those new
15 admission units to do assessments. To do
16 criminogenic risk to see what their true needs are
17 and then how to roll that out within the model of
18 housing units. So, there is ongoing discussions on
19 how to be more prescriptive, how to be more targeted
20 and within that whole scope is a housing plan that we
21 don't house based on criminogenic need, we base on
22 classification and custody level. So, it is always a
23 work in progress on how we can truly prescriptively
24

1 meet the needs of an individual because of
2 programming being provided on housing units.

3
4 CHAIRPERSON KEITH POWERS: Uhm, on hard
5 skill development like OSHA you mentioned earlier,
6 just to followup because you are talking about the
7 sort of housing. That's, you do the training. I
8 assume you don't do that training in your housing
9 unit, you go. I think we saw the carpenters doing an
10 apprenticeship program or a program in, in one of the
11 jails, so how do you, how do you become eligible for
12 a program like that and how do you get chosen for a
13 program like that?

14 MICHAEL TAUSEK: So, for OSHA 30, so,
15 what you saw there, Chair, was our young adult
16 mission in terms of their industry-related technical
17 skill-building and so that is done on-site. A lot of
18 the soft, the hard skills in terms of an OSHA 10 and
19 an OSHA 30 can be done in a housing, or a flagging
20 can be done in a housing unit since it doesn't
21 require tools, it is more manual based. So that's
22 how that is facilitated.

23 CHAIRPERSON KEITH POWERS: Got it, and the
24 same thing it is by housing unit, so they come and
25 they do that. You opt in whether you wanted.

1
2 MICHAEL TAUSEK: By provider. And so, if
3 we have, we have an individual that is serving in a
4 housing unit that for instance doesn't have an I-CAN
5 program that individual can request to be transferred
6 to a housing unit and then that would be facilitated
7 by that, by that facility management team.

8 CHAIRPERSON KEITH POWERS: Got it, okay
9 well you answered my next question. Uhm I wanted to,
10 I want to give everybody an opportunity to speak but
11 I just want to go through one more, or one, we just a
12 couple of more questions and then obviously get to
13 all the folks who are here and thank you for all of
14 your patience. Uhm, new jail facilities, as we are
15 in this conversation around the citing of four new
16 borough-based facilities. I believe, they call for a
17 larger amount of programming space. So, can you tell
18 us a little bit about what you envision in
19 programming in the new facilities and what, sort of
20 how you are going to prioritize programming in these
21 facilities versus what they receive today?

22 MICHAEL TAUSEK: It would be eutopia.
23 Truly. This is my fourth facility in my career where
24 generally speaking jails or prisons are not built for
25 the reasons of why they are there and that is to

1 provide the resource, the engagement, the programming
2 in order to help somebody start that process to
3 transform themselves and change their life. So,
4 Division and the Department is actively involved in
5 the construction and the vision of these new jails.
6 We know the logistical challenges currently that we
7 have of getting people to g... to congregate areas in
8 order to get programming and let's say to be as
9 prescriptive as possible. There are alarms, there is
10 medical appointments, what have you, so how much can
11 be done at a housing unit while still fulfilling that
12 need of being able to migrate to another area to
13 just, to move around. So, what I foresee is an area,
14 and the Chief can weigh in, in terms of speaking as
15 well for the Department where programming is done in
16 a sound quality environment that is separate from
17 those individuals that do not want to be engaged,
18 that the lighting, the color, the overall
19 infrastructure is conducive to somebody wanting to
20 change their life. If you think about the process
21 for an individual coming into one of our jails it is
22 not conducive to a transformation. It's, it's other
23 things and so that's, that's what I look to.

1
2 Libraries off of every housing unit in order to be
3 enriched by reading and. So, I'll let.

4 BETTY SCOTT: So, if I can, the fact that
5 you told from the meetings that I've attended, the
6 space is designed to inclusive of medical providers
7 and programming space even when as described by the
8 Chair of restrictive units. So, it reduces the
9 logistical challenges of accessing programming
10 because that space includes work space for the
11 providers so that you have desks and office space on
12 site and then there is open window sunlight
13 availability in the programming space and the
14 challenges that we have now in the housing areas are
15 the barriers of sound, sight and other things that
16 are happening. So, the designs that I have looked at
17 so far meets those challenges and it provides the
18 individual and the provider a really different space
19 to access learning.

20 CHAIRPERSON KEITH POWERS: Okay great,
21 thank you for that, thank you for the explanation of
22 how the new jails and sort of the intended
23 programming space.

24 BETTY SCOTT: That is the designs Chair
25 that's all I.

1
2 CHAIRPERSON KEITH POWERS: That's all you
3 go. I understand. I understand. Uhm just the last
4 few questions and this is before we get to some of
5 the folks who are working and doing this work. Uhm
6 one of the concerns that we have heard from folks is
7 that the volunteers have to attend four training
8 sessions and that, uhm, I think it is two regular
9 sessions, a training and then another session at
10 Riker's and have asked for consideration about, I
11 know this came up the other day, training to be short
12 end of condensed or even made available on-line in
13 some manner. Any feedback on whether that is
14 possible?

15 MICHAEL TAUSEK: Sure.

16 PATRICK DAIL: Yes sir, the training
17 actually is much more involved than just the four
18 reference. We have a number of annual training
19 mandates and bi-annual mandates from the City, the
20 State or the Federal, the Prison Rape Elimination Act
21 Training is a bi-annual federal requirement about
22 sexual harassment prevention, workplace violence
23 prevention, those sorts of things are City-based. At
24 the moment we are delivering the majority of them in
25 person, however, the Commissioner's Vision for

1 training for the organization that extends beyond our
2 members of service and into our volunteer ranks and
3 the uhm personnel involved with Health and Hospitals
4 Corporation. The service provider organizations are
5 that we are beginning to invest in on-line modules so
6 we are transitioning the requirement, the refresh
7 requirement to a self-paced on-line module and
8 actually we just had a kick-off meeting on that one
9 yesterday. The, the instructional design partners
10 were in with our subject matter experts. I won't get
11 into the details but the big picture, we are going to
12 be transitioning a number of those modules to an on-
13 line format so that they can be taken remotely.
14 There are a couple of on-boarding and initial
15 engagement modules that really do need to be taken in
16 person. I know our Security Awareness Training has
17 gotten a lot of attention lately because of some of
18 the selections of the videos uhm but we've swapped
19 out a number of the more harrowing videos for some
20 that are a bit more constructive and we've worked
21 with the training team to really enhance the message
22 there and integrating some role plays in the coming
23 weeks.
24

1
2 CHAIRPERSON KEITH POWERS: So, I would
3 just ask as a request here to and to me this is part
4 of the meetings that you will be setting up with the
5 providers is to consider some ways, we don't want to
6 discount or reduce the quality of the training so I
7 understand why some of that needs to be taken but it
8 sounds like for some folks who volunteer it is hard
9 to recruit and keep people committed with onerous
10 requirements around training and ways to do outline
11 or gather locations. I think it would make it
12 helpful so I would ask you to take a look at that
13 and, and see if there are opportunities to make that
14 available in different ways where up to. Similarly,
15 they uhm, I think one of the questions was around. I
16 think the training is offered Monday to Friday and
17 not on weekends and whether there are any
18 opportunities to do weekends or off business hour
19 training.

20 PATRICK DAIL: Absolutely, we provide
21 training now on what we call multiple tours, you know
22 our primary tour is 7 a.m. to 3 p.m. and 3 p.m. to
23 11, we provide training for in-house personnel
24 literally around the clock based on the tours that we
25 are working. Adopting a similar schedule for our

1
2 volunteers and program partners is certainly
3 feasible.

4 CHAIRPERSON KEITH POWERS: Okay, so it
5 sounds like you are doing that, you are saying that
6 you are doing that already?

7 PATRICK DAIL: No, we are not doing it
8 yet. I am saying that we are... cons... we presently
9 deliver training on multiple schedules but as I dive
10 in to, I am now partnering with my colleagues on the
11 volunteer and program provider training strategy and
12 we are certainly open to that. We are certainly open
13 to Web-X so that if it is offered at 7 o'clock at
14 night, people can take it from home. Uhm yes, that
15 is all open, it is all on the table.

16 CHAIRPERSON KEITH POWERS: Okay and uhm,
17 one of the other things that came up it sounds like
18 giving an email portal but just having day-to-day
19 contact to know who to call to sign up or any sort of
20 day-to-day issues, temporary clearance I think which
21 are paper-based and maintained by faxed also have
22 issues and I think some just level of having a point
23 person it sounds like you guys maybe had something
24 earlier about doing something like that. So, how do

1 we, who is the point of contact right now for
2 providers and volunteers?

3 PATRICK DAIL: We have two people that
4 work in our volunteer, our volunteer program for all
5 1200 uhm volunteers and remember it is important to
6 know too that out of the 1200 there are these annual
7 refreshers that are consistently rolling out so it's
8 the, it's the great efforts of those two individuals
9 that point person and she does a great job of
10 reaching out to various organizations, individuals,
11 not only to schedule the orientations and training
12 but also if more documentation is needed, uhm but
13 that's, that's what we have right now, is two people.

14 CHAIRPERSON KEITH POWERS: And but how
15 does one find those two people is my, is my question?
16 If I'm a volunteer and I have a temporary clearance
17 that's not, that's lost or something, like how do I,
18 who do I go to?

19 PATRICK DAIL: And that's why we, as we
20 move forward that's what we are streamlining and
21 bringing more clarity to because after that initial
22 touch is made of getting the application and then
23 furthering that along through the clearance process,
24 then it makes its way. That individual would make
25

1 his or her way to the facility and then it's. So,
2 oversight is moved from our Volunteer Division, now
3 it goes to that facility and just recently over the
4 last several months we established facility leads in
5 all of our facilities, so, who are that point person,
6 so one of our endeavors moving forward is to have
7 that card of contact for that individual for them to
8 contact and, in case that there is a problem with
9 their clearance or if there uhm, lack of access into
10 a facility. So, we are establishing that as, that's
11 an ongoing process for us.

13 CHAIRPERSON KEITH POWERS: Okay, we love,
14 we love to see them have a clearer sense of who uhm
15 they should be communicating with.

16 PATRICK DAIL: And that came out of that
17 meeting Chair, so that was great.

18 CHAIRPERSON KEITH POWERS: And, okay and
19 I appreciate that. Thank you and just to sort of
20 close it out here, the punitive segregation came up
21 earlier in terms of the library but if you are, if
22 you are, is an individual in punitive segregation
23 receiving any programming?

24 MICHAEL TAUSEK: Uhm through counseling
25 ser. through internal counseling services.

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2 CHAIRPERSON KEITH POWERS: In the housing
3 unit or where does that occur?

4 MICHAEL TAUSEK: Uhm cell side. So that
5 would be one-on-one engagement with internal staff.

6 CHAIRPERSON KEITH POWERS: Okay.

7 MICHAEL TAUSEK: And that's one area,
8 also Chair that we are looking at of how we can
9 improve that, how we can have more meaning, more
10 engagement between counseling staff as well as those
11 that are punitive segregation. The time there, the
12 stays there are relatively short compared to in
13 general housing areas, but that doesn't negate the
14 fact that I am a big believer in engagement in
15 secured housing areas. My last five years of my
16 career have been about improving programming through
17 the delivery of programming and through a multitude
18 of ways in restricted housing areas and so that is
19 one area that is on our radar to actively increase
20 programming, the value of the programming, what's
21 also being uhm provided and just on a one point
22 chair, really positive point, just over the last six
23 months we are looking at that question, focus on
24 punitive seg. We have done great work for those that
25 have not made it to punitive seg yet for, for

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2 whatever infraction, so we have rolled out in three
3 jails at this time offender intervention strategies,
4 for those that not even from a disciplinary
5 standpoint just from a, for those that are just not
6 maintaining themselves well and we can find that out
7 through uhm the grievance process, which are
8 grieving. Just through informal information from
9 non-uniform and uniform staff that someone is just
10 not doing well, just not coping well, someone that
11 has had a run of disciplinary actions where actively
12 involving correctional staff with those individual,
13 working with them one-on-one to target those, those
14 thinking patterns and those behaviors that are
15 leading them into a negative space and over time what
16 you will find is that that intervention strategy will
17 slow down the pace of those going to a punitive
18 segregation or another restricted housing area
19 because of that meaningful engagement.

20 CHAIRPERSON KEITH POWERS: I wanted to
21 hand it over to Council Member Holden who has a
22 followup question. I just was, so thank you for all
23 of this information and for your engagement and also
24 willing to set up some new processes here for
25 engagement. I will say and at some point, with

1
2 followup we certainly want to that two- or three-hour
3 number or whatever is the current provider number to
4 be at the five hours requirement. It's a commitment
5 that we have made as a City. I understand that there
6 are things that are not included in that that one
7 might include but we are, we are missing the mark in
8 terms of hitting the five hours. Second, you know I
9 am supportive and if I can be something around
10 improving tracking and technology throughout the jail
11 system because this is not the only place that we
12 find the DOC just doesn't have, and it's a budgetary
13 resource question, doesn't have the resources they
14 need to be able to do the job and to meet our basic
15 requirements that we ask if you but to be able to do
16 things in a modern way and hopefully the new jails
17 offer an opportunity for that but, but even before
18 that, or in addition to that, uhm we want to make
19 sure that you are resourced in ways to be able to do
20 this stuff. Because I don't want to be back here in
21 a year and say why aren't you there? Why can't you
22 track if it a question of resources? I have a couple
23 of things that I would ask, one is, the question
24 about library services, programming of course as well
25 for punitive segregation. The library issue to me

1
2 seems like so simple to be able to provide
3 periodicals or books to people there, especially
4 people who do not get, who do not get hours outside
5 of their cell. Second, is to distribute work group
6 information and make sure that we have a clear and
7 everybody who is interested has a clear understanding
8 of when those things are happening? How to access
9 them? Three is some commitment to, to get that
10 program menu. I mean I didn't even talk about it
11 enough really, the ability for people to know what
12 the programming is, to know that I can go to another
13 house or request another housing unit if I want to
14 take advantage of but to have that as an available,
15 as something soon and make it more available. Some,
16 some, some improvement around the training and the
17 on-line training and for folks who are working there.
18 Uhm off hours as well where it is possible and uhm
19 and again a primary contact point for the groups.
20 I'm sure so many know how to get to the people that
21 they need to get to but because we've heard
22 complaints about that it sounds like an area where
23 there is a lot of opportunity for improvement. And,
24 and then again, you know, again any way to track this
25 in a better way. And I, and I believe I end I will

1 say you do have a commitment here to try to make
2 reporting easier and to make sure that we can get the
3 information that we want to do our oversight better,
4 but that it's done in a way and a format that does
5 not create spreadsheets where we don't know why we
6 don't have the data, no explanation and it is a, it
7 is a, maybe it was an error on our part in Bill
8 drafting to get to that point. So, you do have a
9 commitment on that. I know that we ask for a lot of
10 reporting but it's important information particularly
11 in the jail setting. I, I, I believe that firmly. I
12 would ask. We will do a followup with you guys on
13 all of those points but I would ask you to take those
14 really seriously and I, I presume that at some point
15 in the future we will do a followup on this to see
16 where we are on many of those items. With that being
17 said, I want to hand it back over to Robert Holden.

19 ROBERT HOLDEN: Quick question, on uhm my
20 own information about punitive segregation. You said
21 something about counseling, how much counseling do
22 they get and it is it mandatory in punitive seg,
23 could they just say I'm not doing?

24 MICHAEL TAUSEK: Uhm they can decline
25 counseling services or social services if they like

1
2 but that does not stop our commitment to making our
3 rounds or slash our tours through that area engaging
4 with individuals, asking them what the needs are,
5 seeing what their interests are and that counselor
6 providing materials for that individual.

7 ROBERT HOLDEN: Might there be an
8 incentive for some counseling? Let's say, if you
9 agree to meet with a counselor, we will give you less
10 time in punitive seg, that's an option.

11 MICHAEL TAUSEK: Do you want to answer
12 that?

13 BETTY SCOTT: I would agree sir that it
14 is an option but we have to be considerate of the
15 action that was adjudicated that contributed to your
16 placement there and take that into account so that we
17 could take that into account so that we could both
18 meet the penalty of that adjudicated action but
19 provide the service on a continuous basis and ensure
20 the safety of staff and other individuals in that
21 environment, so is it something that is possible to
22 us a sense to advise but I just want to be mindful
23 that uhm we are not engaging low level offenses as,
24 as we were in the past. So, typically the population
25 that are not in punitive seg are now serious offenses

1 so it is no longer like did you make your bed? It is
2 an act of violence that may have contributed there so
3 we have to be considerate and that would be a very
4 individualized action.
5

6 ROBERT HOLDEN: Right but you can't give
7 up. I mean because this person has been violent.

8 BETTY SCOTT: Absolutely. And also, we.

9 ROBERT HOLDEN: You have to try to reach
10 them otherwise they get out and they do the same
11 thing over and over.

12 BETTY SCOTT: And that's exactly the
13 point that I was going to make, we absolutely want to
14 engage them because they are not coming out of
15 punitive seg to another environment, they are coming
16 back to us and they are going to be in general
17 population perhaps so that would definitely be an
18 individualized approach.

19 ROBERT HOLDEN: Great, thank you very
20 much.

21 BETTY SCOTT: You are welcome sir.

22 CHAIRPERSON KEITH POWERS: Thanks I'm
23 sorry I have two more questions, one was from Council
24 Member Richards who did not have an opportunity to
25 ask it and the question was, if you did survey in

1 his, in his Bill his question was are there ways to
2 ensure privacy for folks if they did a survey to make
3 sure that there is no sort of backlash for responding
4 honestly?
5

6 MICHAEL TAUSEK: Absolutely, surveys that
7 I have been involved in in the past have been
8 anonymous so it is not tied back to an individual but
9 certainly I would say yes to that.

10 CHAIRPERSON KEITH POWERS: Okay and last
11 question, just on the data that you collect does, on
12 the individual level data that you do have does that
13 get shared with the Board of Corrections, the
14 individual level data or they get the same data we
15 get which is more like the aggregate numbers?

16 MICHAEL TAUSEK: The focus with our Board
17 of Correction Oversight has been young adults so due
18 to that population, due to where they are housed,
19 that is very small numbers, compared to the overall
20 scope of the population. So, we do provide
21 individualized, that granular level of that data.

22 CHAIRPERSON KEITH POWERS: Of who and
23 what they are getting?

24 MICHAEL TAUSEK: Yes sir.
25

1
2 CHAIRPERSON KEITH POWERS: Thank you,
3 thank you guys so much and we will followup with you
4 but thank you for spending a couple of hours with us
5 here. Thank you to Council Member Holden and the
6 others who had really fantastic questions. Uhm, we
7 are now going to go to our panels. We have about an
8 hour which I think is enough time for the folks that
9 we have here. We will have a time limit but then we
10 will ask questions as well. So, I think we are going
11 to start with these. You guys, you guys are all
12 good. Thank you. We are going to start with the
13 Brooklyn Public Library, the Queens Library and uhm
14 and that's it. The Brooklyn Library, the Queens
15 Library and the New York Public Library. (long
16 pause) Okay thank you. Thank you everybody for being
17 here and thank you for your patience as well. So, we
18 will, we will continue. We will ask just to do like
19 a two-minute timeline but then we will have an
20 opportunity to ask questions and followup. I'm sorry
21 to put you on a timeline but I want to make sure
22 everybody has an opportunity to testify. Uhm we can
23 start left to right and just if you can state your
24 name and then begin your testimony and if you are
25 affiliated with the same group, you can obviously

1
2 testify as a group and then we can do the followup
3 questions. Great, thanks so much. And just your
4 name before you start.

5 NILI NESS: Sure, my name is Nili Ness
6 and I am Correctional Services Librarian for Queens
7 Library.

8 DIEGO SANDOVAL-HERNANDEZ: My name is
9 Diego Sandoval-Hernandez. I am Correctional Services
10 for Brooklyn Public Library.

11 NICK HIGGINS: My name is Nick Higgins.
12 I am the Chief Librarian of Brooklyn Public Library.

13 EMILY JACOBSON: My name is Emily
14 Jacobson I am the Correctional Services Library for
15 the New York Public Library.

16 NICK HIGGINS: Okay, alright, so good
17 afternoon, my name is Nick Higgins I am the Chief
18 Librarian of the Brooklyn Public Library, thank you
19 Chair Powers, Council Member Dromm and the Members of
20 the Committee on Criminal Justice for the opportunity
21 to testify on behalf of the New York City's three
22 public library systems on Intro 1184. For nearly 40
23 years the City's three library systems have filled
24 critical educational and recreational literacy gaps
25 to people, for people incarcerated in DOC facilities

1
2 by helping individuals develop and sustain a love of
3 reading and a lifelong pursuit of knowledge. The
4 libraries offer a book lending services for people
5 incarcerated in all NYC Department of Correction
6 jails employing various service models to best fit
7 each facility and population including mobile book
8 carts, flexible standing libraries and dedicated
9 library spaces. In Fiscal year 18, 31,000
10 incarcerated New Yorkers checked out over 68,000
11 books and magazines from our correctional libraries.
12 Nearly 2700 connections have been made between
13 incarcerated New Yorkers and their families through
14 our library-based video-visit program. And countless
15 others have participated in monthly library-led
16 English conversation groups, art and music programs
17 and early literacy classes. Through these efforts,
18 those these efforts are impressive and reflect the
19 hard work and commitment of our librarians and
20 corrections partners with the right support from City
21 Council and the DOC we could do so much more. The
22 library's collective experience in running high-
23 quality libraries for people in DOC custody puts us
24 in a unique position to inform the proposed
25 Legislation and we are eager to contribute to

1 discussing any plans on the expansion of library
2 services, providing access to books for everyone who
3 was incarcerated in DOC jails is a goal that has
4 driven our work from the beginning. We hope that our
5 experience and expertise can be used to increase
6 access to quality library services and meaningful,
7 sustainable and practicable ways, creating new
8 readers and supporting those who already love to
9 read. The goals of the proposed Legislation align
10 with the promises that these libraries provide high-
11 quality and accessible and relevant services to all
12 New Yorkers but we do see that there are some
13 challenges for implementation, mainly that there is
14 no language within the proposed Legislation that
15 requires library professionals to oversee those
16 library activities. In our professional judgment,
17 any library services offered to the public,
18 particularly a service offered to vulnerable
19 populations should be staffed by library
20 professionals who are accountable for collection
21 development, circulation management and program
22 facilitation and reference and the lengthy daily
23 operation scheduled for the proposed library services
24 would require a significant investment in staffing
25

1
2 and collections and finally within the Legislation
3 there is no mention of consultation or guidance from
4 Library professionals in building, designing and
5 facilitating expanded library services leaving the
6 complex project presumably up to the Department of
7 Corrections. So, as we have been doing for decades
8 Brooklyn Public Library, New York Public Library and
9 Queens Library continue to be poised to provide expert
10 guidance on best practices, and collection
11 development, maintenance, staffing, circulation
12 practices and educational and recreational
13 programming for an expanded library program within
14 the Department of Corrections. Thank you for the
15 opportunity to testify today and we are able and
16 available to answer any questions you may have.
17 Thanks.

18 CHAIRPERSON KEITH POWERS: We will do all
19 the testimony and then I'll, we will followup with
20 some questions. Okay. Y'all are doing it. You
21 guys are so good to me. Uhm, so these are all three
22 systems here, so all three of you are in different
23 facilities, is that correct?

24 ALL: Yes.

1
2 CHAIRPERSON KEITH POWERS: Just to ask
3 you really quick who is in what facility? I assume I
4 can guess based on the geographic but.

5 NICK HIGGINGS: Sure, here's the uhm
6 here's the list. So, New York Public Library is in
7 Rose Singer, uhm GRVC, EMTS, AMKC and MDC in
8 Manhattan. Brooklyn Public Library also in RNDC, the
9 West Facility, OBCC, BKDC, AMKC, VCBC and NIC
10 facilities and Queens are in ...

11 CHAIRPERSON KEITH POWERS: So how is
12 that, how is that even decided?

13 EMILY JACOBSON: It sort of evolved
14 organically over time.

15 CHAIRPERSON KEITH POWERS: Got it.

16 EMILY JACOBSON: Just sort of the
17 facilities that we settled on.

18 CHAIRPERSON KEITH POWERS: Got it. And I
19 know the Manhattan one, I had the opportunity to go
20 to MDC with the opening of the new or renovated room.
21 I guess. Is it, is it correct to say that there is a
22 physical library in every single facility? No. And
23 I see that at JK. So, who has which, which
24 facilities have a physical library and which ones
25 have a, it sounds like just a cart, a mobile cart?

1
2 And then second question is with the mobile cart how
3 often is that provided to somebody?

4 EMILY JACOBSON: So, at NYPL we have
5 dedicated library spaces only at MDC and at Rose M.
6 Singer Center. Uhm at EMTC we actually don't have a
7 permanent library space, we set up every week in the
8 gym there and then put our books in the closet when
9 we are done. Uhm at AMKC and GRVC we go around with
10 a book cart. At GRVC that is weekly service and at
11 AMKC it is bi-weekly.

12 DIEGO SANDOVAL-HERNANDEZ: And we only
13 have a standing library at RMDC.

14 NILI NESS: There is no standing library
15 at AMKC and we have been working to try to open one
16 for about two years now.

17 NICK HIGGINS: What this Legislation
18 would allow would be sort of like a formalization of
19 the process of provision of library services, for,
20 uhm for people and an accountability on each
21 institution whether it is the DOC or the library to
22 provide that to for people

23 CHAIRPERSON KEITH POWERS: And what do
24 you he... how does one request if I want to do to. So,
25 you have in MDC you have a physical space there. I

1 want to go and take advantage of that, I want to go
2 actually go visit there and take a book out and spend
3 some time there, how does that process happen? And
4 second, outside of when a cart goes around, how do I,
5 if I did want to request a new book is there a
6 process by which that happens?
7

8 EMILY JACOBSON: So, I believe the way it
9 works at MDC although my colleagues are the one who
10 runs those service, we have, we have a set up so that
11 every housing unit has a different time that they are
12 called to go down. And an officer will go and
13 announce it on the unit and escort the guys down. We
14 don't have folks sign up ahead of time who want to
15 go, they can just decide spur of the moment. Uhm and
16 if unfortunately, because this isn't a mandated
17 service if they do miss it for the week due to a
18 conflict, they just miss it.

19 CHAIRPERSON KEITH POWERS: Got it and
20 with the, with the mobile cart, that goes around how
21 often? Is it based on?

22 NIIL NESS: Yeah it depends on the
23 facility so for example I got to ANKC twice a week
24 but at the same time (clearing throat). There are
25 still areas of general population that don't receive

1
2 services. So, there are still like areas that even
3 if you wanted to have library services you don't get
4 them.

5 CHAIRPERSON KEITH POWERS: They don't
6 have either a physical space that they can be taken
7 to? Or they don't get a mobile cart so they get
8 nothing?

9 NILI NESS: Yes.

10 CHAIRPERSON KEITH POWERS: So, if they
11 wanted to request a book, how do?

12 NILI NESS: I think that there are ways
13 they would go through social services and ask or
14 what, or the before they might ask through the law
15 library and the law library may ask the public
16 library for books but that's, that's basically they
17 get books or through family.

18 CHAIRPERSON KEITH POWERS: Got it. Well
19 that disturbing and your, and to to Council Member
20 Holden and Council Member Dromms' point about the
21 punitive segregation. What would it take to provide
22 a service to folks if they wanted to take advantage
23 of your service but they were in punitive
24 segregation?

1
2 NICK HIGGINS: Right, so that, that
3 deserves some clarification. I think from the
4 libraries because we do a history of serving people
5 who are in punitive segregation in the newly
6 developed ESH facilities and also mental observation
7 units within the facilities but I can, I can pass
8 this over to you.

9 EMILY JACOBSON: Sure, and for the
10 facilities that NYPL serves at GRVC and RMSC we do
11 actually exactly what you recommended. We have books
12 that we do drop off and provide for the, for just
13 that unit. And at MDC we actually go around with a
14 book cart and serve the men who are in the ESH units.

15 CHAIRPERSON KEITH POWERS: Okay. Uhm you
16 would, but would you agree that possibly we can
17 create a bookshelf in those cells uhm where they
18 would have books and you know they would keep them
19 for a certain amount of time but would provide more
20 than just one. Cause I don't know how they. So,
21 these carts go around to the individual cells in
22 punitive seg? Is that how it works?

23 EMILY JACOBSON: Either we drop off books
24 there that they can just use in the unit however they
25 want or, or we do go around with the cart.

1
2 CHAIRPERSON KEITH POWERS: So, but you
3 don't have contact with them? With the inmates? You
4 just, you just pass something through a slot is that?

5 EMILY JACOBSON: In some places we do
6 and, in some places, we just drop off.

7 CHAIRPERSON KEITH POWERS: Yeah.

8 EMILY JACOBSON: Is that true for you
9 guys as well?

10 DIEGO SANDOVAL-HERNANDEZ: I think in
11 some places we don't actually have contact with the
12 person, we receive a sheet that they fill out and we
13 try to fill that request.

14 CHAIRPERSON KEITH POWERS: Okay.

15 DIEGO SANDOVAL-HERNANDEZ: But we never
16 actually have any contact.

17 CHAIRPERSON KEITH POWERS: So, you give
18 them a sheet of the list of the books that you have?

19 DIEGO SANDOVAL-HERNANDEZ: Uhm John...

20 CHAIRPERSON KEITH POWERS: Okay John.
21 Alright it just seems that nothing is standardized
22 here. Some, it is almost like you, you hit. It
23 depends on where you end up. It is sort of a luck of
24 the draw. It needs, I think, because obviously if
25 you want to, if somebody wants to get out of their

1 lifestyle or change their lives books really are the
2 answer. And we are not providing that it sounds
3 like. The fact that the Commissioner didn't know
4 about punitive seg that you do provide in some, this
5 is, maybe we should examine this and maybe we should
6 have a bookshelf in every cell whether it is punitive
7 seg or anything else. I don't know what they can do
8 with the books. You know throw them. I mean I don't
9 know. I think at this point we have to really make
10 this a something that Danny Dromm, Councilman Dromm
11 was saying. I was shocked that there is you put
12 somebody in punitive seg and many cells do not have
13 books. They never, they don't have access to a book
14 and you would think that we should want them to have
15 a book in their hands or at least minimally self-help
16 books. I mean come on. Uhm that they can grow or
17 certainly be entertained but anyway, uhm I think we
18 need to look at this and maybe through Legislation
19 uhm address it so, thank you very much for your
20 testimony. Thank you if you could also give us a copy
21 of you. If you don't have a testimony with your
22 recommended changes for the Bill as well, we will
23 take a look at them and we will come back and answer
24 any questions that you may have about implementation
25

1
2 or, or ensuring that it is a public, it is a public
3 library, using that process and it is similar to
4 Council Member Holden's point, you know
5 standardization and expansion obviously, an obvious
6 goal here as well. So, thank you, thanks so much.
7 Thank you. So, we are going to have now, we have
8 Elizabeth Williams from Bronx Defenders. We have
9 Nancy Ginzberg for Legal Aide, Danielle Gerard from
10 Children's Rights and a Messiah Ramkissoon from
11 Friends of Island Academy. Okay. Thanks. Let's see
12 one person in the group. Okay, thank you, uhm you
13 guys can start, we will get you on the clock. I
14 usually go left to right but whatever order makes
15 most sense and just if you can before you start, just
16 tell us your name and your affiliation. Thanks.

17 ELIZABETH WILLIAMS: My name is Elizabeth
18 Williams.

19 CHAIRPERSON KEITH POWERS: Can you turn
20 your mic around, thanks.

21 ELIZABETH WILLIAMS: Hello?

22 CHAIRPERSON KEITH POWERS: Yes.

23 ELIZABETH WILLIAMS: Yes.

24 CHAIRPERSON KEITH POWERS: There you go.
25

1 ELIZABETH WILLIAMS: Hi, my name is
2
3 Elizabeth Williams and I am a social worker in the
4 Criminal Defense Practice at the Bronx Defenders.
5 Thank you for the opportunity to testify before you
6 today.

7 MESSIAH RAMKISSOON: Good morning, I am
8 Messiah Ramkisson, Friends of Island Academy,
9 Director of Programming and Community Partnerships.

10 DANIELLE GERARD: I am Danielle Gerard.
11 I am Danielle Gerard I am a staff attorney at
12 Children's Rights and I am going to refer you my
13 written testimony for a background on our
14 organizations work with children in foster care and
15 juvenile justice systems.

16 CHAIRPERSON KEITH POWERS: Great.

17 NANCY GINZBEG: Good afternoon, Nancy
18 Ginzberg Legal Aid.

19 CHAIRPERSON KEITH POWERS: Okay thank
20 you. You want to go ahead.

21 ELIZABETH WILLIAMS: Okay, the
22 perspective that I offer today is a form by the
23 experiences our client's engagement in programming
24 while in the custody of the Department of Corrections
25 to the extent that our clients are incarcerated pre-

1 trial, we believe that DOC must provide services and
2 support that are therapeutic rather than punitive and
3 that maximize our client's changes for a successful
4 re-entry. Ideally, voluntary participation in
5 educational, vocational and therapeutic programming
6 would address underlying issues. Leading to your
7 client's criminal justice involvement, decrease the
8 likelihood that they would be involved in violence
9 and prepare them for future re-entry. Sadly, DOC
10 programming regularly fails to live up to this idea;
11 however, we are hopeful that a radical re-orientation
12 of the culture of corrections are formed by the
13 experience by those profoundly most affected is
14 possible. The Bronx Defender supports the proposed
15 Bill to conduct an annual survey on conditions of
16 confinement and treatment by Corrections Officers.
17 This survey is a critical first step towards
18 addressing long-standing issues where our clients
19 were incarcerated pretrial. Every day our clients
20 and staff encounter barriers to accessing accurate
21 information about program availability, programs
22 abruptly end without explanation of notice and the
23 lack of communication within program staff and the
24 information available to advocates limits our ability
25

1 to support our client's regular engagement in
2 programming. The majority of our clients find music
3 and art programming to be very positive emotional
4 outlets while they are in custody; however, this is
5 not widely available and we urge DOC to increase
6 regular access to music and arts programming and
7 increase those therapeutic outlets in all housing
8 units. We further support proposed Bill 1184 as
9 regular access to books can provide, similarly
10 provide therapeutic outlets for people in detention.
11 And we have learned through these stakeholder
12 meetings that DOC programming is intended to be
13 standardized across all housing area but our clients
14 have contradicted that goal. While standard
15 programming is generally available to our youngest
16 clients our older clients are facing more serious
17 charges or have a higher Bill, often report no access
18 to that programming. So, it is my hope that this
19 testimony will provide support to providing broader
20 oversight of and create changes to the Department of
21 Corrections existing program and structure to 1)
22 increase transparency and centralize information
23 about the availability of programming and to ensure
24 that the DOC's goal of providing standard programming
25

1
2 across housing units is accessible to all who are
3 interested and to expand the variety of vocation,
4 educational and therapeutic programming to support or
5 client's successful re-entry. Thank you for this
6 opportunity.

7 CHAIRPERSON KEITH POWERS: Thank you,
8 same thing, we will do everybody and then I will, we
9 will followup with some questions.

10 MESSIAH RAMKISSOON: On behalf of Friends
11 of Island Academy I thank the Committee on Criminal
12 Justice for the opportunity to address you. My name
13 is Messiah Ramkissoon as stated as I serve as
14 Director of Programs for Community Partnerships and
15 Friends of Island Academy. Just to give you some
16 back drop, Friends is a nonprofit organization, which
17 was founded in 1990 on a school floor of Riker's
18 Island. I want you know a little bit about the
19 comprehensive model of youth supports which we
20 piloted at Riker's Island three years ago in
21 collaboration with the rich array of youth focused
22 organizations citywide, many of which are here today.
23 Through the network we meet kids within 48 hours of
24 their admission to custody, Riker's and Horizon and
25 introduce ourselves as their Friends Advocate. We

1 reach out to their families, attorneys, and support
2 systems while they are in custody and use their time
3 throughout custody to develop a caring, mentoring
4 relationship. We leveraged the relationships which
5 we developed with them in custody to engage them post
6 release for as long as we can. Working with them on
7 their needs, goals and aspirations. Working through
8 the defense attorneys we advocate in court on their
9 behalf to minimize lengths of stay and further
10 incarceration. We put up sentenced young adults when
11 they have completed their sentences from Riker's and
12 drive them home with a plan to meet up and work on
13 their goals. We deliver and facilitate programming
14 on Riker's Island through our Partnerships with
15 community-based youth focused partners 7 days per
16 week in housing areas in custody. Collectively,
17 these organizations offer enrichment such as art-
18 based programming, cognitive behavioral supports,
19 transforming mentoring through credible messengers,
20 life skills support and legal support for the
21 collateral consequences of arrests and conviction.
22 My role of this is to identify that support and work
23 with our partners. I know first hand that the impact
24 is unprecedented. We are privileged to have the
25

1 unique and extraordinary set of 40 plus partnerships
2 who provide workshops weekly within the housing areas
3 at four facilities in Riker's. Together we seek to
4 ensure that programming results in connections for
5 youth post-release at the neighborhood level. Right
6 now, the network provides 45 hours of workshop
7 sessions per week. I would like to fast forward just
8 a little bit to address some of our concerns. Uhm as
9 to why we are mainly here as it relates to today's
10 platform. Uhm, to make all of this work better and
11 more cohesively uhm we offer the following
12 recommendations to ensure effective delivery of
13 programming to address the huge backlog of clearances
14 by expediting DOCs approval of volunteer ID
15 applications especially renewals. To extend renewal
16 periods to 18 months instead of its current 12 months
17 to minimize average wait length times for getting
18 clearance. Facility to escorting process to better
19 enable providers to get to housing areas. The Bill
20 flexibility into the DOC ID approval process which
21 would allow access by providers who have prior
22 Justice System involvement and who are often the most
23 impactful with youth. You know at one point it was
24 either murder or rape were the conditions to which
25

1
2 people would be denied access onto Riker's but we
3 have a lot of folks who have uhm you know former
4 history in the Criminal Justice System who have been
5 denied for unexplained reasons and even civilian
6 staff without history has been taking everywhere from
7 six to eight months to get called back for
8 fingerprint or a renewal appointment to pick up their
9 IDs. Also, to invest in DOCs ability to hire staff
10 to support these initiatives. Last but not least, to
11 build on our existing infrastructure to facility
12 post-release continuity with providers at the
13 neighborhood level. I can't emphasize enough the
14 value of this programming for young people for their
15 health and well-being and for their future pathways
16 and incidentally it allows for less unhealthy jail
17 system.

18 CHAIRPERSON KEITH POWERS: Great, thank
19 you.

20 DANIELLE GERARD: Uhm the young adult
21 plan commits the Department of Correction to
22 providing all young adults in DOC custody with
23 comprehensive individualized outcome-oriented jail
24 and community-based services in safe environments
25 that are conducive to learning. This should not be

1 limited to the best performing youth and necessarily
2 includes even the most challenging adults. There are
3 currently well over 600 young adults in Riker's.

4 From the February 2019 update to the young adult

5 plan, first it is hard to determine how many young

6 adults actually participate in programming at

7 Riker's. The update maintains the Department offers

8 five hours of programming in the majority of general

9 population housing areas but the Department concedes

10 in another context that "substantially all" means "no

11 less than 50%." If a majority of the housing areas

12 is similarly limited to no less than 50% of the

13 housing areas, then a substantial number of young

14 adults are not getting the programming they need.

15 Second, it is not clear if 19 to 21-year olds have

16 access to the same programming offered to 18 years

17 olds or if there are enough programming slots

18 available for every young adult who wants to

19 participate. It seems that the most popular programs

20 for young adults include CBT, life skills and healthy

21 relationships. Are enough of these classes available

22 or do young adults get placed on a waiting list?

23 Furthermore, the February update provides no

24 programming data specific to the 18-year-olds who are
25

1 all housed at RNDC. Third, it is widely acknowledged
2 that development continues through early adulthood
3 and providing age appropriate programming ensure that
4 this development continues. This developmental
5 period is also a time of greater risk when the
6 youths' environment can have substantial influence on
7 decision making. Research has shown that the window
8 of opportunity to effect youth development and
9 promote resilience closes in the mid-20s. The young
10 adult plan is initially designed, provides an
11 opportunity to align Department rules with best
12 practices in youth development. By doing so, older
13 youth will be safer and less likely to re-enter
14 detention after their release. We urge the City
15 Council to remain engaged, to hold the Department
16 accountable for providing continuous dedicated
17 programming for all young adults at Riker's and to
18 set specific benchmarks and timelines for meeting the
19 programming requirements and other goals laid out in
20 the young adult plan. Otherwise, Children's Rights
21 fears that the Department's continued request to the
22 Board of Correction for variances from the Board's
23 minimum standards will constitute the actual
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2 implementation or lack thereof of the young adult
3 plan.

4 CHAIRPERSON KEITH POWERS: Thank you.
5 Please.

6 NANCY GINZBERG: Good afternoon, we have,
7 we have submitted extensive written testimony and I
8 am not going to read it today. I would like to
9 respond to some of the things that the Department
10 said. For many years, we at legal aid has been one
11 of the main participants in a group of many who
12 worked on adolescent, the Adolescent Reform Process
13 after the settlement of the Nunez case. And while we
14 have seen commitment from the top of the Department
15 or at least from some of the top of the Department
16 the ability to trickle down that commitment has been
17 limited at best in many of the buildings. I will say
18 that you must hear the Department's testimony through
19 the lens of what actually happens on the island,
20 security controls every decision that is made and the
21 Department relies on the people who make security
22 decisions before any other Division gets to make
23 another decision. So, programming only provides
24 programming to those people that the Security
25 Division deems eligible. And how those decisions are

1 made are completely opaque. We have asked for many
2 years, multiple times for a map of who gets
3 programming, in which building and which housing unit
4 and we have never been allowed to see that. I do
5 not, I have never been able to know which of our
6 clients depending on where they are housed are able
7 to access certain services. The other issue is a
8 critical issue is that kids and young adults and
9 really adults also are moved from building to
10 building like chess pieces. And so, they start
11 services and then they lose engagement with those
12 services and that is probably why you never get
13 completion rates. Because it is very hard to
14 complete a program when you ping pong around the
15 Island. Now I do not want to you to under-estimate
16 the importance of what Messiah is talking about,
17 developing caring relationships. You cannot under-
18 estimate the need set of many of the people who are
19 currently on Riker's Island. It is a very different
20 population than it was when those numbers were very
21 high. We are seeing a lot of people with extreme
22 trauma histories with significant mental health
23 history that sometimes we have a lot of trouble
24 having been identified and there are many obstacles
25

1 to individuals agreeing to engage in services. And
2 providing them support, providing a written menu of
3 services when you have all of those issues, a written
4 menu of services is not going to do the job. We need
5 to commit, the Department needs to commit continuing
6 relationships with the programming services that are
7 on the ground that have those relationships with
8 those individuals because sometimes it takes a very
9 long time to convince individuals to overcome their
10 fear of being on the island, to overcome all of their
11 anxiety of all of their issues around their pending
12 cases. There separation from their families and
13 their friends to engage in services. So, I would the
14 other issue about measuring recidivism and re-entry
15 is that the Council has to be were, we are
16 encouraging the Council to re-commit to this kind of
17 analysis because the individuals who are held on
18 Riker's Island are come from a very small number of
19 neighborhoods and they are the same number of
20 neighborhood that feed the Child Protective System
21 that feed every other system in this neighborhood,
22 uhm in this City and it is the same neighborhoods and
23 the same map that we have been looking at for
24 decades. And so, if we want to make a meaningful
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2 commitment to re-entry and reducing recidivism, we
3 have to improve services in those neighborhoods and
4 those relationships that our clients are forming with
5 the program providers while they are on Riker's must
6 continue into their neighborhoods. The different
7 between seeing someone you know upon release who you
8 developed a relationship while you were incarcerated
9 and not seeing that person is the difference between
10 re-engagement and not. And so, I beg you to spend a
11 lot of time with the providers who are on the island
12 really hearing the work that they are doing and what
13 works and what doesn't because we have serious
14 concerns that these outcome studies that are going to
15 be provided by DOC are not going to capture that very
16 important information. Thank you.

17 CHAIRPERSON KEITH POWERS: Thank you,
18 great, great... (applause). Uhm I'm going to ask a lot
19 of questions so I am going to ask a number of them.
20 Uhm I wanted to start, there were recommendations
21 made by Friends of Island Academy a whole host of
22 them which were really I think helpful and clear,
23 very clear. Uhm I just want to backlog clearances by
24 expediting DOCs approval of volunteer applications.
25 How long does it just act orally you are not under

1 oath? How long does it take normally for somebody to
2 get an approval about of a volunteer application?
3 Including a renewal?
4

5 MESSIAH RAMKISSOON: Well, I can give you
6 some examples. We have staff who work for Friends of
7 Island Academy who were previously granted access and
8 volunteer IDs and have now re-committed to the
9 renewal process which has taken them anywhere from
10 four to six months to even just a call back for
11 renewal in terms of being fingerprinted. Uhm we just
12 I want to say that two days ago I had a program
13 partner on one of our program providers who stated
14 that she submitted her application eight months ago
15 and have yet to be contacted. So, nine months, a
16 year later people may move on to other job sites,
17 other you know career paths and the same people who
18 were once prioritized to be the most credible to do
19 the work you know by the time that they even get
20 considered for a phone call to come in to get
21 fingerprinted or may never be reached out to. So,
22 there is no really predictable timeframe especially
23 as of the last I would say year or so.

24 CHAIRPERSON KEITH POWERS: And currently
25 it is one you have to do it every year?

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MESSIAH RAMKISSOON: Yes.

CHAIRPERSON KEITH POWERS: And your proposal you have to renew it.

MESSIAH RAMKISSOON: Due to their uhm you know they have conveyed to us that they are understaffed that there are only two people who are responsible for over 1200 applications that are sitting on a desk that have yet to even be touched or looked at. So, we proposed that maybe if you cut down the amount of annual renewals and maybe extend it to 18 months that may in some form or fashion support the problem.

CHAIRPERSON KEITH POWERS: And have you heard any feedback from DOC on that. Part of the reason?

MESSIAH RAMKISSOON: We have not gotten any type of consensual agreement in terms of what the next steps forward would be. Everything is still pending.

CHAIRPERSON KEITH POWERS: Okay and facilitating a scoring process to better enable providers to get housing hours. It seems that they made some kind of announcement today that they were going to add staff and I don't know if you, if you

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had an opportunity to hear what they testified on but they made some commitment, commitments are just commitments until they are actually happening but around I think adding in more contact points and more staff so we will followup with them to get more details on that.

MESSIAH RAMKISSOON: Yeah, I think I think there are a few things when you speak about escorts. Uhm, a lot of the programs go to the housing areas because oftentimes you want to get young people out of the house, maybe take them to the chapel, maybe take them to the studio. They have a studio, a music studio now and go to the gym, get them out of the house, the jail, you know the housing area environment, take them to a neutral space but sometimes it may take oh for Sandway to from an hour to an hour and a half to escort them to that space. So, by the time that they arrive, it is only about 15 minutes left for programming. Uhm, so oftentimes, now the providers are going to the housing areas which sometimes it is not the most conducive space for engagement because of the all the variant factors there. The TVs and everything else happening, but

1
2 you know at least they get a chance to see the young
3 people and meet them where they are.

4 CHAIRPERSON KEITH POWERS: Yeah. Thank
5 you.

6 MESSIAH RAMKISSOON: Okay. So that's,
7 that's been one of the only.

8 CHAIRPERSON KEITH POWERS: Yeah, so we
9 will take those back and I think even like some
10 symbols are like 18 months or 12 months, has
11 something fairly.

12 MESSIAH RAMKISSOON: And I want to say

13 CHAIRPERSON KEITH POWERS: Within reason.

14 MESSIAH RAMKISSOON: Yes, and I'm sorry.

15 And also, with the escort it also effects the service
16 providers and the youth advocacy staff who go in
17 there to do the work because by the time they get to,
18 transitioned to the youth person to the housing area,
19 you know it may be an hour, two hours, sometimes
20 people wait for hours just for an escort. So, this
21 is, it also affects the staff.

22 CHAIRPERSON KEITH POWERS: Thank you for
23 the variations. The uhm, Ms. Gerard from Children's
24 Rights uhm your second power after the first one you
25 read talked about age appropriate programming to all

1 of the young adults, not just for performing youth.

2 Can you give some more information in terms of I, I

3 understand what you are getting I think is just that

4 some folks are just not being provided programming or

5 offered programming based on their uh behavior or

6 their security?

7 DANIELLE GERARD: So, there are two

8 things that play here, one is that it seems that the

9 programming is being offered but largely to the

10 highest performing young adult. The ones who are in

11 the units that are a whole are performing better.

12 That is the first part of it. The second part of it

13 is as best as we could tell from the February 2019

14 update, the data isn't presented in a way that allows

15 you to determine how many kids, how many of the young

16 adults are getting the programming and the

17 programming in the appendices which are quoted in my

18 written testimony. To my written testimony, when you

19 look at them you can't tell who is getting what

20 programming and how it pans out over time. So, I

21 think as Ms. Ginzberg said it is opaque.

22 NANCY GINZBERG: Can I respond to that

23 just quickly?

24 CHAIRPERSON KEITH POWERS: Sure.

25

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2 NANCY GINZBERG: The, the Department had
3 committed to a young adult plan and then it seems
4 that commitment has been seriously diluted over the
5 years and while recently they have indicated at BOC
6 hearings and off the record that they are going to
7 start moving the young adults into young adult
8 housing. It does not appear that to be the case
9 right now. So, young adults are all over the island
10 and if they are in a building where programming is
11 not being provided, they don't have access to
12 programming. The other issue is that it is not
13 necessarily age appropriate programming, so if you
14 are putting a 19-year-old with a 35-year-old those
15 two populations may need and want very different
16 programming and what we saw when the 16 and 17-year-
17 olds were housed with the 18-year-olds at least in
18 the school, when the 18-year-olds were with the
19 younger kids they went to school more often. And
20 once the 18-year-olds were moved with adults, they
21 didn't go to school because if you say to any 18-
22 year-old you have a choice of not going to school
23 they are probably going to say no. And so, some of
24 it is the environment that the Department creates to
25 encourage individuals to engage.

1
2 CHAIRPERSON KEITH POWERS: And I think
3 and thank you for that. I think that, so I am
4 looking at the February report, and they have some
5 inform... I mean I just to, just to the point raised.
6 The data that we received. The data received in this
7 report has a number of sessions. Total number of
8 participants, available number of participants, what
9 that rate is and average per, uhm per session I guess
10 and then a, and then at the end of the it has a
11 breakdown based on facility but not housing,
12 particular housing unit. Uhm of I guess it is
13 participating. Number of classes offered, young
14 adult average participants, participation rate and
15 then topics. Is there, is the recommendation here to
16 have a more granular understand of which exact
17 housing units are receiving? Uhm programming and
18 what type of programming?

19 DANIELLE GERARD: Yes, exactly. That is
20 definitely part of it. I mean one of the things is
21 that all of the 18-year-olds are not, they were at
22 GMDC and now they are at RNDC but the 19 to 21-year-
23 olds are all over the place and it just, it's a very
24 similar population. The 18-year-olds are governed by
25 Nunez but the, but the 19 to 21-year-olds need the

1 same kind of attention and they are not getting it
2 and if I believe if the DOC also has something, they
3 called Success House which they referred in a
4 February update. There is no data about Success
5 House, how many kids are in it? The Department
6 itself talks about how the young adults learn better
7 when they are in a housing unit where everyone in the
8 housing it is going to school and yet there is no
9 plan for expanding that out. There are no benchmarks
10 set for how this is going to happen. I mean if they
11 are as Ms. Ginzberg said diluting the young adult
12 plan but yet at the same time, they are talking about
13 some of the things that should be expanded for the
14 entire young adult population, there is a disconnect
15 there and again the data just isn't there.

17 CHAIRPERSON KEITH POWERS: Got it. And
18 thank, thank you for that. And, the, the comment
19 about providing the guides that they have. Or the
20 menu I guess that they are offering I think you had
21 made a comment that, uhm from legal aid that that
22 could be doing much more here. Do you have specific
23 recommendations of what they could be doing in
24 addition to distributing materials? It sounds like I
25 mean having a person that has a certain connection

1 and an ongoing connection. Actually, more active
2 recruitment but other specific structural things that
3 you recommend to help, to help improve upon what
4 they've offered here today.

6 NANCY GINZBERG: Yeah, I mean I think it
7 is related to what Messiah is talking about. I think
8 that the correctional staff has to be working
9 alongside the programming staff. The correctional
10 staff has to commit to the model of program provision
11 and that takes training and oversight and their need
12 to be consequences for officers who don't and that is
13 a very difficult place for the Department to get to.
14 I don't know if you have read the Nunez's reports
15 about imposing consequences for officers who don't
16 know what they are suppose to do is not a strength of
17 the Department. So, it seems that we have many, many
18 programming staff on the island and they know how to
19 connect to these young people and they have a very
20 good idea of how to meet their needs. And the
21 officers particularly who are in the dedicated
22 buildings and the dedicated housing and the dedicated
23 housing units should be working hand in hand with
24 programming so that there aren't distractions so they
25 are escorted. I mean it's not really something you

1
2 can't. It's hard to legislate human relationship so
3 it is hard for me to make us a significant like a
4 recommendation as to how that happens but I will say
5 that during those years of the Adolescent Reform when
6 we were working in RNDC, when those officers were
7 particularly trained and they were, they volunteered
8 to work with that population we saw the environment
9 improve. That wasn't perfect but it improved and if
10 the Department committed to moving in that area in
11 every building on the island, I think that we would
12 see better engagement of all, of all participants and
13 programming and I think that we would see more
14 individuals who are incarcerated, engage in that
15 programming.

16 CHAIRPERSON KEITH POWERS: Got it, thank
17 you. I have a lot of more followup questions we
18 should all share at some point. I just recognized
19 the clock and I need to, I need to give this room up
20 at some point in the near future, so. Thank you,
21 really wonderful testimony and thank you for those
22 recom... those very clear recommendations and we would
23 love to have a followup conversation with all of you
24 as well. Thank you uhm. Our next panel we have Bena
25 Ammons (SP?) from New York City Books Through Bars,

1
2 Julia Davis from Children's Defense Fund, Steffi
3 Jean-Jacques from Youth Represent. I'm sorry if I am
4 bad with names and Kelsey De Avila from Brooklyn
5 Defender Services. Okay. Thanks. Alright thank you
6 and we are getting copies of your testimony right now
7 but if you, you can start just with your name and
8 your organization and then you can go ahead and
9 testify.

10 BENA AMMONS: Thank you Council Members
11 my name is Bena Ammons I'm with New York City Books
12 Through Bars. Would you like me to go ahead or would
13 you like the other panel?

14 CHAIRPERSON KEITH POWERS: You can go.

15 BENA AMMONS: New York City Books, this
16 is an excerpt from my testimony that I submitted this
17 morning. New York City Books Through Bars has been
18 sending books to incarcerated people for over 20
19 years. How we work is simple, people who are
20 incarcerated or other family members write letters to
21 us with their request and we go on a scavenger hunt
22 of sort in our stock library to send books that meet
23 the person's needs and desires. We are a collective
24 of volunteers who come together to raise money only
25 to cover the cost of postage and packing supplies

1 that we use to send the books. We believe that
2 political education is necessary for liberation and
3 for the day when our society can be free of
4 discourage of prisons and jails. We received
5 countless letters from people behind bars who tell us
6 of the impact of the books on their lives. Books are
7 not just a means of escape or entertainment though
8 that comfort is not insignificant to someone deprived
9 of sunlight and human contact in isolation. People
10 also tell us that books have been catalyst for
11 personal transformation. Last year, Books Through
12 Bars faced challenges when New York State DOCs ruled
13 out a policy that restricted packages from families
14 and other members of the public. Instead those in
15 prison would have to rely on a handful of costly
16 private vendors to receive warm clothing, food items
17 and books. As we noted then, private industry is a
18 poor substitute for a public library. While the
19 private vendor approved by DOCs offered some main
20 street market fiction, the selection for people of
21 color, those who are LGBTQ or those do not speak
22 English was both woefully limited. As far as public
23 education, as far as political education, the vendor
24 offered many titles including a box set but nothing
25

1 by Howard Zin or Nom Chumski (SP?). We were all
2 tremendously relieved when the police were suspended.
3 Our sister organization in Pennsylvania recently
4 warded off similar threats to their work by the
5 Department of Corrections there. Against the back
6 drop of these recent endeavors by prison officials to
7 curtail what people who are in prison may receive
8 from the outside world, this Bill is a step in the
9 right direction. In that it recognizes the
10 importance of providing access to free books. We are
11 glad that the Bill includes a proviso though that
12 books will not be censored with the exception for
13 those that contain instruction on the manufacture,
14 use of dangerous weapons or explosives; however,
15 there is also a condition that material that may
16 compromise the safety and security of the facility is
17 also an exception. This last exception can be used
18 to bar political books from entering prisons such as
19 those discussing civil rights or critiquing the
20 Government. We hope the City Council will be vigil
21 into making sure that books are not censored based on
22 the belief that ideas are dangerous. Particularly
23 those that relate to liberation. We can't help but
24 note that the Bill did not appear to provide funding.
25

1 We hope the City Council will do more than provide
2 empty shelf space. We hope that the staff will
3 endeavor to locate quality books that open doors for
4 people such as dictionaries, GED books, math books
5 and history books. Our volunteers work actively to
6 find that kind of material for the people who request
7 them. We also want to uhm point out that many of the
8 people who are incarcerated are still pleading their
9 innocence so while books are for personal
10 transformation, we echo the concerns that they also
11 be therapeutic. We value their therapeutic nature.
12 Thank you for taking in my, our full testimony is in
13 the full statement that we submitted to that. That
14 is just an excerpt to address all of the concerns
15 raised.
16

17 CHAIRPERSON KEITH POWERS: Okay, thank
18 you. And we will go down and then followup.

19 KELSEY DE AVILA: Hi my name is Kelsey
20 De Avila. I'm with Brooklyn Defender Services and I
21 just wanted to comment uhm you know more on like what
22 really wasn't said from the Department. In 2015, the
23 Department and Mayor de Blasio announced their 14-
24 point plan to reduce violence in our city jails. And
25 one of those points was to reduce idleness and we

1 know that when people have nothing to do and people
2 are stressed out. That's when violence increases and
3 so and within their 14-point plan they were going to
4 increase programming to a minimum of five hours and
5 so really appreciate you kind of saying that they are
6 missing the mark and they are, the Department is
7 failing in their own goals, in their own
8 responsibilities and they are really failing the
9 people in their jails. And so, and then kind of
10 going off of what legal aid has said about you know
11 access and one of them is we experience over and over
12 is where our clients are part of a program, they are
13 committed, they want to take part, they want to
14 complete it. And then they are moved. They are
15 moved to another housing unit, another facility and
16 then there is just no reason. There is no really
17 rhyme or reason to why the move occurred. There is
18 no. And then for us to help advocate for that move,
19 there is no real like action. We haven't really seen
20 a positive response in the Department and uhm next
21 and also like high classification so people who are
22 either like SRG or a security risk group uhm
23 allegedly gang affiliated by their own intelligence
24 unit which is also questionable and then also uhm
25

1
2 yeah just for high class in general. They don't have
3 equal access I mean just like anyone else in general
4 population and I, I think that is important because
5 people, they are spotting their cases, going to court
6 and they don't have the equal uhm access
7 opportunities just like anyone else. Uhm and then I
8 wanted to point out I really thank the Council Woman
9 for talking about ESH because that is something that
10 is also not mentioned was that for a level 1 enhanced
11 provision housing the Department uses the tool of
12 mechanical restraints and in order to level out of
13 that unit they have to participate in programming.
14 But to participate in programming they have to be
15 chained to a desk. And then lastly about the cell
16 site, about punitive segregation. So that cell sites
17 that could be minutes or even seconds where someone
18 just kind of knocks on your door and says like hey
19 are you okay and then like walks past it. Like that
20 is not meaning, that is not therapeutic. It is a
21 joke. Uhm and lastly, I just want to talk about
22 programming. Like that's great, I think that should
23 also be shared with the Defenders so that we can
24 coordinate services and we can effectively advocate

1
2 for people in court so we can get them out so thank
3 you.

4 CHAIRPERSON KEITH POWERS: I just wanted
5 to give you an opportunity. She had a statement here
6 about 1261 the Bill about the survey can you share
7 just your comments on that as well?

8 KELSEY DE AVILA: Yeah, so as it is
9 currently written BDS does not support the
10 legislation. We like the idea and we think that it
11 is important to really get, uhm we need to hear from
12 people inside about what their needs are but the way
13 it is written about seeking information of how DOC is
14 treating them, we think that that could be serious
15 repercussions or retaliation. We don't think that
16 DOC should be involved in distributing or collecting
17 or even analyzing that data. I think that should be
18 a non-DOC agency or person.

19 CHAIRPERSON KEITH POWERS: Got it. Fear
20 of like retribution and the Department and I asked
21 that question earlier, the Department said that they
22 would be able to do it anonymously to protect
23 information. You don't have confidence in that.

24 KELSEY DE AVILA: Yeah, I mean like let's
25 just look at other things around sexual assaults or I

1 mean like there are a number of issues where uhm I
2 mean like people have high media cases are like there
3 are no secrets in jail and I think that it is, I
4 would rather have it normal.

6 CHAIRPERSON KEITH POWERS: And do you
7 have an agency who you think should be doing it?

8 KELSEY DE AVILA: Uhm not like off of the
9 top of my head but I am happy to like talk about it,
10 or like what, what other models might be out there.

11 CHAIRPERSON KEITH POWERS: Sure, thank
12 you.

13 STEFFI JEAN-JACQUES: Good afternoon.
14 Testing, yeah. Good afternoon, my name is Steffi
15 Jean-Jacques and I am a staff attorney at Youth
16 Represent. Uhm thank you to Chair Powers and the
17 committee for allowing us the opportunity to testify.
18 Our testimony and recommendations mirrors those that
19 were previously spoken by Friends of Island Academy.
20 We have been fortunate to partner with the city via
21 the Friends of Island Academy Youth Re-Entry Network
22 and we have been able to provide comprehensive legal
23 services to over 250 young people since the beginning
24 of our partnership. Since 2016, we have supported
25 youth with school suspensions, voluntary surrenders,

1 bail and mitigation support, criminal record reviews
2 as well as family court as well as criminal court
3 representation. Legal services for incarcerated
4 youth are imperative. Any time in jail can
5 jeopardize housing, education and employment
6 opportunities. The stakes are set even higher when a
7 young person becomes entangled in the justice system.
8 Youth Represent help young people move from crisis to
9 stability and from courtroom to community. Our legal
10 work is only successful because we exist in the
11 context of other critical services provided by youth-
12 oriented program providers. They not only align with
13 the Department's programming goals but also, they
14 specifically address the particular barriers that
15 prevent justice-involved youth from achieving their
16 own goals. For this reason, it is essential that the
17 Department maintain continuity of the programming for
18 both providers as well as on the funding level. And
19 for us to continue this incredible work, we need to
20 facilitate access to programs and services for
21 incarcerated youth on Riker's. Two areas of changes
22 are required here. First, the movement between
23 housing units for program staff for as long as our
24 staff has been at Riker's our ability to connect with
25

1 youth and access and for the youth to access our
2 services has been under-minded by an unavailability
3 of escorts. It can take anywhere from an hour to
4 three hours for us to connect with an escort to get
5 us to the next housing unit to provide our services.
6 In the interest of ensuring that young people are
7 able to fully engage in essential services we
8 recommend the implementation of a standard process
9 and schedule for escorting program providers
10 throughout housing units. This schedule should be
11 posted and visible throughout all housing units and
12 should be interrupted only by serious safety
13 concerns. Second, the processing time for
14 organization staff and volunteers to gain clearance
15 is far too long and although we understand the
16 concern that volunteers on Riker's should have formal
17 clearance the time it takes to gain such clearance
18 hinders our ability to provide effective services.
19 Me personally it took me five months from my
20 clearance application until the day of my volunteer
21 approval. To be clear, our objection here is not to
22 the required screening nor to the training demands
23 but to the fact of the substantial delay in
24 processing, acts as an additional barrier for both
25

1 providers and youth on island. In conclusion, we
2 hope our comments how indispensable the youth re-
3 entry network is for incarcerated youth. We are also
4 eager to work with the Department as well as the
5 Committee to help improve access to Riker's for
6 program providers and access to programs for
7 incarcerated youth. Thank you.

9 JULIA DAVIS: Hello, I'm Julia Davis with
10 Children's Defense Fund and I just want to second all
11 of the things that the advocates have said today. I
12 will refer you to my written testimony and I will
13 just highlight a couple of things I think deserve our
14 attention. The first is that when we are talking
15 about young people on the island, we are talking
16 about the 18s to 21s that are still there and we are
17 also talking about the youth at Horizon. The
18 continuity of services is essential. It is essential
19 from a developmental standpoint. It is an essential
20 component of the success of the programs, so what we
21 need to hear I think from the Department and I think
22 is unclear is a commitment to those providers in an
23 ongoing way at the level that they need in order to
24 meet the needs of young people and we need to have
25 that clear to all of the providers that are doing the

1 work every day and young people need to come to rely
2 on it. So, I am very happy that you have brought
3 attention to this and that I've heard such commitment
4 about following up to ensure that happens. I think
5 it is also important to put this in some other
6 context which is when the city ended punitive
7 segregation for young people. The second half of
8 that promise was to engage youth people in services
9 that are intended to meet their needs. And so, what
10 we need to see is the realization of that, the
11 continuity of that, and we need the Department to
12 confront the issues that have we have heard today and
13 that to some degree I think they have acknowledged
14 which is they have not created an environment where
15 programming can be engaged, where young people can't
16 access it. We've heard about the escort officer
17 problems and we've also heard about the challenges
18 with security trumping, other issues, uhm and
19 decision making around access to programming. I
20 think is perilous to look at programming as
21 independent from security and the conditions of
22 confinement, right? We know that when young people
23 can engage in programming the environment is safer
24 for young people and for the people that work in that
25

1 facility. So, we need to see those two threads of
2 management of the facilities reflect that and that
3 leadership really embrace that idea. I, with regard
4 to the two pieces of uhm the two Bills in front of
5 the committee, we absolutely endorse both of them but
6 we, we absolute also echo the concerns about
7 protecting people's anonymity and confidentiality and
8 protecting them from any type of retribution for
9 participating in this but I think it was absolutely
10 in a moment and time to really investigate the
11 conditions and experiences of young people and indeed
12 all people on the island. Thank you.

14 CHAIRPERSON KEITH POWERS: Thank you and
15 I thank you for all of the testimony. I will note
16 from a couple of your testimony's here but
17 particularly Books Through Bars, Books Through Bars,
18 I think we had a sign on letter from the Council,
19 that I myself I think it was Council Member Dromm had
20 done in support of your position last year in the
21 DOCs that I think we sent out on the day that
22 Governor Cuomo made the wise decision to rescind it,
23 so I'm sorry we couldn't be more helpful in that
24 regard but we certainly supported your position that
25 we are opposed to the State's changing of those. And

1
2 have you heard anything in terms of another, any
3 changes of policy since then?

4 BENA AMMONS (SP?): Many thanks for that.
5 We really appreciate the support.

6 CHAIRPERSON KEITH POWERS: Books Through
7 Bars by the way.

8 BENA AMMONS (SP?): Books Through Bars,
9 New York City, the New York City Chapter. We haven't
10 heard anything directly. I do monitor the letters
11 that we receive from around the state and
12 occasionally from different facilities we do here of
13 people receiving maybe two of the five books they
14 requested and the other three it is mysterious why
15 they didn't. So, I am kind of keeping tabs on that
16 and you know as we will be in touch if we find any
17 sort of patterns and trends that are worth looking
18 into with more concern. We are grateful to note that
19 some, I think it is we always feel that there is
20 some. Where that we have been mentioned in the
21 orientation program so that's very helpful for people
22 to find out about your work and we've heard that
23 mentioned in a couple of the letters so, that, that
24 has been a positive step.

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CHAIRPERSON KEITH POWERS: Okay, thank you. Uhm for Brooklyn Defender Services in your testimony I don't know, you mentioned it but talking about communication with the Defense Bar around availability of programs. Can you give us some, some, uhm, some thoughts on how that might work and what's this information you, that might be sought for folks who are fighting Defense Services?

KELSEY DE AVILA: Yeah, I mean I think uhm one of the issues of legal aid that we mentioned is that there is really no map of like what is available in which housing unit and what facility. But I like it has to exist somewhere I would think. I would hope.

CHAIRPERSON KEITH POWERS: I would hope.

KELSEY DE AVILA: Uhm so you know if it's like a you know a monthly kind of calendar of these are the programs that are being offered and then in what facility so that we could better. You know I could better do my job of advocating for their transfer or working with the Department and also I mean sometimes you know there has been a few scenarios which it has gotten better but I know where you know like program staff will speak to our client

1 about like all of this will be really helpful in
2 court and we agree like it is important for any like
3 criminal and family defense proceedings. The thing
4 is that when you know we don't always know like when
5 that person might be working that program or
6 completing that program. We can get copies of
7 certificates so it is just better communication in
8 general. But in terms of just the Department like a
9 monthly calendar of what's available would be
10 helpful.
11

12 CHAIRPERSON KEITH POWERS: Got it. Okay,
13 got it and uhm and one followup question too. DOC,
14 this is written, DOC restricts programming as a
15 punitive measure limiting access for some of the
16 people who would likely benefit the most. Can you
17 talk to us about the use of programming as a punitive
18 measure or the lack of programming as a punitive
19 measure?

20 KELSEY DE AVILA: Yeah, this uhm I think
21 I was referring more about who are listed as SRG,
22 Security Risk Group so I gave an example and this uhm
23 this is more about around CHS, Correctional Health.
24 They offer a program, A Road Not Taken for people who
25 have a substance use needs and you know when we

1
2 advocate with CHS if we can you know perhaps be part
3 of that program which includes like group work and
4 talk therapy. We will get a response from CHS saying
5 we can't, that person is not eligible because of DOCs
6 Classification Status and so and that classification
7 in that example that I gave you was because they were
8 Security Risk Group and they were alleged gang
9 member, which this person has denied it over and over
10 and there is just no real way. No like clear path of
11 appealing it in such a short time frame as what we
12 need when you know people are constantly working on
13 their case and they have a next court date next week
14 and like how do we kind of work with the court and
15 DOC to kind of get that moving quickly. Where, in
16 the example that I gave the judge was okay with the
17 program and was like willing to take it but then uhm
18 when DOC wouldn't allow the move and we couldn't
19 appeal the SRG status in time, it was too late.

20 CHAIRPERSON KEITH POWERS: Got it. And
21 your view here is the type of programming that one is
22 receiving, rehabilitation and helping for re-entry
23 but also hopeful to presenting as you are defending
24 the person, presenting to the judge that there is
25 some sort of treatment going on that might be helpful

1
2 to the particular needs of the person that's
3 receiving it?

4 KELSEY DE AVILA: Yeah totally. I mean
5 and it also shows that the person is interested and
6 willing and wants to engage and when the person is
7 telling you like they want to do things to help
8 themselves and then to just be denied that.

9 CHAIRPERSON KEITH POWERS: And, and this
10 is for anybody, I guess. Really, the as we look at
11 some of the stats that are reported to us and to the
12 BSE there is varying participation rates and we you
13 guys have identified a whole host of reasons of why
14 one might, might be available. One may not be able
15 to take advantage of themselves of the program and
16 some I would imagine would just be you know some were
17 just personal. People that just don't feel like it
18 is helpful or don't perceive it to be, or don't,
19 simply don't want to take advantage of a program that
20 is occurring in their housing unit because it is, I
21 mean essentially it is supposed to be mandatory
22 offered but not mandatory to participate. And so,
23 have you heard from folks' reasons why I assume we
24 can come up with some quick easily but reasons why

1
2 one may not want to participate in a program in their
3 housing unit?

4 KELSEY DE AVILA: So, to say, I guess I
5 could give a couple of examples of what we have heard
6 from our clients who, you know, that when we, when I
7 said earlier by the Council about these soft
8 programs. And uhm a lot of times it is like
9 worksheets. Like people don't really want to do a
10 worksheet and I don't blame them. Uhm you know
11 another one was, uhm it was actually not that long
12 ago where we met with someone like in the afternoon
13 and they were uhm, we asked them like what was like,
14 what were you doing earlier and they were in programs
15 and they said well we uhm we were just kind of doing
16 some worksheets and then we were writing jokes. Uhm,
17 so it is not meaningful. It is kind of become like,
18 it has become like busy work and I think people,
19 first time people it is just you know they don't view
20 it as something that is really like helping them so
21 why take part in something when I can just be on my
22 bed and read a book or something, so. Uhm I think
23 that is a lot of things that we hear that it is just
24 not meaning or conducive to like maybe what their

1 needs are and the whether it is fighting their case
2 or like really what they, what their goals are.

3
4 CHAIRPERSON KEITH POWERS: Thanks, uhm I
5 want to just be respectful of time here. So, thank
6 you all for your, for your testimony I know that we
7 will have some followups and someone noted that we
8 usually do so, do followup after this with some of
9 the things that have been raised by us and then by
10 raised yourself to clarify questions and to uhm try
11 to get some commitment made about timelines and
12 processes and things like that. So, as always, will
13 be doing that as well and incorporating some of your
14 feedback into that so thank you.

15 ALL: Thank you.

16 CHAIRPERSON KEITH POWERS: Alright this
17 is our last panel. So, thank everybody for your
18 patience here. Uhm we have Darren Brown from the
19 Osbourne Association. I think we have somebody from
20 the Silva Rivera Law Project who may be in overflow.
21 Oh, they are all here now and then the Columbia
22 Justice and Education Program. Thanks man. Alright
23 thank you, thank you for your patience. Same, same
24 as always uhm if you could just introduce yourself
25 and then, can start with your testimony as well. I

1 will have you two minutes to do questions after that.
2
3 Thanks.

4 MIKKEN CADE (SP?): Hi I am Mikken Cade
5 (SP?). I am with the Sylvia Rivera Law Project. So,
6 we are to our knowledge the only transgender
7 nonconforming intersex led and specialist
8 organization currently doing programming in the
9 Department of Corrections. Uhm all of this has been
10 said many times today but programs really matter.
11 They make such a different uhm and in particular
12 because 85% of the folks who are in New York City
13 Custody System are detainees of so much more
14 important just to recognize that their life should
15 not be disrupted simply because of an issue with
16 bail. Uhm so attached to the testimony that I gave
17 are some of the essays and poems and artwork that has
18 been produced by the women who have been in the
19 classes that I teach. Uhm which I think is just sort
20 of an example of like culturally specific programming
21 matters. Uhm our program is unique and being taught
22 by transgender non-conforming people for transgender
23 non-conforming people. Uhm when folks are in the
24 program and at the, the testimony from the Friends of
25 the Island Academy said when there is an ongoing

1 connection past programming towards the community
2 people actually feel very invested in coming home and
3 feel very hopeful and optimistic about that there is
4 something worth working towards. Uhm, there is some
5 concerns that we have such as individuals on
6 intensive mental health units are not granted access
7 to non-mental health programs so vocational,
8 educational, arts and other kinds of programming do
9 not come into the units for intensive mental health.
10 Likewise, at this point in time people have to choose
11 between going into the transgender housing unit and
12 choosing between going to those intensive mental
13 health units or going to an intensive drug and
14 alcohol treatment program because those units where
15 you live within the program itself uhm aren't at this
16 point in time accessible to transgender identified
17 people. Or they are but you have to go with your sex
18 assigned at birth as opposed to the gender that you
19 actually live and identify with. So, often times
20 women in the programs that I teach have to choose
21 between being at Rose and not having drug and alcohol
22 treatment or mental health treatment or going to
23 men's facility and having those treatments. This
24 means that they often are making decisions about
25

1 whether or not to live free from sexual violence. Uhm
2 I want to echo what was said about escorts. When I
3 was, when my program was at the Manhattan Detention.
4 Detention Center I would often wait between one and
5 four hours for my escort officers. At times the
6 officer at the desk would just tell me that you need
7 to wait until this escort officer's shift as ended as
8 he doesn't escort people. And they would tell me
9 just wait until the next shift and then that escort
10 officer will take you there. This also meant that
11 sometimes I would be in the unit when all of the
12 women would be locked in their cells for count or
13 they would all be out to recreation or medical or
14 they would all be having their dinner. And so, doing
15 my program was very hard because sometimes they would
16 all be in their cells or they would all be out of the
17 unit. Uhm I want to say that that has not been my
18 experience since going to Rose but I think that Rose
19 has significantly more program resources than any of
20 the other jails and that should be, that should be
21 replicated everywhere else. There is no reason,
22 programs are so important. Uhm I want to echo about
23 the screening process. That is incredibly unclear, I
24 have been doing this program since 2015, I only got
25

1
2 my volunteer pass in January. It took me that long
3 to get my volunteer pass. Uhm when we were doing
4 voter registration this fall, uhm we were informed
5 that no volunteers could have any kind of criminal
6 involvement, criminal involvement, does that mean
7 arrests, does that mean violations, does that mean
8 actual criminal charges, completely unclear. Uhm on
9 the official volunteer website it says that one must
10 successfully complete a background investigation but
11 it doesn't say what they are looking for. Uhm if the
12 criteria are unclear then you can't challenge it.
13 Uhm, the Mandatory Security Training that we all have
14 to go through every year, in addition to that being a
15 very delayed process is deeply troubling. The one
16 that I just went through in December was entirely
17 videos of people on the streets or in the subways uhm
18 and being attacked and then the trainer asking us
19 what should this person have done differently so they
20 wouldn't be attacked. It is unclear how that is
21 helpful in any ways to know the jail context or even
22 ot know what, where is my programming happenings.
23 What was the setup of the room? That's not, that's
24 not covered. And in particular one of these videos
25 featured a transgender woman yelling at someone on

1 the subway, in response to this video, an audience
2 member, who is a volunteer offered the incredibly
3 harmful commentary that the first thing to be aware
4 of is that's a man who this re-edifies and
5 perpetuates the idea that transgender and gender non-
6 conforming people are suspect of suspicious because
7 of our gender identities and as someone who
8 specifically serves this population and the jail it
9 was incredibly upsetting to be in that room and have
10 no one from DOC say actually that is against our
11 policy, that is against city law and that is
12 disrespectful to anyone who you are working with.
13 Uhm so there was no intervention about that, the
14 trainer just moved onward and I also just want to
15 close by saying there is some additional things that
16 volunteers are told. They were told that if we know
17 anyone in any capacity in the program, we must tell
18 the officers so that that person can be removed from
19 the program. That also means repeat individuals who
20 are receiving your services. Uhm you also are
21 supposing to keep an arm's length distance from every
22 detained individual at all times. Uhm this is very
23 upsetting because there is nothing, there is nothing
24 inherently wrong in knowing a person who is
25

1 incarcerated. There is nothing wrong in having a
2 relationship with someone who is incarcerated. Uhm
3 obviously if you have some kind of romantic
4 relationship, I understand disclosing that but simply
5 like this person lives on my street. I know them and
6 I am invested in them coming home to me whole. There
7 is no reason why you shouldn't be able to have a
8 program with that person. And I just want to close
9 by saying so recently in one of my classes, one of
10 the women was broken down in tears because she was
11 talking about how none of her family members will
12 answer the phone when she calls because they won't
13 speak to her because she was transgender and she was
14 crying as she was talking about how alone she was and
15 how isolated and that right now she feels very
16 hopeless and she feels like there is no reason to
17 return her Defenders calls because what is the point
18 of anything and in that moment what I should have
19 done is apparently maintained an arm length distance
20 and said you know whatever I could from that distance
21 but obviously the human thing to do is ask her if I
22 could squeeze her hand then ask her can I give you a
23 hug and that kind of consensual and appropriate touch
24 actually makes a huge difference and I think the
25

1 Department needs to look at their entire training to
2 not sort of reapply this idea that they are service
3 providers and that there are people who receiving
4 services and there is no overlap. Thank you.

5
6 CHAIRPERSON KEITH POWERS: Okay thank
7 you. I just on the move one. But uhm one is on the
8 issue around choosing what gender you have to be in
9 and then potentially not receiving services we should
10 have a followup conversation where that seems
11 completely unacceptable. Uhm second on the issues
12 around uhm, uhm, we've, we've long talked about the
13 delays in terms of getting the volunteer IDs and
14 stuff like that also completely unacceptable it would
15 be that long but on the, on the issue around the sort
16 of emotional support that you will provide, obviously
17 there has to be some flexibility here, that if it, if
18 it is appropriate and reasonable and there is some
19 obvious... you know that we are not being sort of being
20 inhumane in the way that we are viewing and providing
21 services here. Uhm and I have also actually in one
22 of the visits to the jails witnessed somebody using
23 wrong pronouns and things like that. We, we
24 corrected the person but you know it's, it's, it's
25 just a, it's the treatment of somebody. We are not

1
2 even providing the respect to call them by. How by
3 how they gender by which they identify is, is also
4 unacceptable here. So, we will, we will followup
5 with you on the other issues on housings and
6 particularly around programming as well. Uhm to make
7 sure that is reflected in our, in our comments and
8 our reply. Uhm but I think that at some point there
9 is probably a separate hearing to be done
10 particularly around some of those issues as well so
11 we will look forward to working with you on that.

12 Thank you.

13 DARREN BROWN: Good afternoon, uhm thank
14 you for the opportunity to speak with you today. I
15 would rather just take excerpts from uhm, my
16 testimony.

17 CHAIRPERSON KEITH POWERS: Sure.

18 DARREN BROWN: My name is Darren Brown. I
19 am the Senior Director, Senior Program Director of
20 the Osbourne Association I-CAN Program. Uhm I-CAN is
21 funded by the Department of Corrections, provides
22 jail-based services including discharge planning and
23 post-release re-entry services in the community. We
24 provide curricular based groups and discharge
25 planning to men and women in 32 housing units, 32

1 housing areas every day totally about 80 hours of
2 jail-based services per day across six jails. At one
3 time 9 jails. Uhm reaching upward of 4000 people per
4 year. We provide a wide range of therapeutic
5 educational employment readiness and hard skills
6 training services inside jails and case management,
7 job placement and housing referrals in the community
8 along with Jails to Jobs which we just acquired.
9 Uhm, the Osbourne Association has been providing
10 services to jails for more than 25 years starting
11 with our Fresh Start Culinary training program which
12 is still currently running although we lost one of
13 the program sites. As well as our Able Program
14 before I-CAN for adolescence and The Ride and I-CAN
15 Re-entry programs. We are very experienced with
16 programming in jails uhm having worked under many
17 commissioners, wardens and deputy wardens in every
18 single jail and through starts and stops of countless
19 initiatives. Uhm we appreciate the opportunity to
20 discuss the two issues concerning the committee
21 today, access to books and reading materials for
22 people held in our City jails and the proposal annual
23 survey of people in Department of Corrections custody
24 regarding quality of life and conditions inside. We
25

1 will also briefly address processing and training in
2 DOC volunteers uhm which is the status of all non-DOC
3 program staff. First regarding easily and regular
4 access to books and reading material, we support C.M.
5 Dromm's proposal. Uhm I can't even begin to think
6 about what it would mean not to be having access to a
7 book. Uhm and it should be, it should not be a
8 privilege. It is a fundamental right I think, an
9 opportunity for an individual to grow through a
10 process, countless times in our experience we have
11 seen, we have seen people receiving books, magazines
12 and newspapers is a value and a valuable resource for
13 people in jail, sometimes long after part,
14 participants are given. Reading can provide a
15 productive way to pass time in jail, avoid fights,
16 and behavioral problems as well as aid people to
17 improve their literacy and prepare for returning
18 home. Uhm we should not be including books as a
19 privilege to be earned or to be taken away as a
20 punishment. As far as the jail-based libraries are
21 concerned, uhm we would surely create more universal
22 access to reading materials than current policies
23 which requires the only new paperback books sent
24 directly from vendors. Uhm the cost for a
25

1 participant to actually pay for a book given the
2 circumstances, situation, family dynamics kind of
3 diminishes their opportunity for reading material.
4 Providing a survey of people detained and
5 incarcerated in city jails, we support this proposal
6 of C.M. Richards. And strongly suggest that it be
7 managed entirely by the Board of Corrections. Uhm
8 and unbiased independent entity. Any survey must be
9 implemented carefully and with thoughtfulness
10 regarding uhm regarding the Respondent's rights to
11 privacy and amenity and freedom from reprisal from
12 their feedback. Uhm while the city advances the plan
13 to close Riker's Island and move toward the borough-
14 based jail, model feedback from those held in jail is
15 going to help the city simultaneously keep vigilant
16 focus on improving current conditions as possible.
17 Regarding voluntary process and training for workers,
18 we acknowledge the demands in this area having
19 rapidly increased possibly out pacing the DOC
20 capacity. Two people handling uhm DOC IDs for 1200
21 volunteers is unconceivable. It's, it's a, it's not
22 only a process where you are talking about new DOC ID
23 applications but you are talking about the revolving
24 applications as well. I might add that also you have
25

1
2 to consider the DOC Facility IDs which also uhm is
3 another time frame that causes us to have even
4 further problems. I am a senior director with
5 programs just about in every jail and I don't have
6 access to every jail I have to be escorted. Uhm, so
7 in our, in our stance we believe that uhm you know to
8 add DOC staff to that process would be helpful and
9 truthfully 18 months is still not long enough to hold
10 a DOC ID. If you take a script from DOCCS, the
11 Volunteer ID card uhm is a volunteer ID card that is
12 issued to you until you are no longer a volunteer,
13 uhm a volunteer provider in DOCCS. Uhm that
14 concludes my statement.

15 CHAIRPERSON KEITH POWERS: Thank you.
16 Thanks for those ...

17 MIA RYDER: My name is Mia Ryder I work
18 with the Justice and Education Initiative at Columbia
19 University. Uhm I am going to skip my prepared
20 remarks because people have covered just about
21 everything but I just want to let go a few points in
22 particular. Uhm the clearance for the volunteers.
23 They were unclear when they gave their, their
24 testimony about it being Monday through Friday. It
25 is actually the first training is either Monday

1 morning or Wednesday morning and the second training
2 is only offered on Monday afternoon, so there is
3 really uhm I had two volunteers who went out there
4 for their training, when they got there it was
5 cancelled. They went out the next week again, it was
6 cancelled against. And I wrote to my contact and I
7 said they miss class twice in a row they can't miss
8 another class so uhm you know there are some problems
9 with how that is organized. Uhm the question of
10 having the programs in the housing units or in a
11 program's classroom. It is a real, I would like it
12 always to be a possibility to have a program in a
13 classroom, just the program operates between when it
14 is in a classroom. You know, we are not having as
15 somebody said with the televisions and all these
16 distractions and the guards coming in and frisking
17 people and it is just like, it is crazy sometimes
18 what we are trying to pretend like we are having a
19 class in this environment. On the other hand, it is
20 true that it allows people to join us who need a
21 little more time to get comfortable with the idea of
22 joining a program, so, that kind of cuts both ways.
23 But really, some of the facilities, there is no
24 possibility of having a program in a classroom and
25

1 that is not uhm, that is just not achieving the
2 goals. I, again somebody mentioned the tension
3 between the security and the programming staff. That
4 is very real. Uhm the programming staff that I have
5 worked with are really remarkable and I commend them
6 very highly and I value their wisdom and their
7 guidance. And and there are some secur... like
8 individual officers who are fabulous and who are very
9 supportive of us but there is definitely pressure
10 from somewhere within the security to limit the
11 access of the programs and sometimes it feels like to
12 discourage programs from coming. Uhm, and it is very
13 important to developing caring relationships with the
14 people. As somebody said, these are people who have
15 experienced a lot of trauma and for us to go in there
16 and the security training would suggest not to smile
17 at people, never to use their first names, not to
18 tell them anything about ourselves like as if
19 somebody knows that I live in Manhattan is going to
20 put me at risk. Is just, it is not realistic.
21 Again, it is not achieving the goals of why we are
22 there so I do develop caring relationships with my
23 students and when I am lucky, they get in touch with
24 me through my office phone number when they get out
25

1
2 and we continue to offer support for them to achieve
3 their educational goals. Uhm so, yes and so those
4 are the main points that I wanted to cover.

5 CHAIRPERSON KEITH POWERS: Thank you and
6 I, just a question we asked to the Department but I,
7 you can see it really asked to any of the panelists
8 after. With the, with the new jail facilities that
9 are being discussed what opportunities do those offer
10 for better programming. They are higher quality or
11 more programming. I don't know if you are finely
12 tuned into the plans but what opportunities do you
13 see that because I think in addition to the physical
14 structures that are being discussed I think you know
15 obviously there should be a discussion around a set
16 of principals for those as well which would include
17 high-quality programming and wondering if you see
18 opportunities in that process.

19 DARREN BROWN: I'm on one of the sub-
20 committees regarding officer training. Which is to
21 me a milestone in itself, a provider that is on a
22 committee that is about officer training. Uhm and
23 one of the things that we are talking about in that
24 sub-committee is about cross training. We are
25 talking about uhm sensitivity training, uhm

1 understanding some officers don't even understand why
2 you don't walk into a group and yell out it's time
3 for this or it's time for that. Uhm you know I
4 understand that you know when, especially when you
5 look at a B officer that is on a unit, that unit is
6 probably one of the most difficult places to actually
7 run. And you can't really call it a group because
8 the way it is environmentally set up and the
9 distractions but at one point in I-CAN we had a an I-
10 CAN officers dedicated just to I-CAN. When that
11 happened, the, comradery, the work the collaboration
12 changed, but uhm often times facilities, especially
13 uniformed staff, the one that makes the decisions,
14 Captains will pull those officers for other reasons
15 and it is usually cited as for safety reasons. But I
16 think dedicated officers and the training that we are
17 doing now in preparation for the transition is
18 something that uhm is important and should be done.
19 Oftentimes we, we communicate with our civilian
20 counterparts from DOC but have no contact with the
21 uniformed staff.

23 CHAIRPERSON KEITH POWERS: That is
24 hopeful. Thank you, I appreciate that. And uhm, the
25 same question that I asked somebody earlier which was

1 back, just sort of barriers to participation? There
2 are some real barriers in terms of the structural
3 constraints, whether it is that they are being
4 offered or not being offered or other, other
5 considerations that might prevent somebody from
6 taking advantage of it but also the, the lack of
7 participation because making sure that they are
8 getting the right programming or something they want
9 to take advantage of. Any recommendations around how
10 to increase participation in programs that are being
11 offered. From the, obviously from either side from
12 the provider or from the Department.

14 DARREN BROWN: I think it is a two-fold.
15 One is uhm collaborating and a better way of
16 communicating in a better way. We have had some
17 success with that with I-CAN both for the meetings
18 that we have set up over time over the time that I
19 have been there and having that type of communication
20 and transparency. Uhm yes, the unit is a distraction
21 uhm but DOC hired experts to, to run curriculum and
22 do evidence-based practices but yet we have to get
23 all curriculum approved. There are some other
24 curriculums that work very well, some cutting-edge
25 stuff, even a group therapy session which for them

1
2 they would rather see curriculum. Group therapy is
3 not curriculum but is an opportunity to talk about
4 what you are going through right now. Uhm or story-
5 telling. Uhm, these are different types of
6 curriculum that are being used right now in the
7 community that are hard to get approved through DOC.

8 CHAIRPERSON KEITH POWERS: How long, what
9 is the process for getting the curriculum approved?

10 DARREN BROWN: That process uhm first you
11 have to, you have, a lot of times what we will do is
12 we will contract out and actually purchase a
13 curriculum. A curriculum that we've tested in the
14 community, looked at, and figured that this was a
15 good fit. That process once you do that, you are
16 talking about a six-month process.

17 CHAIRPERSON KEITH POWERS: For DOC to
18 review it and then say it is acceptable to be used
19 inside?

20 DARREN BROWN: Uh-huh and then depending
21 on the size of your staffing you have to train your
22 staff on the curriculum and then implementing it
23 means going through a calendar process to put it on
24 calendars and all of that stuff. So, it can take
25

1
2 anywhere from six to maybe eight months once you get
3 approved.

4 CHAIRPERSON KEITH POWERS: Okay. Did you
5 have.

6 MIA RYDER: I just want to add to that, I
7 mean my curriculum has never been vetted, so there is
8 obviously a difference as well in just in terms of
9 whose programs get vetted and whose don't. The only
10 thing I had to promise is I would not inform anyone
11 of what their rights in the jail were. Which I, just
12 to emphasize that I couldn't tell them what their
13 rights in the city jails were, or how that. If that
14 helps.

15 CHAIRPERSON KEITH POWERS: Why is that?

16 MIA RYDER: I don't know.

17 CHAIRPERSON KEITH POWERS: No explaining
18 given.

19 MIA RYDER: There was no explanation I
20 just had to promise that wasn't going to be a topic
21 of one of my classes. So obviously there is
22 obviously a difference no one has asked me ever to
23 see a curriculum so.

24 MIKKEN CADE (SP?): Nobody has ever asked
25 to see my curriculum. I usually send like a short

1 paragraph because I figure the less, I saw the
2 better.

3
4 CHAIRPERSON KEITH POWERS: Got it. And
5 I'm sorry I know Osbourne has a contract with the
6 Department of Corrections. Are you contracted? Are
7 you volunteer?

8 MIA RYDER: Volunteer.

9 CHAIRPERSON KEITH POWERS: Volunteer,
10 okay. Got it so maybe there is a difference based on
11 status. I don't know.

12 DARREN BROWN: I can comment as to that.
13 A lot of the strive programs, a lot of different
14 contracts from both Fortune and I-CAN Osbourne so
15 that the criteria is different but then also this is
16 many years of working with DOC and you know throwing
17 out suggestions and sometimes it comes and sometimes
18 it doesn't but if you are consistent with it
19 sometimes you get some stuff changed. That's what I
20 mean about the collaboration efforts and it needs to
21 be on a facility level as well.

22 CHAIRPERSON KEITH POWERS: And can I just
23 ask for the two volunteer organizations, how often
24 are you providing programming? And where are you
25 doing it? I think you are going to teach you but how

1
2 did you get, how difficult was the process to become
3 an organization to provide services and then how
4 often are you there and how, how does it get
5 determined maybe for Columbia, where you end up in
6 terms of doing programming?

7 MIA RYDER: So, I started out at Rosie's.
8 Uhm I started out with one short workshop and then
9 kind of it continued. So, it was very organic I
10 guess you could say. And that was three years ago
11 and now we go I have volunteers going and I go most
12 times with them so Wednesday evening, Saturday
13 afternoons uh at Rosie's. We are also now on
14 Saturday afternoons at RNDC. We have a temporary
15 like a shorter program that is going on at OBCC and
16 we are offering a college class at EMTC.

17 CHAIRPERSON KEITH POWERS: And who
18 chooses that schedule?

19 MIA RYDER: You know, there are various
20 program coordinators and I just kind of network like,
21 you know like I email so and so and I say hey I have
22 this program do you have room for me? And they say
23 no but I will put you in touch with so and so and.

24

25

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2 CHAIRPERSON KEITH POWERS: And they say
3 Wednesday night we need it, we have a need for some
4 programming and.

5 MIA RYDER: And we would love to have
6 your program you know and then we work out the
7 schedule.

8 CHAIRPERSON KEITH POWERS: And will where
9 to?

10 MIA RYDER: Yeah, it is up to them
11 really. I mean we will, we will provide program to
12 whoever we can get to. And I will provide more if I
13 could get my volunteers badged.

14 MIKKEN CADE (SP?): I think that the
15 story is similar. We also sort of had an organic
16 process where I think after the transgender housing
17 unit was formed, uhm Fay Alarde from the Prison
18 Rehabilitation Acts Office reached out to us to
19 provide programming and I think maybe because it is
20 income programming is part of why it took about four
21 years to get a volunteer clearance and so that
22 happened and then it was supposed to be twice a
23 month. I think one of the counselors answered the
24 questions about like why people aren't necessarily
25 participating is because I couldn't actually

1
2 guarantee that I would be there twice a month because
3 sometimes I would be asked to wait 3 to 4 hours and
4 if I had another court appearance or I had a client
5 waiting for me or if I was tired. Uhm, I couldn't
6 actually be there to do the next class and so folks
7 didn't really wait on me because they didn't think I
8 was dependable and they were correct. And so, for
9 instance I started to do certificates at the end of
10 every single class, because I couldn't do a multi-
11 series class because I can't guarantee that I will
12 actually be there to do the second one and also
13 because it seems that someone else said earlier,
14 people ping pong around all the time. Folks are
15 leaving the trans-housing unit constantly. Uhm I
16 can't actually guarantee that they will be there for
17 the second class either. And so, I think that is a
18 big issue in people engaging in programming is that
19 it doesn't feel dependable, it doesn't feel reliable.
20 Uhm, yeah.

21 CHAIRPERSON KEITH POWERS: Are you all
22 asked to take attendance at each session?

23 MIA RYDER: Yes.

24 MIKKEN CADE (SP?): It, it gets taken
25 twice, one the student signs in for the, for the Cos

1
2 attendance and then we are asked to take another
3 attendance and email that to the program's
4 coordinator afterwards.

5 CHAIRPERSON KEITH POWERS: Got it, great.
6 Thank you for that testimony and I think you are the
7 last panel but thank you for staying with the. I
8 have to turn my mic off. I wanted to say thank you
9 to everybody. I know it has been a few hours here.
10 I think that this commitment that the city has made,
11 the Mayor has made and the Council has passed laws
12 around is really fairly important and we have met so
13 many different groups that are doing work in here but
14 have all been raising very similar concerns and a lot
15 of them just became basic access to getting
16 clearances, knowing where to go, who to talk to and
17 having a reliable structure that allows you to
18 provide meaningful and consistent programming in
19 there. I think for us as a Council in clarity I
20 think there was a number of testimonies that talked
21 about just getting specific housing unit data so that
22 we can see what is being effective here and
23 understanding you know getting better data that is
24 already required to no completion rates. The fact
25 that we don't have participation in completion rates

1 in programs that are mandated to be reported on. I
2 am, we are happy to fix those issues with them in
3 terms of what barriers to reporting might exist, but
4 certainly when we create requirements, we ask
5 expectations that the basic data is being given to
6 us. So, we can do a better job. The DOC can do a
7 better job, use advocates can better understand where
8 there is a need and certainly our goal here is to
9 expand programming and the amount of hours that are
10 offered, two to three hours when it was supposed to
11 be five on a completely unacceptable and the, the
12 options and availability of meaningful programming
13 and making sure that people are getting to it and
14 that is all to get to the, the sort I think shared
15 mandate of having five hours of really high quality
16 programming that will help people re-enter back into
17 the City and be able to take advantage of where it is
18 re-entry services or emotional services or being
19 ready for a new job. This is all meant to both
20 reduce idle time but really to meet certain
21 particular goals and I think this hearing
22 demonstrates we still have a long way to go in order
23 to do that and I think every single group talked
24 about access like volunteer clearances that seems
25

1
2 like some, some easy stuff immediately with the
3 Department that we should be looking to fix but the
4 long-term goal here and not that long-term goal is ot
5 really make sure that our five hour mandate is being
6 met and that uhm we are getting you know clear and
7 reliable data in terms of our ability to hold those
8 accountable. So, I do envision that we will be back
9 here sometime in the future talking about this again
10 and getting a clear update. In the meantime, I think
11 our role here is to incorporate a lot of the feedback
12 that was given to you and the questions that you were
13 able to answer to give a formal response back and
14 then start to move, to look at the pieces where,
15 maybe even the 12 to 18-month extension. That seems
16 another one that is just like right in front of us
17 staring at us as a potentially we can resolve. So,
18 please you followup with us if you have any
19 additional points or questions. I know the two-
20 minutes is difficult for everybody to get in all of
21 their ideas. We have a lot of testimony to read
22 through as well and I think you all for taking the
23 time. First of all, thank you all for the
24 programming that you are providing and being, and
25 being very caring about uhm providing a service for

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COMMITTEE ON JUSTICE SYSTEM

you to be here today to do this and we will, we will
have specific questions, we will followup with groups
but also if you have followup information we also
look forward to seeing that and you can submit
additional testimony as well. So, thank you for that
and with that we are adjourned here. Again, I want
to thank all of the staff for putting this together
(gavel pounding). Thanks.

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 31, 2019